

THIS NOTICE HAS BEEN POSTED AT THE CLERK OF THE BOARD OF SUPERVISORS OFFICE FOR A

PERIOD COMMENCING 26 Sep 2014  
AND ENDING 26 Oct 2014

CITY OF SANTA CRUZ  
**Notice of Exemption**

# 213-14  
RECEIVED  
CLERK OF THE BOARD  
SEP 26 2014  
BOARD OF SUPERVISORS  
COUNTY OF SANTA CRUZ

To:  Clerk of the Board  
County of Santa Cruz  
Governmental Center  
701 Ocean Street  
Santa Cruz, CA 95060

Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: City of Santa Cruz, Planning Dept., 809 Center Street, Room 206, Santa Cruz, CA 95060

Project Title: Santa Cruz Memorial Park Crematory Building Addition and Maintenance Building

Project Address: 1927 Ocean Street Extension

Assessor's  
Parcel No.: 008-031-15

Project Location: City of Santa Cruz

County of: Santa Cruz

**Project Description:** The project consists of construction of a 665-square-foot addition at the rear of the existing Santa Cruz Memorial Park chapel/office/mausoleum building. The existing 1,180-square-foot storage building and 665-square-foot addition would be part of the existing mausoleum complex. The project also consists of construction of a 1,500-square-foot, detached landscape maintenance building within the existing cemetery grounds. The proposed addition to an existing detached storage building at the rear of the chapel building will create a new crematory building. The crematory function of Santa Cruz Memorial Park was moved to the mortuary building across the street at 1902 Ocean Street Extension in 1992 (Zoning Permit No. 92-141).

The proposed addition will allow for the crematory retorts (burners) to be moved to their original location within the mausoleum complex. An existing 1,180-square-foot storage building located at the rear of the existing Santa Cruz Memorial Park chapel/office/mausoleum building will be remodeled by installing new windows and doors and removing the eastern wall to create a 665-square-foot addition. The addition will fill in an existing breezeway between the storage and main buildings that currently provides a covered parking area for vehicle and motorized equipment storage for the cemetery. A six-inch wall-to-wall separation will be maintained from the rear wall of the existing building that contains the chapel, offices, and mausoleum in order to meet the fire wall separation requirements of the Fire Code and occupancy separation requirements of the Building Code. However, the crematory building will effectively be an addition to the existing mausoleum complex as the two structures will be connected with metal flashing to prevent animals from passing between the six-inch gap between the building walls.

The remodeled and expanded storage building will create a new 1,845-square-foot room to house the crematory functions of the Santa Cruz Memorial Park cemetery. The two existing crematory retorts (burners) will be moved to the new crematory building, and all of the existing crematory operations will remain unchanged.

The project also includes construction of a 1,500-square-foot detached landscape maintenance building in the central rear portion of the cemetery, which will be located approximately 680 feet from the chapel building. The building will replace the existing storage building, providing space for

cemetery landscaping and burial equipment to be stored and maintained. The vehicle and motorized equipment that is currently stored in the covered breezeway that will be filled in with the proposed addition will be relocated to the new landscape maintenance building.

The project requires approval of a Historic Alteration Permit because the project involves new construction and alterations to the site of a building listed in the City of Santa Cruz Historic Building Survey. The cemetery and crematory-mausoleum site is listed in Volume I of the Historic Building Survey although only the mausoleum building is described in the survey listing. Project approvals also include a Major Modification to six previously approved Special Use Permits for additions to the original crematory-mausoleum complex that was constructed circa 1930 and a Design Permit.

**Name of Person or Agency Carrying Out Project:** Santa Cruz Cemetery Corporation

**Name of Public Agency Approving Project:** City of Santa Cruz

**Exempt Status: (check one)**

- Ministerial Project (Section 21080(b)(1); 15268).
- Categorically Exempt (Section 15301, 15303).
- Declared Emergency (Section 21080(b)(3); 15269(a)).
- Emergency Project (Section 21080(b)(4); 15269(b)(c)).
- Statutory Exemption (Code/Section \_\_\_\_\_).
- The project clearly will not have a significant effect on the environment (15061(b)(3)).

**Reasons why project is exempt:** The decision-making body has considered the Categorical Exemptions together with all comments received during the public review process and finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the application of Categorical Exemptions (Class 1, Existing Facilities, and Class 3, New Construction or Conversion of Small Structures) properly reflect the City's independent judgment and analysis.

The appellant raised concerns that the project is subject to the exceptions to the categorical exemptions per Section 15300.2(c) of the CEQA Guidelines, which states that "[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." Based on this exception, the appellant alleged that the project is not eligible for a Categorical Exemption and therefore subject to environmental review under CEQA.

The appellant has claimed that there is a reasonable possibility that the project will have a significant effect on the environment because the project proposes to locate a crematory adjacent to the San Lorenzo River, which could adversely impact fish habitat and drinking water quality as a result of airborne emissions from mercury and other toxic air contaminants from the incineration of human remains. The Santa Cruz Water Department provided monitoring data from San Lorenzo River water samples collected from 1980 to the present within 800 feet of the proposed crematory location that showed zero or non-detectable levels of mercury. Further, the closest water treatment plan implements standard mercury removal methods for drinking water as recommended by the Environmental Protection Agency (EPA). The Water Department has no concerns that relocation of the crematory presents a reasonable possibility of future contamination of the San Lorenzo River.

