

**PUBLIC COMMENT
SINCE MAY 20, 2008 COUNCIL MEETING
PACKET**

Anne Cardwell - Seeno

From: Luis Delgado <lfdarchitect@sbcglobal.net>
To: Anne Cardwell <Anne.Cardwell@ci.benicia.ca.us>
Date: 5/16/2008 11:20 AM
Subject: Seeno

Anne,

Could you please forward this link about Seeno to all the of the Council and Planning Commission. I think it is worth reading.

http://www.insidebayarea.com/ci_9210458

Thanks,
Luis Delgado

VIII-B-205



Pittsburg work begins without approval

By Paul Burgarino
East County Times

Article Created: 05/09/2008 05:28:12 PM PDT
PITTSBURG — Hillside work by a Contra Costa County developer with a history of environmental violations appears to have proceeded without approval from the city and the Department of Fish and Game.

Since January, the California Department of Fish and Game and Pittsburg have been investigating the reshaping of the hills on the western portion of the San Marco subdivision last year by Albert Seeno III's Discovery Builders, including the possible destruction of a seasonal stream.

An inspection by the Times of all Pittsburg grading permits pertaining to San Marco's buildout found no current documentation of approval by city engineers for work on the western part of the development. The search found grading permits from completed sections of the subdivision, the last one expiring in 2003.

The search also found a 1997 agreement between Albert Seeno Jr.'s West Coast Home Builders and the Department of Fish and Game that allowed some fill work on wetlands provided that a new, larger wetlands be created. However, that permit expired in December 2005.

Seeno officials contend they followed the law in their grading. Last month, a Seeno spokesman said the grading was in accordance with permits issued by Pittsburg and all appropriate regulatory agencies. Seeno attorney Bill Goodman echoed that sentiment

this week.

In a voice message, Goodman said the Seeno companies "believe that they have been in compliance with all applicable laws. We are not going to provide any comment beyond that." Calls to his office were not returned Friday.

Inquiries to obtain permit information from Discovery Builders went unanswered.

Pittsburg City Engineer Joe Sbranti said that no significant new details have emerged since staff started looking into the matter. There is "no record of any valid permit" under which Seeno was operating, Sbranti said.

Sbranti said city engineers, in conjunction with the Fish and Game investigation, are examining the original development agreement to see whether the language gives Seeno the right to grade the hillside, adding he doesn't believe it does.

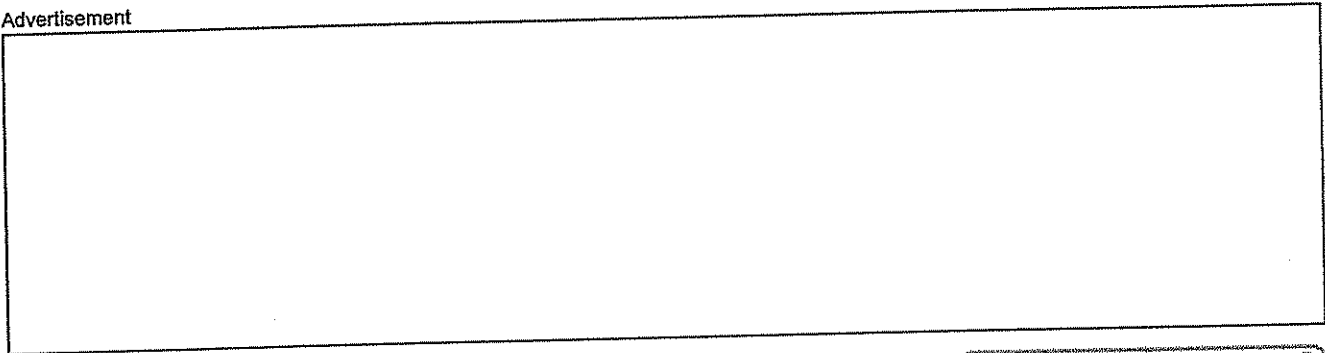
Language in the March 1990 development agreement between Pittsburg and Seeno's Seecon Financial Construction Co. allows for some permitted grading but says the project would require grading in excess of what is permitted under applicable hillside regulations.

In the agreement, the city said additional grading would be handled through its "normal property development process."

A 2001 amendment to the agreement extended the contract's duration to Oct. 1, 2020, but no additional language in that or subsequent amendments pertaining to permits was specifically mentioned.

