



## Staff Report to the Zoning Administrator

Application Number: **131010**

**Applicant:** Stuart Kityama  
**Owner:** Kityama Bros, Inc.  
**APN:** 046-151-37

**Agenda Date:** 5/17/13  
**Agenda Item #:** 2  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to recognize the replacement of a failed agricultural well under an Emergency Coastal Permit for a site that has one abandoned well and two active wells. Requires a Coastal Permit as follow-up to an Emergency Coastal Permit issued on 1/11/2013.

**Location:** Property located on the west side of San Andreas Road approximately ¼ mile south of Sunset Beach Drive (481 San Andreas Road).

**Supervisory District:** 2nd District (District Supervisor: Friend)

**Permits Required:** Coastal Permit

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131010, based on the attached findings and conditions.

### Exhibits

- |   |  |
|---|--|
| A. Categorical Exemption (CEQA determination)         | F. Emergency Coastal Permit  |
| B. Findings   | G. Record of Survey, prepared by Mid Coast Engineers, dated October 2002 and Grant Deed, Document No. 2003-0077169 |
| C. Conditions   |  |
| D. Project Plans                                      |  |
| E. Assessor's, Location, Zoning and General Plan Maps |  |

### Parcel Information

Parcel Size:	92.5 acres (EMIS estimate)
Existing Land Use - Parcel:	Commercial Agriculture (field crops and greenhouses)
Existing Land Use - Surrounding:	Commercial Agriculture
Project Access:	Via San Andreas Road
Planning Area:	San Andreas

Application #: 131010  
APN: 04615137  
Owner: Kityama Bros, Inc.

Land Use Designation: AG (Agriculture)  
Zone District: CA (Commercial Agriculture)  
Coastal Zone: X Inside        Outside  
Appealable to Calif. Coastal Comm. X Yes        No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Type 3 Prime Agricultural Soils  
Fire Hazard: Not a mapped constraint  
Slopes: Parcel is primarily flat in area of proposed well.  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Not mapped

### Services Information

Urban/Rural Services Line:     Inside    X Outside  
Water Supply: Private wells  
Sewage Disposal: Septic  
Fire District: California Department of Forestry  
Drainage District: None

### Project Description and Background

The proposal is to approve the replacement of a failed agricultural well for which an Emergency Coastal Permit was issued in January 2013. The parcel is located between the sea and the first through road; therefore, a Coastal Permit is required for the project.

The applicant submitted documentation which indicates that the original well was inoperable due to a collapse of the well casing. The well provided irrigation water to field crops and to about 13.3 acres of greenhouses for flower cultivation.

The onsite greenhouses and other on site improvements were constructed under Master Plan Permit #86-0351. A Lot Line Adjustment was approved in 2000 which resulted in the current configuration of parcels 046-151-36 and 046-151-37. In 2002, the County issued an Emergency Coastal Permit and approved a subsequent Coastal Permit (#02-0586) for the replacement of a failed agricultural irrigation well. It appears that the replacement well approved under permit #02-0586 is now salt-water intruded.

There are currently three wells on-site: two irrigation wells, one of which is currently proposed to be replaced, and one salt-intruded well that is not used for irrigation.

## **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 92 acres and is located in the CA (Commercial Agriculture) zone district, a designation which allows commercial agriculture uses. An agricultural well is a permitted use within the zone district and the zoning is consistent with the site's (AG) Agriculture General Plan designation.

The replacement well was drilled about 25 feet north of the failed well to a depth of approximately 230 feet. Although the replacement well is located outside of the well easement which provides the northerly adjacent parcel (APN 046-151-36) access to the well, the property owners currently own both parcels; therefore, an easement is not necessary. Conditions of approval require the property owner reestablish the well easement boundaries to include the location of the replacement well prior to the sale of either parcel (APN's 046-151-37 and 046-151-36).

The replacement well will utilize the same aquifer as the failed well and will be sized for the same capacity as the original well; therefore, the replacement well qualifies for a categorical exemption under the California Environmental Quality Act (CEQA). An emergency permit was warranted for this site because the flower production is within enclosed greenhouses that rely entirely on irrigation water. An inadequate water supply would result in damaged or inferior crops or crop failure. Given the cost constraints of commercial agriculture in this area, the inability to replace the well immediately would create a catastrophic economic loss and be injurious to the viability of the agricultural operations at this site.

## **Local Coastal Program Consistency**

The proposed agricultural well is in conformance with the County's certified Local Coastal Program, in that the well will have no affect on the scenic resources on the subject parcel. Environmental Health Services has reviewed and issued a well abandonment permit for the failed well and a well drilling permit for the new well under the auspices of the Emergency Coastal Permit issued on January 11, 2013. The old well was destroyed on February 1, 2013.

## **Conclusion**

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

## **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **131010**, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available**

Application #: 131010  
APN: 04615137  
Owner: Kityama Bros, Inc.

**for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

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# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 131010

Assessor Parcel Number: 046-151-37

Project Location: 481 San Andreas Road

**Project Description: Proposal to drill a replacement agricultural well.**

**Person or Agency Proposing Project: Stuart Kityama**

**Contact Phone Number: (831) 722-8118**

- A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines Section 15378.  
B. \_\_\_\_\_ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).  
C. \_\_\_\_\_ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.  
D. \_\_\_\_\_ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. **X** **Categorical Exemption**

Specify type: Class 2 - Replacement or Reconstruction (Section 15302)

**F. Reasons why the project is exempt:**

Proposal to recognize a replacement agricultural well constructed under an Emergency Coastal Permit.

In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Samantha Haschert, Project Planner

Date: \_\_\_\_\_

## **Coastal Development Permit Findings**

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

An agricultural well is essential to maintain the principal permitted and priority commercial agriculture use of the parcel and is an allowed use in the Commercial Agriculture (CA) zone district, but is subject to coastal regulations and requires a Coastal Development Permit. The CA zone district is consistent with the General Plan and Local Coastal Program land use designation of Agriculture. The replacement of the damaged well is both appurtenant and essential to this principal use.

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

Although the well will be located outside of the existing well easement, this finding can be made in that the well is not required to be located within the well easement, because the property owner owns both the subject parcel and the northwest adjacent parcel (APN 046-151-36), which are both served by the proposed well. Additionally, the location of the well does not conflict with the existing storm drain easement or water line easement.

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

The proposed replacement well is consistent with the special use standards and conditions of County Code Section 13.20.130 et seq., in that, although well head, a panel for electrical equipment, and distribution lines/pipes will be visible at the surface of the well, these utilities are often visible on agricultural properties in that they are a necessary feature of agricultural production. The parcel is surrounded by agricultural parcels to the north, south, east, and west, therefore, the visible portions of the wells are compatible with and integrated with the character of the surrounding agricultural areas. Additionally, all grading and earth-moving will be limited to that necessary to install the well and there are a row of trees located at the frontage of the parcel along San Andreas Road which will buffer the view of the above ground features from the public view shed.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

The project site is located in the appealable area between the shoreline and the first through public road. The nearest public access to the beach is located to the north off of Sunset Beach Drive at Sunset Beach State Park. The replacement well will not interfere with public access to the beach, ocean, or any nearby body of water. The project site is not identified as a priority acquisition site in the County Local Coastal Program, and is not designated for public recreation or visitor serving facilities. Therefore, the project will not interfere with the public's access and enjoyment of this beach area.

5. That the proposed development is in conformity with the certified local coastal program.

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The proposed replacement well is consistent with the County's certified Local Coastal Program in that an agricultural well is an essential support structure for the commercial agricultural use which is not only a principal permitted use, but a priority use in the CA (Commercial Agriculture) zone district and on Type 3 (Prime Coastal Agricultural Resource lands), although a use approval is required in this area of the Coastal Zone. The coastal development permit has been conditioned to limit the scope of work to the replacement of the failed well, in-kind.

## **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.

The replacement well 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 be materially injurious to properties or improvements in the vicinity, as the proposed project is equivalent to that of the well it will replace. Specifically, the new well will utilize the same aquifer, and will be drilled to approximately the same depth and have the same capacity. Thus, there will be no increase in water use associated with this new well.

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.

The project site is located in the Commercial Agriculture (CA) zone district and the replacement well is an essential component of the existing commercial agricultural operation which is a priority use in this zone district. The replacement well and the conditions under which it would be constructed and operated will be consistent with all pertinent County ordinances and the purpose of the CA zone district because the well is necessary to maintain the commercial agricultural use of the property, the property is surrounded by agricultural parcels and the visible, above ground features of the well are compatible with the surrounding agricultural parcels, and there are a row of tree along the frontage of the parcel which will buffer the view of the above ground well features from the public view shed along San Andreas Road. Further, there will be no grading beyond that which is required for the installation of the well and there are no environmental resources in the area of the well that would be impacted by the disturbance. Therefore, this finding can be made.