The Monterey Bay Unified Air Pollution Control District (MBUAPCD), the regulatory and permitting agency for the *Santa Cruz Memorial Park* crematory, conducted a screening risk assessment on May 21, 2013, which found that the proposed relocation of the crematory would have a less than significant impact on all existing and proposed residential receptors. Independent soil testing was conducted for mercury at five points within the immediate area adjacent to the existing crematory location in November 2010. All samples collected were well below the California Human Health Screening Values for Evaluation of Contaminated Properties.

The crematory will continue to operate under its current permits from the Air District with a permit modification required for the relocation and to specify exhaust stack height, and no changes to its current operations are proposed other than the relocation of the crematory itself. Additionally, the applicant will request a permit modification to acknowledge the facility's existing practice of staggering cremations by one hour such that there is no overlap in operations in the first hour of using two retorts. The facility's current permit does not include a condition requiring the cremations to be staggered by an hour, although that is how the facility already operates. The Air District's approval of such a condition in a modified permit would only serve to acknowledge and confirm the existing operations of the crematory. The project applicant current operating practice of staggering the start times of the two retorts eliminates many of the appellant's concerns relating to mercury emissions. The project applicant has retained a qualified expert toxicologist who has provided substantial and credible evidence that the amount of mercury and other emissions from the crematory that could be deposited in the environment are infinitesimal and thus would not adversely affect human health or the quality of drinking water or fish habitat in the San Lorenzo River in any measurable or meaningful way. The Council finds the information provided in the responses of the applicant's expert, Dr. Laura Green, to the appellant's consultant, Dr. Petra Pless, to be the more credible and substantial evidence in the record on the issue of the potential for effects from airborne emissions from the crematory. Thus, on the basis of this evidence and that provided by the Air District, the Council concludes the project will not result in a significant effect on the environment as a result of airborne emissions from the incineration of human remains.

The appellant has raised further concerns that CEQA Guideline §15300.2(f) provides that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource as the result of construction of a detached landscape maintenance building within the cemetery grounds. The appellant claims that the design of the maintenance building does not complement the historic cemetery. The cemetery grounds are not included in the Santa Cruz Historic Building Survey description of the property. The simple design and materials of the maintenance building are appropriate for its proposed use as an accessory storage building. The building will be sited approximately 680 feet from the historic mausoleum complex and set back approximately 330 feet from the Ocean Street Extension right-of-way. In addition to being screened by existing trees and vegetation within the cemetery grounds, a project condition requires climbing vines to be provided along the building elevations to further soften and enhance its appearance. The Historic Preservation Commission made findings of consistency of the building design with the Secretary of the Interior's Standards for Rehabilitation, which discourage new construction that creates a false sense of historical development and recommend that new work be differentiated from the old. The proposed building form and exterior finishes will differentiate it from the historic building, reflecting its intended use and current period of construction. Therefore, the proposed landscape maintenance building will not cause a substantial adverse change in the significance of a historic resource.



State of California - Department of Fish and Wildlife  
**2014 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (Rev. 09/13)

RECEIPT# **449991**  
 STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY City of Santa Cruz - Planning DATE 26 Sep 2014  
 COUNTY/STATE AGENCY OF FILING Santa Cruz DOCUMENT NUMBER \_\_\_\_\_  
 PROJECT TITLE SC Memorial PK Crematory Bldg Addition & Maintenance  
 PROJECT APPLICANT NAME SCruz & Oakwood Memorial PK Cemetery Corp PHONE NUMBER ( ) \_\_\_\_\_  
 PROJECT APPLICANT ADDRESS 1927 Ocean St. Ext. CITY Santa Cruz STATE CA ZIP CODE 95060  
 PROJECT APPLICANT (Check appropriate box):  
 Local Public Agency     School District     Other Special District     State Agency     Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,029.75	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,181.25	\$ _____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$ _____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,030.25	\$ _____
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$ <u>50</u>
<input type="checkbox"/> Project that is exempt from fees		
<input checked="" type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Other _____		\$ _____

PAYMENT METHOD:  
 Cash     Credit     Check     Other ✓ # 6626    TOTAL RECEIVED \$ 50

SIGNATURE [Signature] TITLE Surv Bldg Clerk

**Lead Agency**

**Contact Person:** Ron Powers

**Phone:** (831) 420-5049

**Department:** Planning & Community Development

**Address:** 809 Center Street, Room 206  
Santa Cruz, CA 95060

**Signature:** \_\_\_\_\_



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

9/24/2014

**Title:** Senior Planner

- Signed by Lead Agency
- Signed by Applicant

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?  Yes  No

Date Received for filing at County Clerk: \_\_\_\_\_

Date Received for filing at OPR: \_\_\_\_\_