Nicole Kozicki, a warden with the Department of Fish and Game, said the investigation includes not

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VIII-B-206



only permit violations but whether Seeno improperly altered the streambed and caused erosion with the grading.

The 1997 agreement said work was to be confined between April 15 and Oct. 1. However, Kozicki said she discovered the fresh grading last winter while driving on Highway 4.

Other permits for grading the streambed are issued by the Army Corps of Engineers and state Department of Water Resources. Thus far, those agencies have found the permits to be expired as well, Kozicki said.

Kozicki said Fish and Game has discussed the case with both the state Attorney General's office and county District Attorney's office, and hopes to have the majority of the investigation completed by the end of this month.

The penalty for depositing soil into waters of the state and/or altering a streambed without permits is \$25,000 per civil violation and \$1,000 and/or one year in jail per criminal misdemeanor, according to Kozicki.

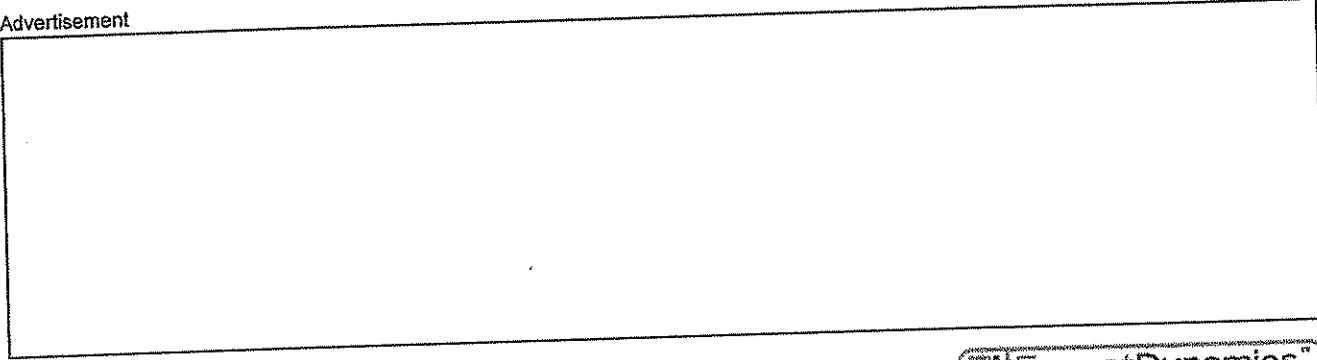
The Seeno family of homebuilders has been investigated and fined multiple times over the past several years for environmental violations from its developments, including a \$3 million settlement earlier this year concerning grading work at an Antioch subdivision.

In 2002, Albert Seeno Jr.'s West Coast Home Builders agreed to pay \$1 million in fines and restitution for violating the federal Endangered Species Act for its 2001 killing of threatened red-legged frogs and deliberate destruction of frog habitat at San Marco.

Paul Bugarino covers Pittsburg and Bay

Point. Reach him at 925-779-7164 or pbugarino@bayareanewsgroup.com.

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VIII-B-207

From: <PetrBray@aol.com>
To: <epatterson@ci.benicia.ca.us>, <tcampbell@ci.benicia.ca.us>,
<mhughes@ci.benicia.ca.us>, <mioakimedes@ci.benicia.ca.us>, <aschwartzman@ci.benicia.ca.us>
Date: 5/19/2008 9:29:02 AM
Subject: Lake Herman/Seeno Project Blues...

Dear members of the Benicia City Council....

There's not a puppy's chance in a goldfish pond that I can think of the Seeno Project's becoming viable in Benicia, so I wrote the

Lake Herman/Seeno Project Blues

"The sweet pretty things are in bed now of course,
the city fathers are trying to endorse
the reincarnation of Paul Revere's horse,
but the town has no need to be nervous..."
©Bob Dylan, The Tombstone Blues

Used to be Lake Herman was a good place for a walk,
now all I hear downtown is developer's hill-leveling talk.
They've got one eye on their bottom lines, and one eye in the hills,
seems like they just can't get enough of carving up the hills...

I've got the Lake Herman/Seeno Project Blues,
got the Lake Herman/Seeno Project Blues,
nothing I can't use like the Lake Herman/Seeno Project Blues.