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.

The project is located in the Agricultural (AG) land use designation. All Local Coastal Program policies have been met in the proposed location of the project and with the required conditions of this permit. Commercial agriculture is a priority use for Type 3 agricultural lands, and the proposed project will allow existing commercial agricultural operations to continue.

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 use will not overload utilities as the well capacity will be equal to that of the well that it replaces and the replacement of a well is not a traffic generating activity.

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.

The replacement well is essential to maintain the existing agricultural operation on the subject property, which is a use that is compatible with other agricultural land uses in the vicinity. The new well will be in the same aquifer, of a similar depth, and of the same capacity as the well it replaces, therefore, there will be no adverse affect on adjacent parcels because there will not be any increase in water usage and this finding can be made.

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

This finding can be made, in that the proposed agricultural well will be located on a parcel with an existing commercial agricultural use and will not be visible from San Andreas Road or the scenic beach view shed, therefore, the well will not reduce or visually impact public views or available open space in the surrounding area.

## **Agricultural Findings**

### **Required Special Findings for Level 5 (or Higher) Development on "CA" and "AP" Zoned Properties County Code Section 13.10.314 (a)**

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

The establishment of the replacement well will enhance and support the continued operation of commercial agriculture on this parcel in that without the well, current crops and methods of agricultural production will fail. The proposed replacement well will benefit the existing agricultural uses on the subject property. There will not be any adverse effects on the adjacent agricultural lands as the well will be located in the same aquifer, roughly the same depth and have the same capacity as the well it replaces.

2. The use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or no other agricultural use of the parcel is feasible for the parcel; or the use consists of an interim public use which does not impair long-term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of Section 13.10.635; or

The proposed replacement well is not only ancillary, but essential to the principal agricultural use of this property.

3. Single family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on site, where applicable, or in the area.

No single family use is proposed. The well is designed to service the existing agricultural demand. The proposed well will not adversely affect this or neighboring agricultural lands in that the well will allow for the continued commercial agricultural use of the property and will be located in the same aquifer and drilled at the same depth and have the same capacity as the existing well.

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

The amount of land removed for the purposes of drilling and housing the new well is negligible.

## Conditions of Approval

Exhibit D: Project Plans, 5 sheets, dated 1/8/2013, prepared by Stuart Kitayama

- I. This permit authorizes the replacement of an agricultural well in the coastal zone. 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 Well Abandonment Permit from the Santa Cruz County Environmental Health Services for the damaged well.
  - C. Obtain a Well Drilling Permit from the Santa Cruz County Environmental Health Services for the replacement well.
    - a. The replacement well shall be located within the same aquifer as the well it replaces with an approximately depth of 230 feet.
    - b. The well capacity shall not exceed the capacity of the failed well that it replaces without prior approval from Planning Department Staff and the Department of Environmental Health Services.
    - c. The well shall be used exclusively for agriculture and agriculturally related uses
  - D. Obtain a Building Permit from the Santa Cruz County Building Official.
    - a. 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.
  - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
  - A. All inspections required by the County Environmental Health Services Department shall be obtained. The well driller shall contact Environmental Health Services stall to coordinate inspections of the new irrigation well.

- B. The new well shall be abandoned in accordance with the conditions of the Environmental Health Services well abandonment permit.
- C. The new well shall be constructed in accordance with the conditions of the Environmental Health Services well drilling permit.
- D. All site improvements shown on the final approved Building Permit plans shall be installed.
- E. Submit evidence of the replacement well's capacity to the project planner. The capacity of the replacement well shall be the same as the capacity of the failed well.
- F. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- G. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, shall be observed.

III. Within 90 days of the effective date of this permit, the property owner shall:

- a. Apply for a permit and submit all required forms through County Environmental Health Services under the Community Drinking Water Program to ensure that the well on the site that is used for domestic water supply meets all water quality standards for a Non-Transient/Non-Community Water System.
- b. Provide a well completion report, a geophysical log, and include a statement of intent that confirms that the water from the new well will be used for irrigation purposes only. After the irrigation well is drilled and inspected, the property owner shall provide well water quality test data (sampled and tested by a certified lab) for nitrate and sodium chloride.

IV. Operational Conditions

- A. The well capacity shall not exceed that of the failed well.

- B. The well shall be used exclusively for agriculture and agriculturally related uses.
  - C. Prior to the sale of APN 046-151-36 and/or APN 046-151-37, the current property owners shall re-establish and re-record the well easement boundaries to include the location of the replacement well.
  - D. 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.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    - 1. COUNTY bears its own attorney's fees and costs; and
    - 2. COUNTY defends the action in good faith.
  - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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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) is obtained for the primary structure 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 permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Wanda Williams  
Deputy Zoning Administrator

\_\_\_\_\_  
Samantha Haschert  
Project Planner

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

KITAYAMA BROS INC  
481 SAN ANDREAS ROAD  
PARCEL 46-151-37

92 ACRES

BACKGROUND INFO FOR  
PROPOSED  
AGRICULTURAL WELL

1/8/2013

STUART KITAYAMA  
481 SAN ANDREAS ROAD  
WATSONVILLE, CA

95076

831-722-8118 OFF

831-818-4246 CEL

skitayama@kbflowers.com

1. Our Irrigation Well #3 failed in September 2012, due to restricted water flow that caused air to be pulled into the pump, this air (cavitation) ruined the pump and bearings. The ground water level has been stable for years and did not cause the restricted flow. The restricted water flow was caused by plugged perforations. This well is old, estimated to be built the 1940's, and now its perforations are plugged. We propose to abandon and seal the old well, and drill the proposed new well about 25' away and to a similar depth. See the attached preliminary drawing of the well.
2. We must get this well approved and drilled by Mid April, the beginning of the heavy irrigation season. This is one of two usable irrigation wells that support our 225 acres of greenhouses and farm land, and the 200+ jobs that go with it. Also, we have third irrigation well, but it is salt intruded. The only reference we could find in the county records referencing Well #3 is from 2002 (see REFERENCE A AND B). We replaced a different well in 2003 and on the application we referenced this well as:
  - a. Well #3 on parcel 046-151-07
  - b. Casing diameter: 12"
  - c. Depth: 210 feet
  - d. 60 hp pump
  - e. Active pump
3. The proposed well site is located just off San Andreas Road. Our main entrance is at 481 San Andreas Road, and marked with a large sign that says "KB Farms". About .3 miles south of our main entrance on San Andreas Road is a dirt road to the right that enters our property through an opening in the tree line (this opening is shown on the "TOPOGRAPHY VIEW". The old well site is about 100' inside the property. There are no gates or locks.

KITAYAMA BROS INC  
481 SAN ANDREAS ROAD

PARCEL 46-151-37  
92 ACRES

SITE FOR PROPOSED  
AGRICULTURAL WELL  
SCALE " = 700'

1/8/2013

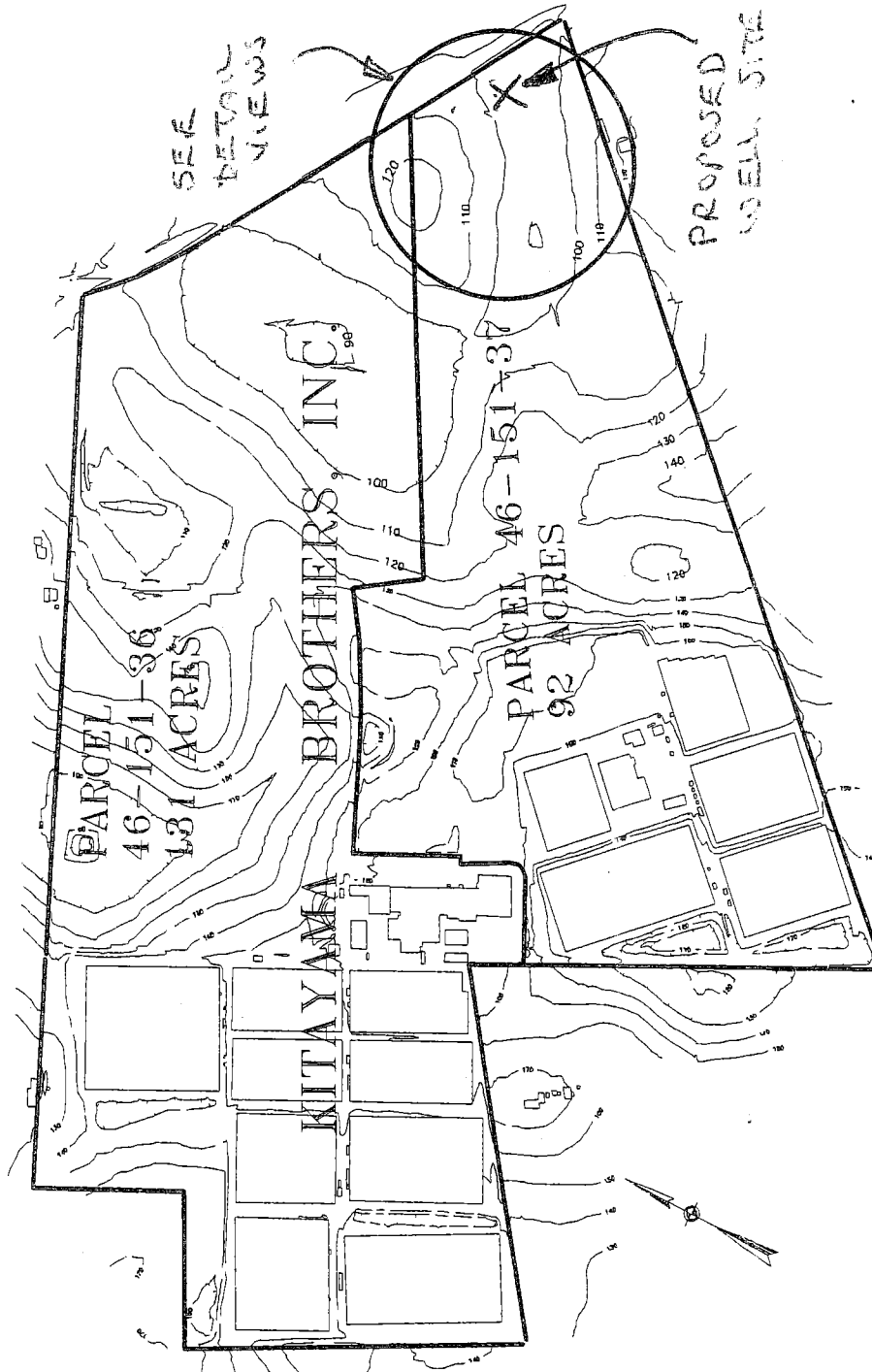
STUART KITAYAMA  
481 SAN ANDREAS ROAD  
WATSONVILLE, CA

95076

831-722-8118 OFF

831-818-4246 CEL

skitayama@kbflowers.com

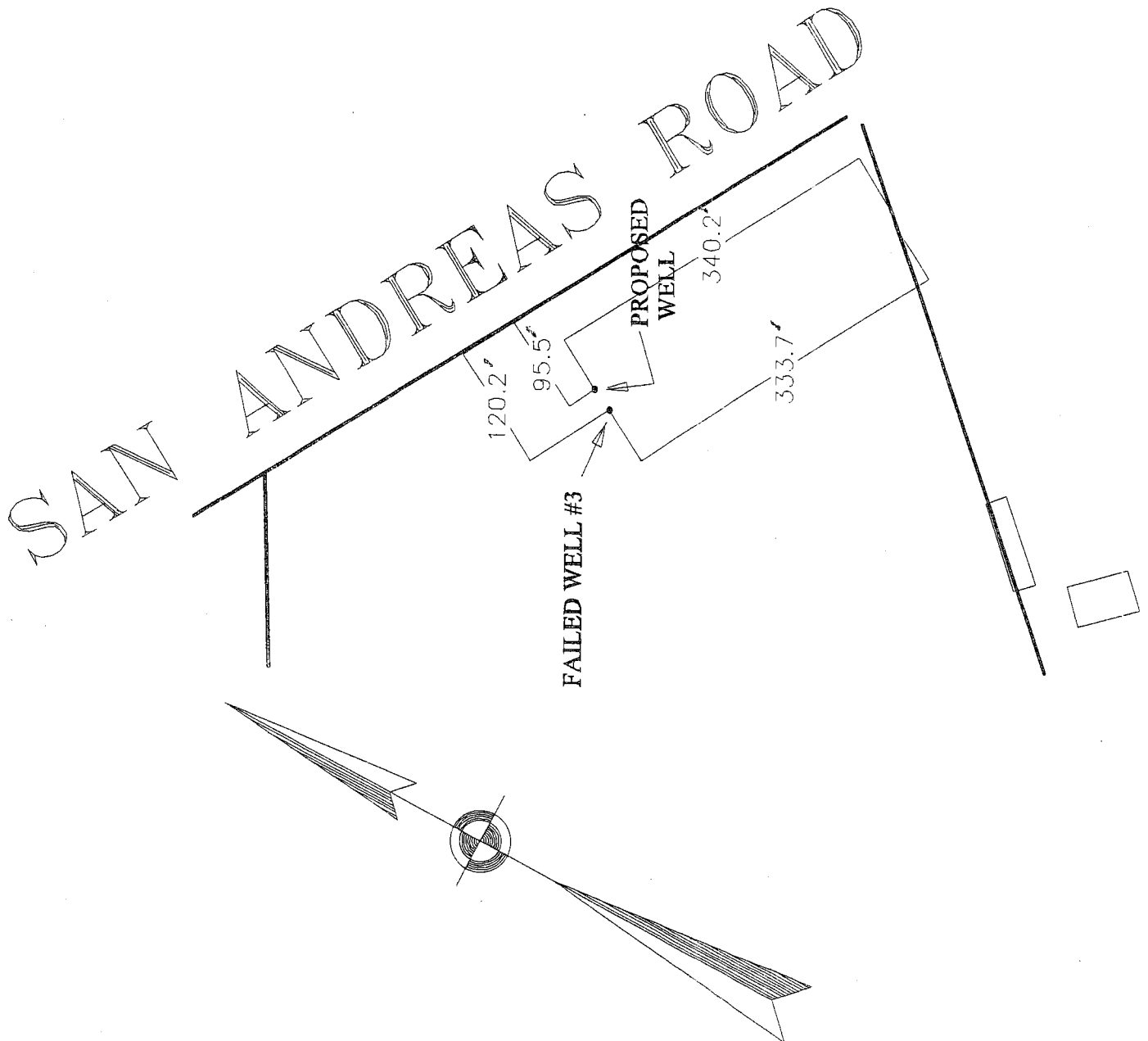




KITAYAMA BROS INC  
481 SAN ANDREAS ROAD  
PARCEL 46-151-37  
92 ACRES

DETAIL VIEW OF  
SITE FOR PROPOSED  
AGRICULTURAL WELL  
SCALE: 1" = 150'

1/8/2013  
STUART KITAYAMA  
481 SAN ANDREAS ROAD  
WATSONVILLE, CA  
95076  
831-722-8118 OFF  
831-818-4246 CEL  
skitayama@kbflowers.com



KITAYAMA BROS INC

481 SAN ANDREAS

ROAD

PARCEL 46-151-37

92 ACRES

TOPOGRAPHY OF  
SITE FOR PROPOSED  
AGRICULTURAL WELL

SCALE: 1" = 200'