They say that Mr. Seeno has extravagant taste,
seems like Permit Violations follows him like a paste.
Oh, Boy who was it that opened up our City's doors to him?
"Environmental Violations" must be a new kind of Developer's HYMN.

'Got the Lake Herman/Seeno Project Blues,
got the Lake Herman/Seeno Project Blues,
nothing I can't use like the Lake Herman/Seeno Project Blues.

We used to have a General Plan, was good for the common man,
good for the ladies and children too and organizing our developmental stand.
But Seeno figures he doesn't have to comply and prefers it was up in smoke,
how many counties away is he from seein' that his is the saddest joke?

'Got the Lake Herman/Seeno Project Blues,
got the Lake Herman/Seeno Project Blues,
nothing I can't use like the Lake Herman/Seeno Project Blues.

Gonna go downtown, and stand at the podium,
some will swear it's just another Mad Cow Disease Project
and they've all lost it on their sodium.
But I'd rather stand in an empty room
than sing to a stagnant lake,
sitting across from The Lake Herman Highway,
(humongous residential lots also on the county side of the lake?)!

'Got the Lake Herman/Seeno Project Blues,
got the Lake Herman/Seeno Project Blues,

nothing I can't use like the Lake Herman/Seeno Project Blues.

East Second Street will become an artery just like the Gran Prix.
 Better wear your crash helmet if you attend Semple Elementary.
 Downtown becomes a ghost town, just like it was in Ghost Town 3.
 Better get us a BIG box store, a couple dozen with wall-to-wall perfume,
 transfer our downtown culture to the
 Made-from-China-&-Brought-Into-The-Hills-&-the-Walmart-BOOM-BOOM-BOOM!

Oh, Boy, Oh, Boy, I just can't wait, watching the ships go by from the Lake
 Herman
 Walmart/Costco/Home Depot/18-wheeler Freightliner Parking Lot Gate!!
 Who did we elect to figure out that THIS was to be our NO LONGER LITTLE TOWN
 fate?

Adios Little Town, once more we've got monumental CRAP on our plate!
 Call us Dublin/San Ramon/Fremont/San Jose/Wall-to-Wall Peninsula,
 who needs greener grasses and an environmental buffer zone?
 Is our own General Plan dying out on The Lake Herman Highway?
 Urban Decay downtown?? Count on it! A ghost town!
 Widening of 780? 280% traffic increase on East 2nd Street?? NO THANKS!!
 Whoopee, another Century Plaza Vallejo Mega Mall!! Will New and Used Car lots
 be next?? Oh, Boy, we can have our own Vallejo PLAZA in the hills!?!? NO!!!

'Got the Lake Herman/Seeno Project Blues,
 got the Lake Herman/Seeno Project Blues,
 nothing I can't use like the Lake Herman/Seeno Project Blues.

(New verses to come as this charade deepens.)

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 303 Warwick Dr.
 Benicia, CA 94510
 Cell: 707-246-8082

www.peterbray.org

 http://www.poetrymatters.150m.com/index_files/pages_files/bray.html
 www.sonador.com/pedro

Wondering what's for Dinner Tonight? Get new
 twists on family favorites at AOL Food.

 (http://food.aol.com/dinner-tonight?NCID=aolfod00030000000001)</HTML>

From: <PetrBray@aol.com>
To: <epatterson@ci.benicia.ca.us>, <tcampbell@ci.benicia.ca.us>, <mhughes@ci.benicia.ca.us>, <mioakimedes@ci.benicia.ca.us>, <aschwartzman@ci.benicia.ca.us>
Date: 5/19/2008 10:09:35 AM
Subject: Lake Herman Highway & Urban Decay...

The Lake Herman Highway & Urban Decay...

Lake Herman Highway, Lake Herman Highway,
I see Seeno comin' and he's comin' down the skyway.
He's got Permit Violations following him like a storm,
some are ice-cold dead and some are pretty warm.

You can cover up a creek, cover it up for a week,
but sooner or later even the toads, they all come back to speak.
Gonna get my Braitto Landfill coupons, all my old tokens in reverse,
if you thought the Rose Drive Fiasco was a mess, this could be even worse.

Don't need a General Plan, don't even need a trickle,
we can buy half of China, put in a WalMart, and sell it for a nickel.
All we need is 500 plus acres, carve it out the hills,
we can move dirt all day, and still have money for the bills.