1/9/2013

STUART KITAYAMA

481 SAN ANDREAS

ROAD

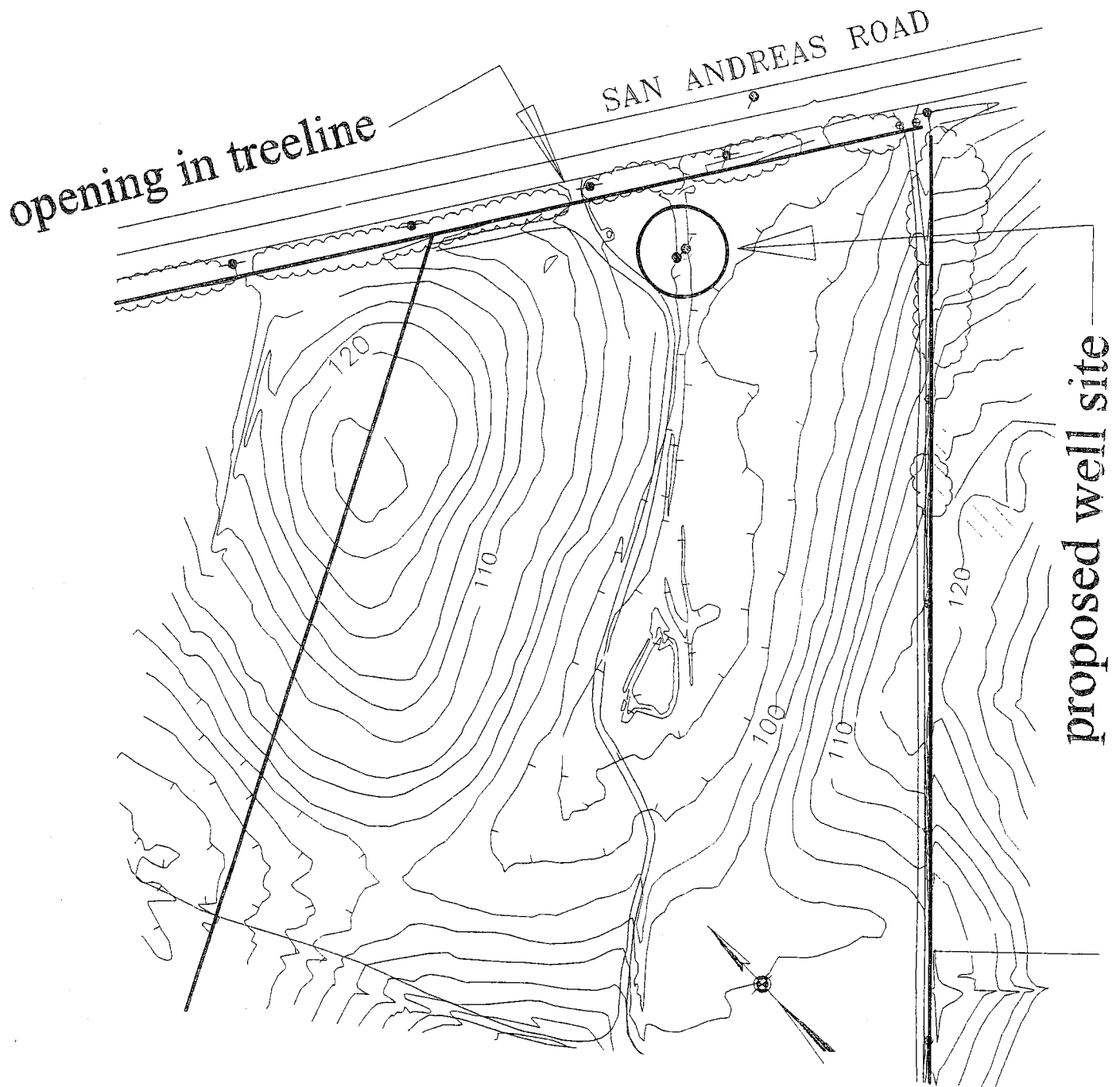
WATSONVILLE, CA

95076

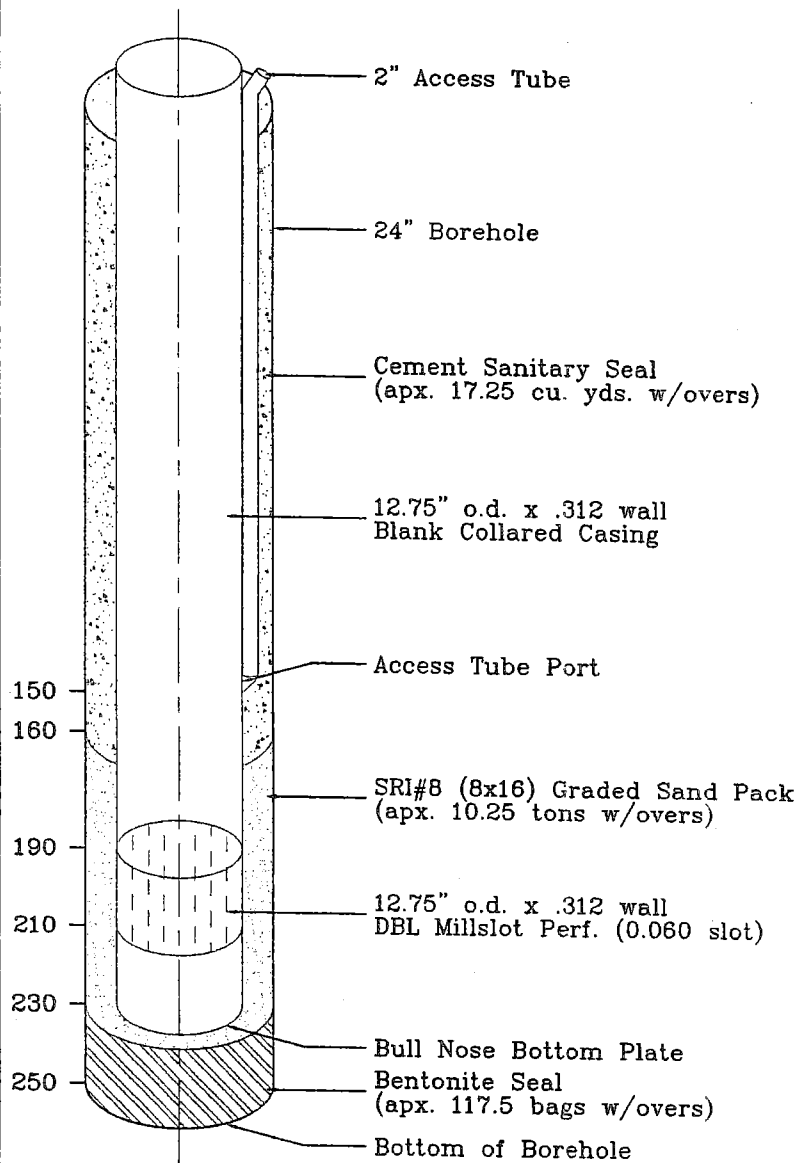
831-722-8118 OFF

831-818-4246 CEL

skitayama@kbflowers.com



Well Profile  
Job# 8669 Ag



Materials Summary

12.75" o.d. x .312 wall Blank	210'
12.75" o.d. x .312 wall DBL Millslot	20'
2" Access Tube	150'
SRI#8 (8x16) Graded Sand Pack	70'
Bentonite Seal	20'
Cement Sanitary Seal	160'

Casing Weight	Tons
12.75" o.d. x .312 wall Casing/Screen	4.77
<b>Total Casing Weight</b>	<b>4.77</b>

Lug Type (2 x 180 deg) 9-

KITAHAMA R2  
PROPOSED NEW  
WELL

1/3/13

RECEIVED

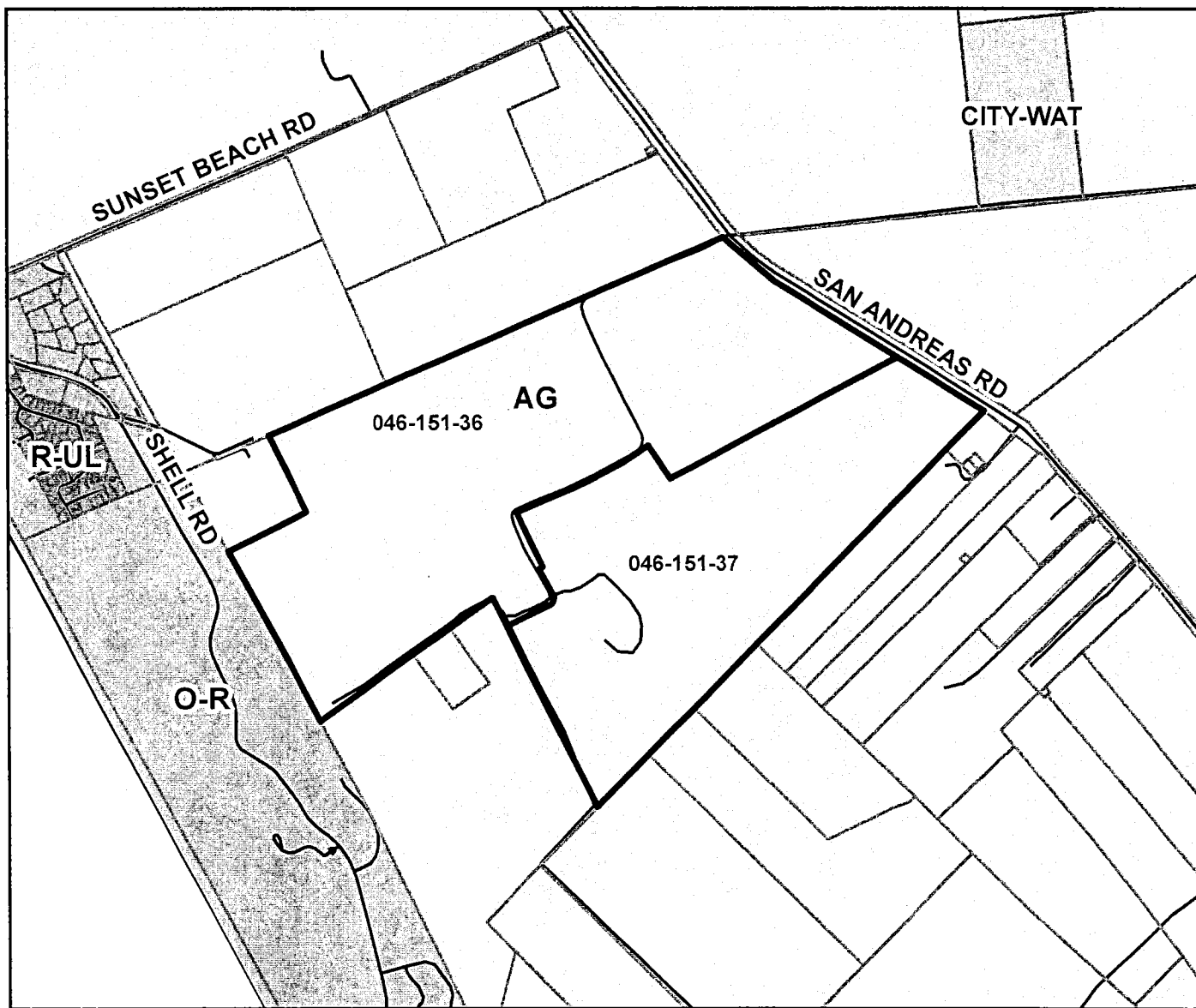
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EXHIBIT D













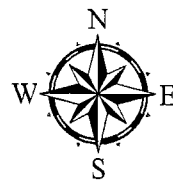
# General Plan Designation Map



1,500 750 0 1,500 3,000 4,500 6,000 Feet

## LEGEND

-  APN: 046-151-36
-  APN: 046-151-37
-  Assessors Parcels
-  Streets
-  WATSONVILLE
-  County Boundary
-  Agriculture
-  Parks and Recreation
-  Residential - Urban Low Density

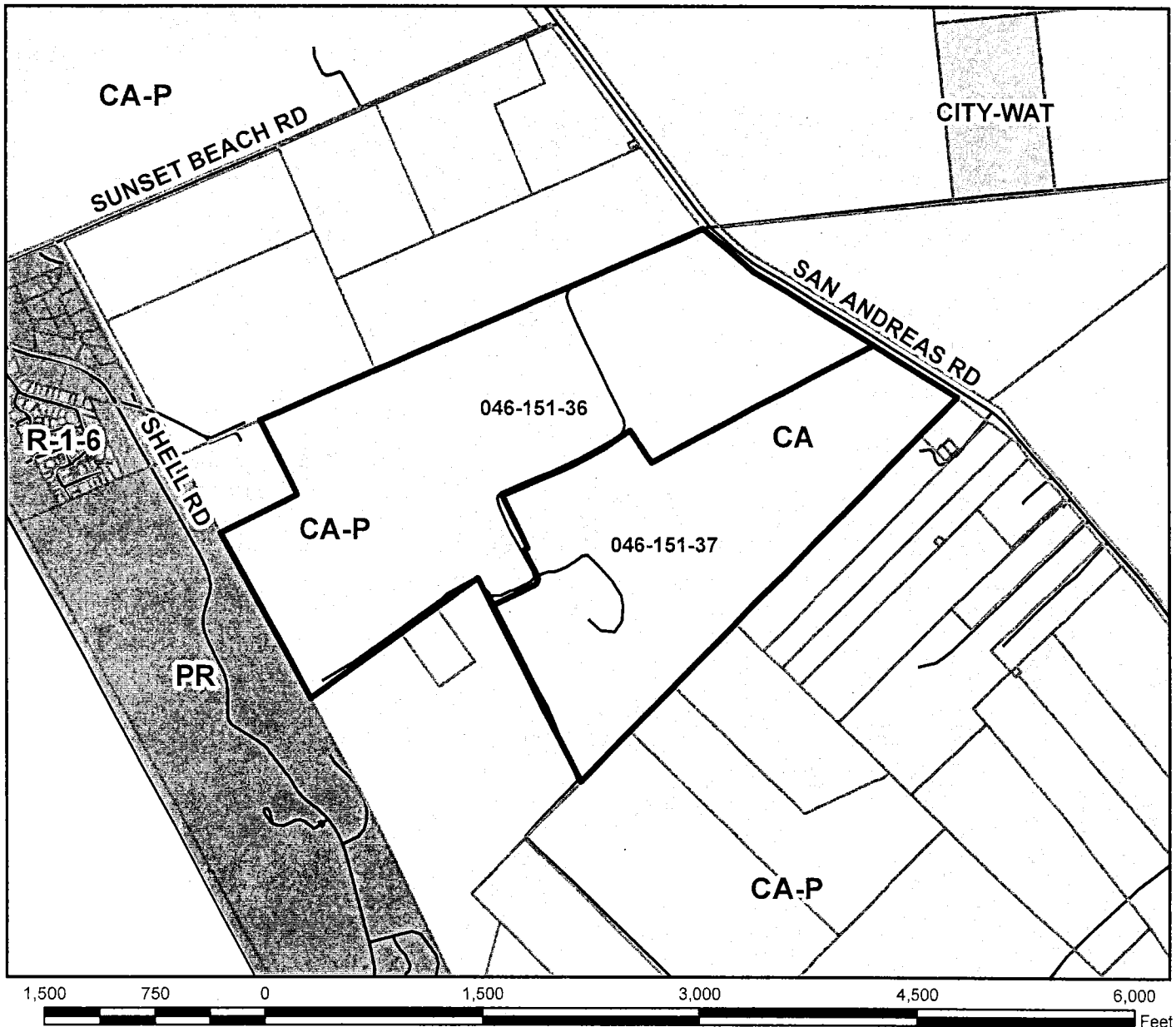


Map Created by  
County of Santa Cruz  
Planning Department  
January 2013

EXHIBIT E

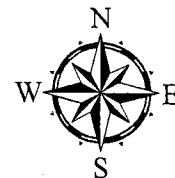


# Zoning Map



## LEGEND

- APN: 046-151-36
- APN: 046-151-37
- Assessors Parcels
- Streets
- WATSONVILLE
- County Boundary
- AGRICULTURE COMMERCIAL
- RESIDENTIAL-SINGLE FAMILY
- PARK

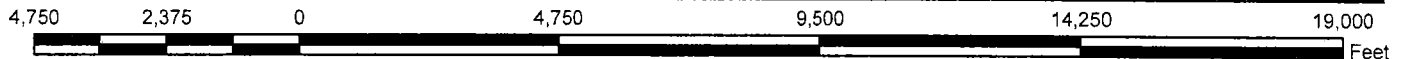
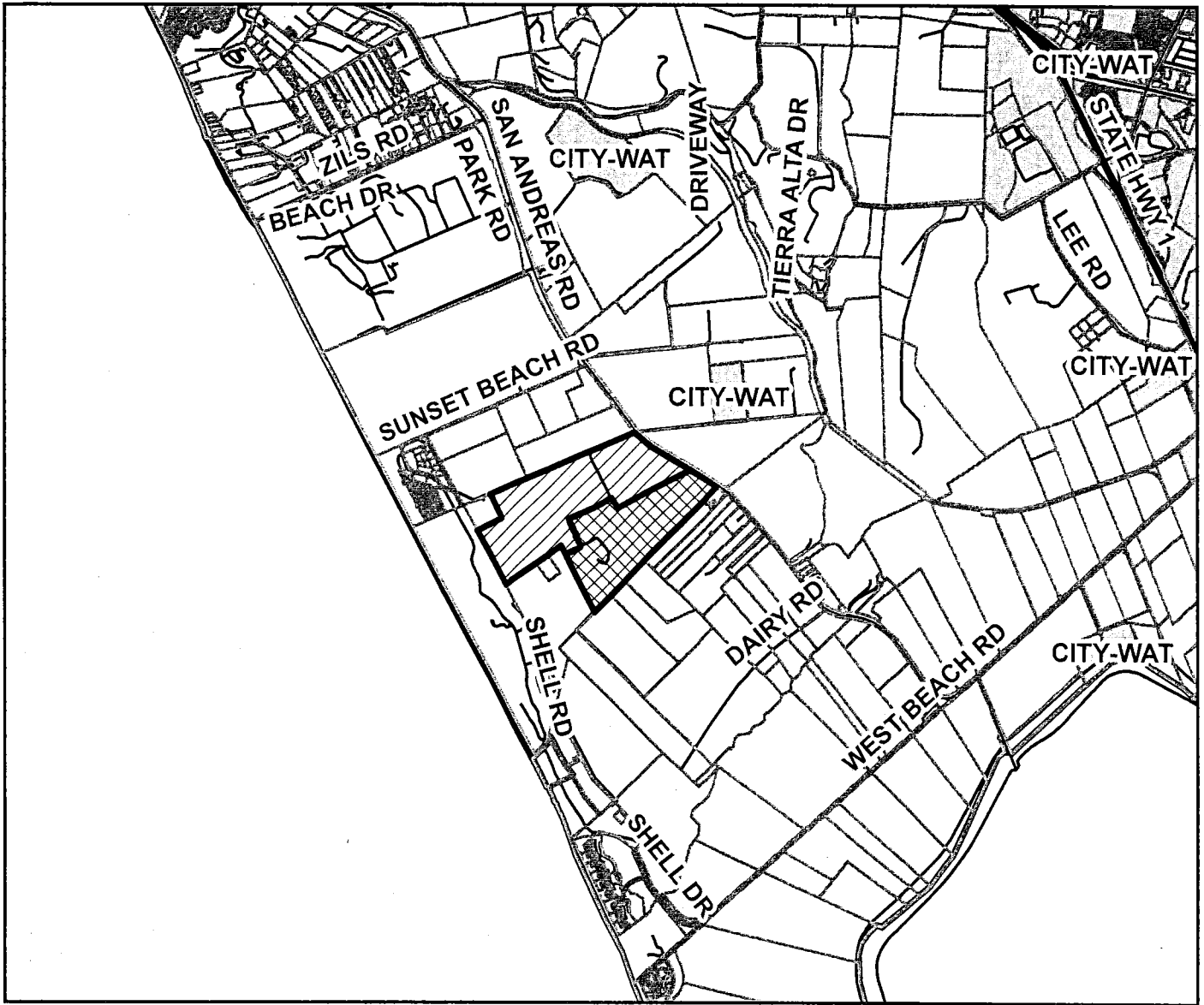