Out on The Lake Herman Highway, The Lake Herman Highway,
don't need a cell phone or a pony, just send up a dirt cloud,
it's that easy to call Homey.

Bring us your extra trash, your extra stash and hash,
we'll just Land Rover the City Council and never have to worry about cash.
Out on the Lake Herman Highway, the Lake Herman Highway,
Oh, the Lake Herman Highway, all lanes leading out of town and gone...
Where DID the town go? Urban decay, man, Urban decay.
The banners and balloons are all still rising
out on The Lake Herman Highway...
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Wondering what's for Dinner Tonight? Get new
twists on family favorites at AOL Food.

(<http://food.aol.com/dinner-tonight?NCID=aolfod00030000000001>)</HTML>

Anne Cardwell - Seeno Project

From: <priswhite@aol.com>
To: <acardwell@ci.benicia.ca.us>
Date: 5/20/2008 10:14 AM
Subject: Seeno Project

Dear Members of the City Council

As a resident of Benicia I am asking you to deny the Seeno Project and send it back requesting a new project. I know all of you have the best interests of Benicia at heart and I, as a resident, can only ask for what I believe is the right thing to do. I also know all of you are aware of the difficulties with the proposed project so I won't make a list.

Sincerely

Priscilla Whitehead
288 W J St
Benicia, Ca

Plan your next roadtrip with MapQuest.com: America's #1 Mapping Site.

VIII-B-211

May 20, 2008

To the Members of the Benicia City Council

Benicians need certainty about the Seeno/Discovery Builders Project. In Phase I – the 35 acre commercial development Benicians are being asked to “buy a pig in a poke”.

The Seeno Project – The 35 acre commercial development is their first priority – Phase I. The additional 490+ acre development was casually reduced from 9M cubic yards to 4+cubic yards displacement. The reduction came only as a reluctant, superficial, acquiescence at the very last minute allowing only a minimum of time for study and deliberation by both the Planning Commission and the City Council. Seeno/Discovery Builders were unable, or unwilling, to grant a time extension.

Three possibilities for Business Development of Phase I:

- ***Business supported and sustained by the freeway.*** The 35 acres could be a Big Box/ Wal-Mart development. Benicia has not been offered a list of possible tenants – only a collage of corporate logos comparable and similar to those in Fairfield, Suisun, Rio Vista, and Vacaville. Who has Seeno/Discovery Builders confirmed as the tenant mix?

The tenant mix analyzed in the Benicia Business Park DEIR are: Hotel, Family Clothing, Drug, Office Supplies/Computer Equipment, Sporting Goods, Music/Electronic Media, and Household Appliances & Electronics.

In the DEIR, (p.349): “However, if the tenant mix changes (specifically if big box tenants are incorporated into the project), the project could result in urban decay in Downtown Benicia and other local retail –serving districts and centers.”

In *Bakersfield Citizens for Local Control v. City of Bakersfield (December 2004)* the court determined that the *CEQA Guidelines* (Section 15064) require urban decay research and analysis: “when the economic or social effects of a project cause a physical change, this change is to be regarded as a significant effect in the same manner as any other physical change resulting from the project.”

Benicia has not been offered a tangible list of the anticipated tenant mix for the 35 acre Business Park. It has only been offered a visual collage of corporate logos in a Power Point presentation.

- ***Business which supports the Business Park.*** If the commercial development was integrated into the whole 527 acres of development it could be designed to serve the tenants of the development.
- ***Business which is unique to the character and charm of Benicia and would enhance and attract tourism to the downtown and historic district.***

What are the intentions and objectives of Seeno/Discovery Builders in asking Benicia to support their 527 acre Development Project? The proposed 35 acre commercial development could be just another quick stop along I 680 and useful for Seeno/Discovery Builders to earn revenue for the additional Phases of development – whatever they might be in the next 20-25 years. Or could we persuade Seeno/Discovery Builders to consider other possibilities which would enhance the unique charm and character of Benicia – a very special place to explore and enjoy.

Benicians, The Planning Commission, and the City Council must demand some certainty from Seeno/Discovery Builders as to the tenant mix for the 35 acre Phase I Commercial Development.