Map Created by  
County of Santa Cruz  
Planning Department  
January 2013








EXHIBIT E

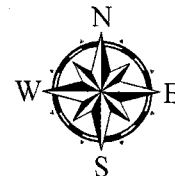


# Location Map



## LEGEND

-  APN: 046-151-36
-  APN: 046-151-37
-  Assessors Parcels
-  Streets
-  State Highways
-  WATSONVILLE
-  County Boundary



Map Created by  
County of Santa Cruz  
Planning Department  
January 2013

EXHIBIT E

# EMERGENCY COASTAL PERMIT

County of Santa Cruz Planning Department  
701 Ocean Street Santa Cruz, CA 95060

Telephone: (408) 454-2260  
Fax: (408) 454-2131

KITAYAMA BROS., INC.

Owner's Name

GUARANT KITAYAMA

Applicant's Name

481 SAN ANDREAS RD.

Address

046-151-37

Assessor's Parcel Number

881-722-8118

Telephone Number

Location of Emergency Work: 046-151-37 (AT FRONTAGE NEAR  
SAN ANDREAS)

Emergency Caused By: BLOCKED/CLOGGED IRRIGATION WELL

Emergency Status Verified By: EATON DRILLING CO., INC.

Work Authorized: DRILL REPLACEMENT WELL ABOUT 25'  
EAST OF EXISTING WELL.

IN ACCORDANCE WITH SECTION 13.20.090 OF THE COUNTY CODE, AN EMERGENCY COASTAL ZONE PERMIT MAY BE ISSUED FOR PROJECTS UNDERTAKEN TO PREVENT LOSS OF, OR DAMAGE TO LIFE, HEALTH, OR PROPERTY; OR TO RESTORE, REPAIR, OR MAINTAIN PUBLIC WORKS, UTILITIES, AND SERVICES DURING AND IMMEDIATELY FOLLOWING A NATURAL DISASTER OR SERIOUS ACCIDENT. THE PLANNING DIRECTOR MAY REQUEST, AT THE APPLICANT'S EXPENSE, VERIFICATION BY A QUALIFIED PROFESSIONAL OF THE NATURE OF, AND SOLUTIONS TO, THE EMERGENCY SITUATION.

## CONDITIONS OF ISSUANCE:

1. Only the work specifically described above is authorized. Any additional work requires separate authorization. If the scope of work authorized by this permit is exceeded, a notice of violation resulting in civil penalties may be issued.
2. At the time of issuance of this permit, the applicant shall submit a completed application, including the appropriate fees, for a regular permit. Within **90 days of this permit issuance**, all required technical reports and project plans must be submitted unless the Planning Director grants a time extension. Failure to submit the required information will void this permit.
3. The work authorized by this permit **must begin within 15 days** of issuance or the permit will be voided.
4. This permit shall **expire 60 days** after issuance.
5. Other Conditions: \_\_\_\_\_

Issued by: ice Sant

Title: Principal

Date: 1/11/13

I have read the above permit conditions and limitations and agree to conform to the conditions described above.

Owner

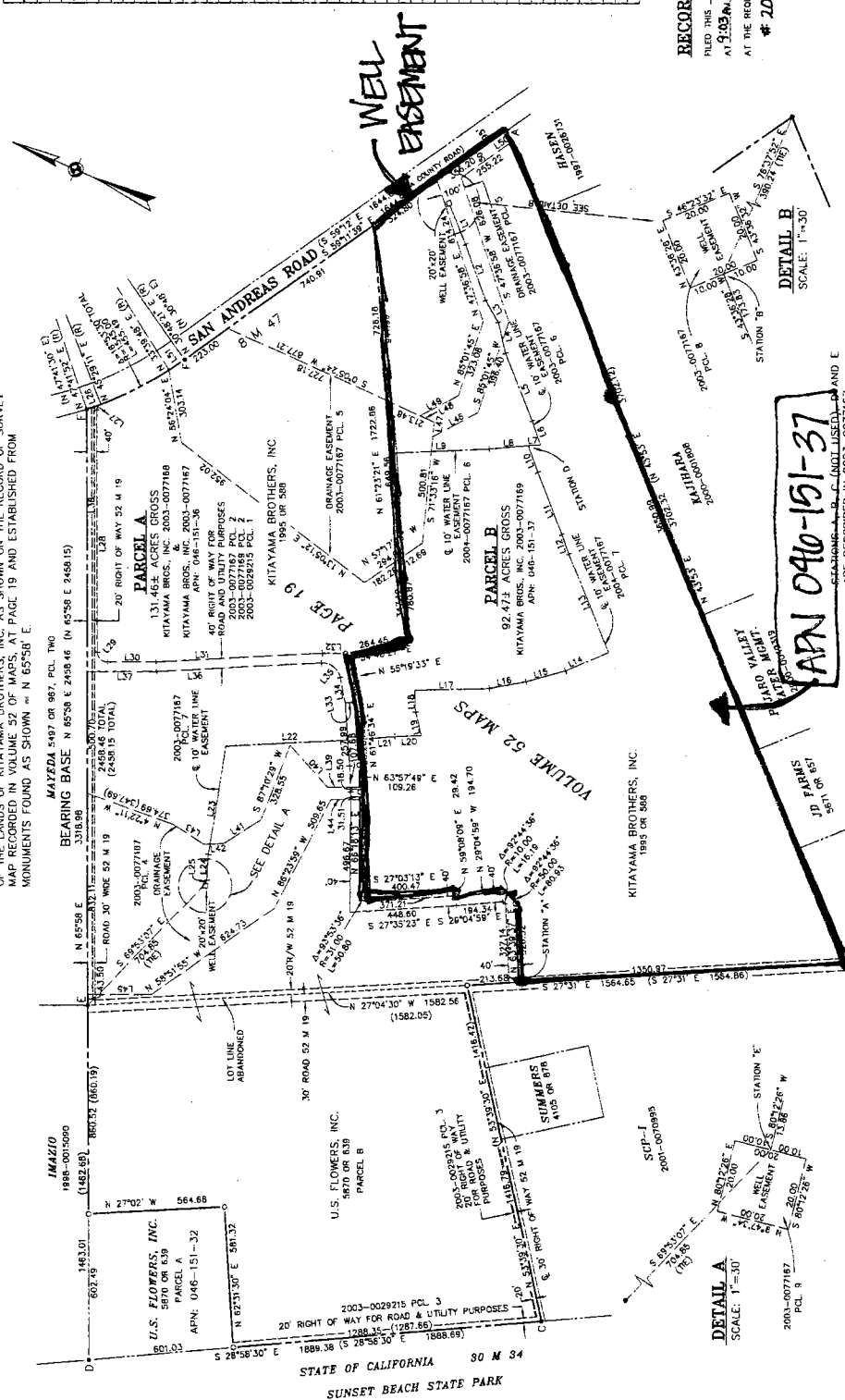
Date



**BASIS OF BEARINGS** FOR THIS SURVEY IS THE NORTHWESTERN BOUNDARY OF THE LANDS OF KITAYAMA BROTHERS, INC. AS SHOWN ON THE RECORD OF SURVEY MAP RECORDED IN VOLUME 52 OF MAPS, AT PAGE 19 AND ESTABLISHED FROM MONUMENTS FOUND AS SHOWN - N 65°58' E.