Sincerely,

Sabina Yates
302 Bridgeview Ct.
Benicia CA 94510
707.746.6428 redfoxred@earthlink.net

CONTRA COSTA TIMES

ContraCostaTimes.com

Sunday Times letters

Letters from our readers

Article Launched: 05/24/2008 11:02:49 PM PDT

Finally, all California couples will be able to experience the benefits of legal marriage regardless of who they love.

The time is long overdue for members of the lesbian, gay, bisexual, transexual community to stop being treated like second-class citizens under a system that was frighteningly similar to the "separate but equal" policies of which we are now completely ashamed as a society.

I am especially excited because my partner and I have been busily planning our own wedding for this summer. We were overjoyed enough with the blessing we would be celebrating in our church ceremony, but knowing that the state of California will now fully recognize our union is even more of a thrill.

Anyone who has any doubts about same-sex marriage should look at Massachusetts. The legality of marriage has not harmed a soul and has only allowed love to flow more freely. The same will be true in our great state. Isn't love what life is all about? Why stifle it?

Peter Delfino

Pleasant Hill

Seeno gets his way

Why bother? It's Al Seeno — again.

All you people are ganging up on of' Al again. —

the city of Pittsburg (yeah right), the Department of Fish and Game, the state Attorney General's Office and the county District Attorney's Office.

Do you really expect him to abide by the laws? Why should he? He's Seeno!

He has not in the past. There was the \$3 million settlement in Antioch, the \$1 million in 2002 for killing and destroying the red-legged frogs and their habitat. Don't you understand, he's Seeno!

These "fines" are chump change to him, a mere pittance to what is saved by not having to worry about the laws and real punishments.

Seeno officials contend that they followed the law, again, it's Seeno's law.

Seeno's attorney says they "believe that they have been in compliance with all the applicable laws. We are not going to provide any comments beyond that." Why should they?

Why waste time investigating here? Another slap on the hand will not make any difference. Just look at the past. He'll settle and write a check. He's Seeno!

Mark Hertstein

Pittsburg

No on Prop. 99

I received some propaganda that didn't match the voter information book. The lies were promoting Prop. 99 and opposing Prop. 98.

In reality, Prop. 99 leaves renters, businesses and mobile home residents subject to eviction. I have seen mobile home parks beside hotels. It's a dream for developers to have their corrupt government

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VIII-B-214

Anne Cardwell - For June 3 Agenda packet -- re: Seeno projectp

From: Norma Fox <normafox@hotmail.com>
To: Anne Cardwell <acardwell@ci.benicia.ca.us>
Date: 5/27/2008 3:36 PM
Subject: For June 3 Agenda packet -- re: Seeno projectp

Dear City Council Members,

The EIR Addendum for the revised Benicia Business Park makes economic claims of positive net revenue flow that are unsubstantiated by quantitative up-to-date financial data. They are basing those claims on their 2006 Economic Study which was based on financial data from 2005 and which utilized economic outlook assumptions and projections that were considered valid in 2006. Furthermore, it is an analysis of a former version of the project, one that contained 50% more revenue-producing industrial components that the current version. Since the US economy is currently sliding into a severe and long lasting economic downturn, the out-dated financial data and economic assumptions and projections from 2006 are no longer reliable or valid.

Benicia's General Plan Policies on Sustainable Economy (Prog.2.5.c) requires future development uses to be evaluated on a cost/revenue basis for the long term. Obviously, this requirement intends that evaluation to be based on reliable up-to-date financial data. Thus the applicant's revised project is out of compliance with this General Plan requirement for a reliable up-to-date cost/revenue evaluation of the project.

For the same reason, they are out of compliance with the CEQA requirement for a reliable urban decay analysis (again, one based on up-to-date financial data). Their original, and still unchanged, urban decay analysis was based on the same data in the 2006 Economic Study.

The City Council itself, in your condition of approval of the FEIR, stipulated that when the applicant brought forward the revised project proposal, it should contain an urban decay analysis. I'm sure you intended it to be based on current economic conditions and data, not that they should provide you with the same out-dated urban decay analysis that they had already provided to you in 2006!

The recent severe economic downturn constitutes "new information of substantial importance which was not known at the time of the original EIR and which will cause significant effects that were previously examined" [i.e., economic and fiscal projections; urban decay] "to be substantially more severe than shown in the previous EIR."

Furthermore the booming and promising cleantech industry that has very recently emerged both nationally, and particularly in the Bay Area, constitutes additional "new information of substantial importance which was not known at the time of the EIR." Because of this new information, the project" [as currently proposed and designed] "will have a significant effect not discussed in the previous EIR."

That significant effect is a huge lost economic opportunity to the City if we proceed with the current project's plan of Phase I freeway oriented commercial development, followed 5-8 years later by a gradual build out of mixed bag industrial uses (poorly matched to our employment demographics), instead of redesigning and refocusing the entire project concept to one focused on a cleantech R&D theme, and beginning with that immediately in Phase I.

CEQA law requires a Subsequent EIR if "new information of substantial importance, causing significant

VIII-B-215

effects" was not covered in the previous EIR. For all of the above reasons, the applicant should have provided a Subsequent EIR with a new cost/revenue Economic Impact Analysis and Urban Decay Analysis and they were negligent in not doing so.

Thus the City Council has every legal right, because of CEQA and General Plan noncompliance, to deny the current project based on their provision of inadequate, unreliable and unquantified data to support their claims..

Your vote on a project of this magnitude (which could pull down the entire town's economy for years to come if we don't get it right) requires that your decision must be based on a careful economic review of quantifiable and reliable financial data that has been thoroughly vetted and approved by independent financial experts. **No such review has ever been done by the Council, and there is now no reliable Economic Impact Analysis to base it on.**

Please do not request or grant an extension of time to the applicant to come back with all the missing data and analyses that they should have provided! The gaming of this city must end. They set the statutory clock ticking with the approval of the EIR, and they were negligent in providing the documentation that you specifically required of them when you approved the EIR. You are required by law to approve or deny the project by June 3. Please simply deny it. Do not allow the applicant to drag this game out any longer.!

With a denial of the project we can clear the decks of this complicated mess of conditions of approval and unmitigatable environmental effects. **The applicant and the city can collaborate together, utilizing the copious material produced by our EIR review process, to quickly pull together a brand new project based on a 21st Century business and environmental vision, and one that capitalizes and focuses on the tremendous cleantech economic goldmine that is within our reach.**

The new project should be legally codified by a Development Agreement. It must also strictly conform to our many General Plan sustainability requirements, including our *economic* sustainability goals such as encouraging new development that provides substantial and sustainable fiscal and economic benefits; targeting firms that pay high wages and jobs that relate to the skills and education levels of Benicia residents; protecting and preserving our downtown business district as our central business core; and conducting thorough evaluation of future uses on a cost/revenue basis for the long term.

These General Plan economic goals were spelled out more specifically and concretely in our 10-year Economic Development Strategy, that was approved and adopted by the City Council in September of 2007, and which calls for a strategy of attracting "clean energy, high tech, research and development businesses to our industrial areas, and developing them in a campus-like setting." The stated reason for focusing on this type of business development was that it would provide jobs that more closely match our well educated and skilled Benicia employment pool.

You now have the opportunity to realize these goals for Benicia IF you deny the project before you by June 3, and you have every legal right to do so. Please don't miss this opportunity! Benicia is counting on you to guide us forward into a prosperous and sustainable 21st Century, not backwards with a business model that fits the economic conditions of the 20th Century. Your vote on June 3 will set the direction and trajectory for our economic future. Which way will it go?

Norma Fox
May 27, 2008

Make every e-mail and IM count. Join the i'm Initiative from Microsoft.

VIII-B-216

Anne Cardwell - For June 3 Agenda packet -- re: Seeno project

From: Norma Fox <normafox@hotmail.com>
To: Anne Cardwell <acardwell@ci.benicia.ca.us>
Date: 5/27/2008 3:17 PM
Subject: For June 3 Agenda packet -- re: Seeno project

Dear Anne,

I sent this last time, but I'm sending again so that it can be included in the official City Council Agenda packet for the June 3 Council meeting.

It is a 1-page doc that give a short definition of what is meant by the Cleantech/Green Industry and also provides a summary list of the broad spectrum of California industry segments that are involved in developing cleantech products, services and processes.

I think this helps to dispel the myth that focusing on Cleantech for our Business Park would be putting all our eggs in one basket and not allowing for enough diversification.

Please also put extra copies of the document on the side table.

Thanks,
Norma

P.S. Here is a short list, but the attached doc goes into more detail.

Source doc is **Clean Technology & the Green Economy, March 2008**

http://www.labor.ca.gov/panel/pdf/DRAFT_Green_Economy_031708.pdf

GREEN INDUSTRY SEGMENTS (adapted from Cleantech™)

Energy Generation; Energy Efficiency; Transportation; Green Building; Energy Storage; Environmental Consulting;
Water & Wastewater; Finance/Investment; Environmental Remediation; Air & Environment; Business Services;
Research & Alliances; Agriculture; Recycling & Waste; Materials; Manufacturing/Industrial

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VIII-B-217

INVENTORY OF CALIFORNIA'S GREEN INDUSTRY FIRMS: How Large is the Industry?
 Establishing a clear accounting of the growing number of businesses with primary activities in providing environmentally sustainable products and services is challenging. Exactly what types of businesses are meant when referring to this new and growing industry can vary widely.

What is a "Green" Business?

The scope of businesses examined for this study is based roughly on the definition of Cleantech established by the Cleantech Group, LLC™.

Cleantech is new technology that spans a broad range of products, services and processes that lower performance costs, reduce or eliminate negative ecological impact, and improve the productive and responsible use of natural resources.¹⁰

In addition to new technology firms, this analysis aims to capture other related business activities that either support the wide-spread application of new technologies such as solar system installations or apply new technologies as service providers for instance in emissions monitoring. In addition, specialized business services are developing with a focus on serving the particular needs of green businesses. Complicating the categorization, the activities of a business often blur across categories.

Typically, industry analyses examine a sample of business establishments defined by a select set of industry codes such as the North American Industry Classification System (NAICS). For indentifying green businesses; however, these codes do not provide sufficient detail.

<p>GREEN INDUSTRY SEGMENTS adapted from Cleantech™ *</p> <ul style="list-style-type: none"> Energy Generation Energy Efficiency Transportation Green Building Energy Storage Environmental Consulting Water & Wastewater Finance/Investment Environmental Remediation Air & Environment Business Services Research & Alliances Agriculture Recycling & Waste Materials Manufacturing/Industrial

Cleantech Industry Segments

Source: Cleantech Group, LLC™

<p>Energy Generation Wind Solar Hydro/Marine Biofuels Geothermal Other</p> <p>Energy Storage Fuel Cells Advanced Batteries Hybrid Systems</p> <p>Energy Infrastructure Management Transmission</p> <p>Energy Efficiency Lighting Buildings Glass Other</p> <p>Transportation Vehicles Logistics Structures Fuels</p>	<p>Water & Wastewater Water Treatment Water Conservation Wastewater Treatment</p> <p>Air & Environment Cleanup/Safety Emissions Control Monitoring/Compliance Trading & Offsets</p> <p>Materials Nano Bio Chemical Other</p> <p>Manufacturing/Industrial Advanced Packaging Monitoring & Control Smart Production</p> <p>Agriculture Natural Pesticides Land Management Aquaculture</p> <p>Recycling & Waste Recycling Waste Treatment</p>
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This data taken from Report: **Clean Technology & the Green Economy, March 2008**
http://www.labor.ca.gov/panel/pdf/DRAFT_Green_Economy_031708.pdf

Anne Cardwell - USFWS: Proposed Benecia Business Park

From: Charlie Knox
To: Anne Cardwell
Date: 5/27/2008 4:24 PM
Subject: USFWS: Proposed Benecia Business Park
CC: Adam Weinstein

>>> <Chris_Nagano@fws.gov> 5/27/2008 3:47 PM >>>

Dear Mr. Knox:

This electronic mail message concerns the proposed Benecia Business Park in the City of Benecia. It is our understanding that the City of Benecia may approve the project in June 2008. The U.S. Fish and Wildlife Service is concerned the potential adverse effects of this project on the endangered callippe silverspot butterfly (*Speyeria callippe callippe*), threatened California red-legged frog (*Rana aurora draytonii*), and wildlife were not adequately addressed in the City's environmental documents. The two listed species are protected under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). We will be sending you a hardcopy letter in the near future that provides specifics on our concerns.

Please contact me via electronic mail or at telephone 916/414-6600 if you have any questions.

s/Chris Nagano

Deputy Assistant Field Supervisor
Endangered Species Program
Sacramento Fish and Wildlife Office
U.S. Fish and Wildlife Service
2800 Cottage Way Room W-2605
Sacramento, California 95825

VIII-B-219