**COURSE TABLE**

LINE	COURSE
L1	S 43°36'28" W 173.83
L2	S 46°10'33" W 245.45
L3	S 43°36'28" W 173.83
L4	S 43°36'28" W 173.83
L5	S 43°36'28" W 173.83
L6	S 46°10'33" W 245.45
L7	S 43°36'28" W 173.83
L8	S 43°36'28" W 173.83
L9	S 43°36'28" W 173.83
L10	S 43°36'28" W 173.83
L11	S 43°36'28" W 173.83
L12	S 43°36'28" W 173.83
L13	S 43°36'28" W 173.83
L14	S 43°36'28" W 173.83
L15	S 43°36'28" W 173.83
L16	S 43°36'28" W 173.83
L17	S 43°36'28" W 173.83
L18	S 43°36'28" W 173.83
L19	S 43°36'28" W 173.83
L20	S 43°36'28" W 173.83
L21	S 43°36'28" W 173.83
L22	S 43°36'28" W 173.83
L23	S 43°36'28" W 173.83
L24	S 43°36'28" W 173.83
L25	S 43°36'28" W 173.83
L26	S 43°36'28" W 173.83
L27	S 43°36'28" W 173.83
L28	S 43°36'28" W 173.83
L29	S 43°36'28" W 173.83
L30	S 43°36'28" W 173.83
L31	S 43°36'28" W 173.83
L32	S 43°36'28" W 173.83
L33	S 43°36'28" W 173.83
L34	S 43°36'28" W 173.83
L35	S 43°36'28" W 173.83
L36	S 43°36'28" W 173.83
L37	S 43°36'28" W 173.83
L38	S 43°36'28" W 173.83
L39	S 43°36'28" W 173.83
L40	S 43°36'28" W 173.83
L41	S 43°36'28" W 173.83
L42	S 43°36'28" W 173.83
L43	S 43°36'28" W 173.83
L44	S 43°36'28" W 173.83
L45	S 43°36'28" W 173.83
L46	S 43°36'28" W 173.83
L47	S 43°36'28" W 173.83
L48	S 43°36'28" W 173.83
L49	S 43°36'28" W 173.83
L50	S 43°36'28" W 173.83
L51	S 43°36'28" W 173.83



**RECORDER'S STATEMENT**  
 RECORDED THIS 10th DAY OF September 20 03  
 AT 1:09 PM IN VOLUME 104 OF MAPS AT PAGE 14  
 AT THE REQUEST OF Stewart Kitayama  
 # 2003-0094156

(SIGNED) Richard W Bedal  
 COUNTY RECORDER  
 BY: Dari Agnane  
 DEPUTY

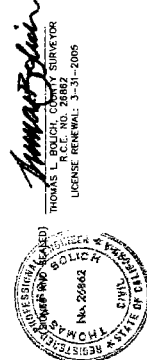
PLANNING DEPARTMENT PERMIT NO. 99-0770

**RECORD OF SURVEY**  
 LOT LINE ADJUSTMENT BETWEEN  
 KITAYAMA BROTHERS, INC. & U.S. FLOWERS, INC.  
 RANCHO SAN ANDREAS  
 SANTA CRUZ COUNTY CALIFORNIA

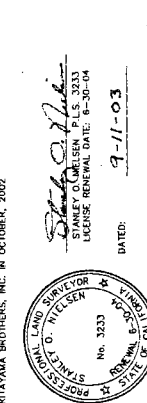
**MID COAST ENGINEERS**  
 CIVIL ENGINEERS AND LAND SURVEYORS  
 70 PENNY LANE, SUITE A  
 WATSONVILLE, CALIFORNIA  
 BY: Stanley O. Nielsen

STANLEY O. NIELSEN P.L.S. 3233  
 SCALE: 1"=300'  
 SHEET 1 OF 1  
 OCTOBER 1, 2003  
 JOB NO. 997795

**COUNTY SURVEYOR'S STATEMENT**  
 THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYORS ACT THIS 11th DAY OF Sept. 20 03.



**SURVEYOR'S STATEMENT**  
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS ACT THIS 11th DAY OF Sept. 2002



**LEGEND**  
 D SET 1/2" PIPE TINGED L.S. 3233  
 • INDICATES MONUMENT FOUND AS FOLLOWS:  
 A 1/2" PIPE L.S. 2362  
 B 1/2" PIPE L.S. 2363 IN OLD 1-1/2" PIPE  
 C STANDARD PARK BRASS CAP R.E. 8125  
 D SET IN CONCRETE POST  
 E 1 1/2" PIPE L.S. 3233  
 F 1 1/2" PIPE L.S. 3233  
 --- PRIORITY LINE  
 --- CENTERLINE OF 10' WATER LINE EASEMENT  
 ( ) RECORD DATA  
 DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

APN 046-151-36,37

BM 1231130



2003-0077169

## GRANT DEED

Recorded  
Official Records  
County Of  
SANTA CRUZ  
RICHARD W. BEDAL  
RecorderREC FEE 31.00  
SURVEY 10.00RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:Sean C. Stewart, Esq.  
Perkins Coie LLP  
1899 Wynkoop Street, Suite 700  
Denver, Colorado 80202-104310:38AM 04-Aug-2003 BLS  
Page 1 of 9

No Documentary Transfer due Lot Line Adjustment

*Grantor - Grantee is the same*GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, KITAYAMA BROS., INC., a Colorado corporation, as grantor, hereby grants to KITAYAMA BROS., INC., a Colorado corporation, as grantor, the real property located in the City of Watsonville, County of Santa Cruz, State of California, described on Exhibit A attached hereto and made a part hereof.

Executed as of this 31<sup>st</sup> day of December, 2002.KITAYAMA BROS., INC.,  
a Colorado corporationBy: *John Sankar*  
Its: President

[Notary]

Exhibit A to Deed

Real Property Description

PARCEL B

PARCEL 1

SITUATE in the Rancho San Andreas and

BEING a portion of the lands conveyed to Kitayama Brothers, Inc. by deed recorded in Volume 1995 of Official Records, at Page 588, Santa Cruz County Records and being more particularly bounded and described as follows:

BEGINNING at a ½ inch pipe, L.S. 3233, on the southwestern boundary of San Andreas Road as said boundary is shown on the map entitled, "Lands to be Conveyed to Kitayama Brothers, Inc.", recorded in Volume 52 of Maps, at Page 19, Santa Cruz County Records, at the most eastern corner of said lands of Kitayama Brothers, Inc.; thence from said point of beginning along the southwestern boundary of San Andreas Road the following courses:

1. North 59° 11' 39" West 681.00 feet; thence leaving said southwestern boundary
2. South 61° 23' 21" West 1722.86 feet; thence
3. North 34° 40' 27" West 264.45 feet; thence
4. South 55° 19' 33" West 202.09 feet; thence
5. South 61° 46' 34" West 261.01 feet; thence
6. South 63° 57' 49" West 109.26 feet; thence
7. South 66° 18' 13" West 421.49 feet; thence
8. South 27° 03' 13" East 400.47 feet; thence
9. South 59° 08' 09" West 29.42 feet; thence
10. South 29° 04' 59" East 194.70 feet; thence
11. Southerly curving to the right with a radius of 50 feet, through a central angle of 92° 44' 36", an arc distance of 80.93 feet, thence
12. South 63° 39' 37" West 326.32 feet to the southwestern boundary of the above mentioned lands conveyed to Kitayama Brothers, Inc.; thence along said southwestern boundary
13. South 27° 31' East 1350.97 feet to the most southern corner of said lands of Kitayama Brothers, Inc.; thence along said southeastern boundary of said lands

14. North 43° 53' East 3702.32 feet to the point of beginning

PARCEL 2

TOGETHER with a non-exclusive easement for road and utility purposes more particularly bounded and described as follows:

BEGINNING at a ½ inch pipe on the southwestern boundary of San Andreas Road as said boundary is shown on the map entitled, "Lands to be Conveyed to Kitayama Brothers, Inc.", recorded in Volume 52 of Maps, at Page 19, Santa Cruz County Records, at the most northern corner of the lands conveyed to Kitayama Brothers, Inc. by deed recorded in Volume 1995 of Official Records, at Page 588, Santa Cruz County Records; thence from said point of beginning along the northwestern boundary of said lands of Kitayama Brothers, Inc.

1. South 65° 58' West 1082.15 feet; thence leaving said northwestern boundary
2. South 24° 07' 55" East 286.28 feet; thence
3. South 27° 04' 54" East 685.44 feet; thence
4. Southerly curving to the right with a radius of 75.00 feet, through a central angle of 82° 24' 27", an arc distance of 107.87 feet; thence
5. South 55° 19' 33" West 106.44 feet; thence
6. South 31° 26' 57" East 40.06 feet; thence leaving said southwestern boundary
7. North 55° 19' 33" East 202.09 feet; thence
8. North 22° 45' 51" West 96.06 feet; thence
9. North 27° 04' 54" West 690.79 feet; thence
10. North 24° 07' 36" West 205.12 feet; thence
11. Northeasterly curving to the right with a radius of 40.00 feet, through a central angle of 90° 05' 36", an arc distance of 62.90 feet; thence
12. North 65° 58' East 998.38 feet; thence
13. Easterly curving to the right with a radius of 25.00 feet, through a central angle of 69° 31' 11", an arc distance of 30.83 feet to the above mentioned southwestern boundary of San Andreas Road; thence along said southwestern boundary

14. Northwesterly curving to the right from a tangent bearing North 44° 30' 49" West, with a radius of 1545.00 feet, through a central angle of 2° 12' 41", an arc distance of 59.63 feet to the point of beginning.

PARCEL 3

TOGETHER with a non-exclusive easement for storm drainage purposes over the following described parcel:

BEGINNING at a station on the northwestern boundary of the above mentioned lands to be conveyed to Kitayama Brothers, Inc. from which station the most northern corner of said lands bears North 68° 58' East 1582.85 feet distant; thence from said point of beginning along said northwestern boundary.

1. South 65° 58' West 832.11 feet; thence leaving said northwestern boundary to the following courses:
2. South 24° 01' 16" East 260.76 feet; thence
3. South 58° 51' 55" East 624.73 feet; thence
4. South 86° 23' 59" East 509.65 feet; thence
5. South 24° 01' 16" East 121.12 feet; thence
6. North 66° 18' 13" East 31.51 feet; thence
7. North 63° 57' 49" East 18.50 feet; thence
8. North 24° 01' 16" West 133.93 feet; thence
9. North 23° 35' 49" East 233.22 feet; thence
10. South 87° 10' 29" West 328.55 feet; thence
11. North 56° 22' 14" West 183.13 feet; thence
12. North 26° 32' 55" West 83.36 feet; thence
13. North 8° 40' 25" East 154.25 feet; thence
14. North 4° 22' 11" West 374.69 feet to the point of beginning.

PARCEL 4

TOGETHER with a non-exclusive easement for storm drainage purposes over the following described parcel:

BEGINNING at a station on the southwestern boundary of San Andreas Road at the most eastern corner of the above-mentioned lands conveyed to Kitayama Brothers, Inc.; thence from said point of beginning along said southwestern boundary of San Andreas Road

1. North 59° 11' 39" West 356.20 feet; thence leaving said southwestern boundary
2. South 47° 36' 58" West 614.24 feet; thence
3. South 85° 01' 45" West 323.08 feet; thence
4. North 51° 54' 36" West 179.34 feet; thence
5. North 0° 05' 24" East 150.03 feet to the TRUE POINT OF BEGINNING; thence continuing
6. North 0° 05' 24" East 727.18 feet to the southwestern boundary of San Andreas Road; thence along said southwestern boundary
7. North 59° 11' 39" West 223.00 feet; thence
8. Northwesterly curving to the right with a radius of 1545.00 feet, through a central angle of 2° 51' 27", an arc distance of 77.05 feet, thence leaving said southwestern boundary.
9. South 56° 24' 04" West 303.14 feet; thence
10. South 13° 05' 12" West 952.02 feet; thence
11. South 57° 17' 48" East 182.28 feet; thence
12. North 61° 23' 21" East 649.56 feet to the point of true beginning

PARCEL 5

TOGETHER with a non-exclusive easement 10.00 feet in width for water pipeline purposes the centerline of which is described as follows:

BEGINNING at a station from which the most western terminus of Course No. 5 as said Course No. 5 is described in Parcel No. 1 above, bears South 61° 46' 34" West 105.28 feet; thence from said point of beginning

1. North 26° 55' 06" West 545.82 feet; thence
2. South 75° 20' 11" West 451.22 feet; thence
3. South 69° 39' 15" West 105.80 feet; thence

4. South 80° 12' 26" West 13.86 feet to a station designated Station "E" for future reference.

#### PARCEL 6

RESERVING therefrom a non-exclusive easement 10.00 feet in width for waterline pipeline purposes the centerline of which is described as follows:

BEGINNING at a station (designated Station B for future reference) from which Station B the most eastern corner of the above-mentioned lands conveyed to Kitayama Brothers, Inc. bears South 76° 37' 52" East 390.24 feet distant; thence from said point of beginning

1. South 43° 36' 28" West 173.83 feet; thence
2. South 46° 10' 55" West 245.25 feet; thence
3. South 35° 35' 58" West 104.69 feet; thence
4. South 53° 30' 52" West 130.62 feet; thence
5. South 44° 38' 52" West 298.12 feet; thence
6. South 46° 09' 18" West 104.60 feet; thence
7. North 27° 20' 45" West 51.68 feet to a station designated Station "D" for future reference,
8. North 29° 13' 41" West 160.33 feet and
9. North 26° 34' 45" West 407.74 feet to a station from which a ½ inch pipe on the southeastern boundary of San Andreas Road bears North 61° 23' 21" East 941.99 feet and a ½ inch pipe bears South 61° 23' 21" West 780.87 feet.

#### PARCEL 7

RESERVING therefrom a non-exclusive easement 10.00 feet in width for waterline pipeline purposes the centerline of which is described as follows:

BEGINNING at the above-mentioned station D; thence from said point of beginning

1. South 45° 51' 02" West 118.19 feet; thence
2. South 44° 27' 49" West 274.18 feet; thence



3. South 47° 07' 05" West 85.48 feet; thence
4. South 43° 59' 34" West 437.77 feet; thence
5. North 46° 58' 18" West 193.76 feet; thence
6. North 39° 21' 26" West 172.51 feet; thence
7. North 34° 53' 20" West 152.18 feet; thence
8. North 25° 30' 59" West 310.22 feet; thence
9. South 63° 19' 29" West 90.39 feet; thence
10. South 51° 47' 12" West 98.62 feet; thence
11. North 26° 28' 36" West 113.59 feet; thence
12. North 28° 26' 52" West 159.39 feet to a station from which the most western terminus of Course No. 5 as said Course No. 5 is described in Parcel No. 1 above, bears South 61° 46' 34" West 105.28 feet distant.


PARCEL 8

RESERVING therefrom an easement for well purposes over and under the following described Parcel:

BEGINNING at the above-mentioned station B; thence from said point of beginning

1. North 46° 23' 32" West 10.00 feet; thence
2. North 43° 36' 28" East 20.00 feet; thence
3. South 46° 23' 32" East 20.00 feet; thence
4. South 43° 36' 32" West 20.00 feet
5. North 46° 23' 32" West 10.00 feet to the point of beginning

SURVEYED OCTOBER, 2002 BY MID COAST ENGINEERS JOB NO. 99179

  
Stanley O. Nielsen, L.S. 3233

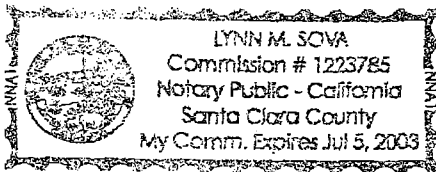
APN: 046-151-07 (Portion)



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California  
County of Santa Clara  
On December 31, 2002 before me, Lynn H. Sova  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Colin Sankey  
Name(s) of Signer(s)

☐ personally known to me - OR ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Lynn M. Sova  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Grant Deed  
Document Date: 12/31/02 Number of Pages: 8  
Signer(s) Other Than Named Above: NONE

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Colin Sankey

- ☐ Individual  
☒ Corporate Officer  
Title(s): President  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here



Signer Is Representing:

Kitayama Bros. Inc.  
A Colorado Corp.

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing: