

# Revised DRAFT INITIAL STUDY and ENVIRONMENTAL CHECKLIST

FOR

GETAWAY HOUSE, INC. MAJOR USE PERMIT

*April 2020 ~ Revised October 2020*

**Lead Agency:**

County of Mendocino



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**LACO Project No.:** 9377.00

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## I. PROJECT SUMMARY

**Date:** April 2020~**Revised October 2020**

**Project Title:** Getaway House, Inc. Major Use Permit

**Lead Agency:** County of Mendocino

**Contact:** Jesse Davis, Senior Planner  
County of Mendocino  
Planning and Building Services  
860 North Bush Street, Ukiah, California 95482

**Location:** The proposed project is located approximately 3.1 acres east of the unincorporated community of Hopland in Mendocino County, south of Highway 175, along the east side of Old Toll Road, and is identified by Assessor's Parcel Numbers (APNs) 048-270-24, 048-270-23, and a portion of 048-270-22 (Site). The Site comprises a total of 90.87 acres and is accessed via an existing entrance on Old Toll Road (see Figure 1).

**Coastal Zone:** No

**Affected Parcel(s):** Assessor's Parcel Number(s) 048-270-24, 048-270-23, and a portion of 048-270-22

**Current County of Mendocino Land Use Designation:** Rangelands (RL160)

**Current County of Mendocino Zoning Designation:** Rangeland (R-L 160)

### **Anticipated Permits and Approvals:**

- 1) Adoption of Mitigated Negative Declaration (MND) by the County of Mendocino
- 2) Approval of the Major Use Permit Application by the County of Mendocino

**Tribal Cultural Resources:** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

An *Archaeological Survey Report* (Archaeological Report) was prepared by Alta Archaeological Consulting (ALTA) on November 26, 2019, in order to identify any archaeological, historical, or cultural resources within the proposed project area. Due to the sensitive and confidential nature of the report, a copy of the Archaeological Report is not included as an appendix to this Initial Study.

ALTA contacted the Native American Heritage Commission (NAHC) on August 8, 2019, to request a Sacred Lands File (SLF) search and list of Native American contacts in the area. The NAHC response letter, dated August 29, 2019, indicated that a search of the SLF returned a positive result, and included a list of 13 Native American tribes or individuals with cultural affiliations to the area. ALTA sent consultation letters to all 13 contacts on September 6, 2019. Two (2) responses were received. On September 12, 2019 the Tribal Historical Preservation Officer (THPO) for the Hopland Band of Pomo Indians requested to be consulted for the project. On September 18, 2019, the THPO for the Kaisha Band of Pomo Indians responded and informed ALTA that

the project is outside of the Tribe's aboriginal territory. On June 12, 2020, the Applicant contacted the Hopland Band of Pomo Indians via email to request additional input on the proposed project. On June 17, 2020, the THPO for the Hopland Band of Pomo Indians responded via email to request that the Applicant have tribal monitors overseeing the project during earth-moving activities. The Applicant continued to contact the THPO for the Hopland Band of Pomo Indians to seek additional information and detail on the request for tribal monitors; however, no subsequent responses were received. A copy of the response letter from the NAHC, correspondence between ALTA and the Applicant's Agent (LACO Associates) and the Native American tribes are included in Appendix B.

Assembly Bill 52, which was approved September 2014, and came into effect on July 1, 2015. Before a negative declaration, mitigated negative declaration, or environmental impact report for a project is prepared, the lead agency for the project will seek consultation with the tribes associated with the location of the project. To receive referrals, each tribe must have previously made a written request to the lead agency in order to be consulted on projects occurring in their geographic areas of interest. In 2015, the Department of Planning & Building Services invited all local tribes to define their areas of interest and for which geographies they would like to receive project referrals. Of these, four (4) responses were received, three (3) respondents requested referrals for projects throughout Mendocino County, while one (1) requested review of projects in their vicinity. For all projects necessitating referral, Staff also extends review opportunity of any discretionary project to relevant or nearby entities identified by the Native American Heritage Commission (NAHC).

**CEQA Requirement:** The proposed project is subject to the requirements of the California Environmental Quality Act (CEQA). The Lead Agency is the County of Mendocino. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. This IS is intended to satisfy the requirements of the CEQA (Public Resources Code, Div. 13, Sec. 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387).

CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts (CEQA Section 20180(c) (2) and State CEQA Guidelines Section 15070(b) (2)).

Section 15063(d) of the State CEQA Guidelines states that an IS shall contain the following information in brief form:

- 1) A description of the project including the project location
- 2) Identification of the environmental setting
- 3) Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to provide evidence to support the entries
- 4) Discussion of means to mitigate significant effects identified, if any
- 5) Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls
- 6) The name of the person or persons who prepared and/or participated in the Initial Study

**CEQA Discussion:** In April 2020 the County of Mendocino (County) prepared and circulated a Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) for the proposed project. The Draft IS/MND was submitted to the State Clearinghouse (SCH No. 2020040111) and circulated for public review and comment for a period of 30 days, beginning on April 10, 2020, and ending on May 11, 2020. The County received a total of nine (9) comment letters on the Draft IS/MND. Following circulation of the Draft IS/MND and the receipt of comments, substantial revisions were made to the project proposal. In accordance with State CEQA Guidelines Section

15073.5, recirculation of the Draft IS/MND is required as the document was substantially revised after public notice of its availability had previously been given pursuant to State CEQA Guidelines Section 15072, but prior to its adoption.

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## II. PROJECT DESCRIPTION

Getaway House, Inc. (Applicant) is requesting the approval of a Major Use Permit to develop a rental recreational vehicle (RV) facility (Outpost) featuring up to 45 company-owned micro-cabin recreational vehicles (RVs), which would be constructed off-site and towed to designated micro-cabin RV pads. Once placed, the micro-cabin RVs would be moved only for repairs or upgrades. The micro-cabin RVs would be booked for nightly stays, and would be placed approximately 50 to 100 feet apart. Each micro-cabin RV would contain an individual bathroom and kitchenette and would be connected to on-site private utilities, including water, septic, and electricity. The Project Site consists of two Assessor's Parcel Numbers (APNs) 048-270-23, and 048-270-24 and totals approximately 90.87 acres in size.

The micro-cabin RVs, comparable to tiny houses on wheels, are not considered to be structures per the California Building Code (CBC), according to the Building Official of the Mendocino County Department of Planning and Building Services (PBS). The micro-cabin RVs are built by off-site builders who are Recreational Vehicle Industry Association (RVIA)-certified and follow both RVIA and American National Standards Institute (ANSI) standards for the construction of RVs and Park Model RVs. Currently, the three versions of the Applicant's micro-cabin RVs include a 142-square-foot 2-person micro-cabin RV, a 159-square-foot 4-person micro-cabin RV, and a 176-square-foot 2-person accessible micro-cabin RV. Each micro-cabin RV is self-contained with a walk-in shower, toilet, mini-refrigerator, 2-top induction stovetop, kitchen sink, and a seating area. Micro-cabin RVs would be serviced with 50-amp electricity, water, septic, and include heating and air conditioning. The Applicant intends to place up to 45 micro-cabin RVs at the Site, including 30-33 2-person micro-cabin RVs and 8-12 4-person micro-cabin RVs, which could accommodate a total of up to 110 patrons on-site. The 2-person micro-cabin RVs would accommodate up to 2 guests (with one queen bed) and the 4-person micro-cabin RVs (with two queen beds, bunked) would accommodate up to 4 guests at a time. The Applicant estimates a yearly average occupancy rate of 85 percent, with an average length of stay of 1.5 nights per stay. The project would be operated by a full-time General Manager, a full-time Facilities Manager, and six (6) to eight (8) part-time housekeeping staff and supported by company operations based in California and New York.

Associated improvements include the development of primary and secondary Site access roads; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building (lodge facility) to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, an accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport; walking trails; on-site underground utility line (electricity, water, and wastewater) installation and connections; construction of an on-site water treatment facility; construction of a wastewater collection and disposal systems; installation of an emergency water tank and water distribution system, including fire hydrants and potable water connections; construction of a private well on the adjacent agricultural land; an off-site underground water line, with a booster pump station connecting the proposed well to the on-site water treatment system; and construction of a new off-site electric utility power feed from Highway 175 to the Site. The carport structure would be constructed on the end of the lodge facility to facilitate loading of supplies for transport to the micro-cabin RVs and for vans delivering supplies to the lodge facility and for storing equipment and firewood. Adjacent to the lodge facility would be a small parking lot with nine (9) parking spaces for employees, including one (1) accessible space. The parking area adjacent to the lodge facility would include a secondary ingress/egress location for the Site to facilitate garbage truck access to trash bins on the end of the parking lot. The existing paved access from Old Toll Road would remain as the primary access point and would be widened and upgraded to accommodate the new primary Site access road.

Each micro-cabin RV pad and micro-cabin RV would be positioned such that views out of the micro-cabin RV window or from the fire pit area would be directed away from another micro-cabin RV pad, road, or walking path. Areas for the micro-cabin RV pads would be cleared and graded and would be connected by a driveway or a short walking path to the main road. Parking for drive-up sites would be located adjacent to the micro-cabin RVs, while parking for walk-up sites would be located a short distance from the micro-cabin RVs. Micro-cabin RV pads and driveways would be largely comprised of subgrade, a subsequent layer of six (6) inches of compacted crushed stone base and topped with three (3) inches of crushed gravel. Pads for accessible micro-cabin RVs would be cut 25 inches deeper than for the standard micro-cabin RVs, while driveways approaching accessible micro-cabin RVs would be 20 feet wide to allow for an accessible parking area and access to a level ramp to the micro-cabin RV door. In addition to the micro-cabin RV, each pad would accommodate a picnic table, Adirondack chairs, and a U.S. Forest Service (USFS)-approved fire pit that can be locked during burn bans.

The development footprint proposed in the Major Use Permit application and considered in this Initial Study (IS) is based upon the lot lines identified in the recently completed boundary line adjustment (BLA), approved by the Mendocino County Subdivision Committee at its December 12, 2019 meeting. The BLA modified the northwestern boundary of the parcel identified by APN 048-270-23 and transferred 4.3 acres from the parcel identified by APN 048-270-22 to the parcel identified by APN 0418-270-23. Previously, an existing 60-foot-wide access easement bisected the parcel identified by APN 048-270-22. Under the BLA, the property line between the two parcels was adjusted to follow the northern boundary of the existing easement. As a result, the access easement is now entirely contained within the parcel identified by APN 048-270-23.

### **Access and Circulation**

The Site is bordered to the north by Highway 175, a two-lane highway managed by Caltrans, and to the west by Old Toll Road, a two-lane minor arterial road managed by the Mendocino County Department of Transportation (MCDOT). Currently, the Site is accessed via a paved entrance to Old Toll Road on the western side of the Site. As the Site is located in a rural area surrounded by vineyards, undeveloped land, and dispersed rural residences, no dedicated bicycle or pedestrian facilities, including sidewalks, currently exist in the project area.

The Preliminary Site Plan (LACOA, 2020) proposes a preliminary roadway design that complies with CalFire road standards for residential development and includes an upgraded encroachment to Old Toll Road, a new primary Site access road, secondary access roads throughout the Site, and driveways and walking paths to serve individual micro-cabin RV sites. Improvements to the existing private encroachment to Old Toll Road would include widening the entrance to 24 feet in width to meet County encroachment standards and to facilitate a two-lane entrance/exit with paved aprons. A secondary ingress/egress point to serve the lodge facility and employee parking area is proposed to the southwest of the proposed employee parking area adjacent to the lodge facility.

The new access road would be utilized as the primary Site access, with the existing paved driveway, which serves the adjacent private residence, to be utilized for emergency access only. The existing private road would be gated beyond the new project access approximately 225 feet upslope of the existing gate location, with signage and gates to deter guests from utilizing the driveway. Access over the private driveway by guests and employees would be allowed only during an emergency exiting situation such as a wildland fire, or for fire vehicle access only. The primary Site access road would consist of a 20-foot wide two-way road, with the exception of an 800-foot section within a steep (25 to 35 percent slope) canyon, which would be constructed as a 12-foot-wide roadway to limit the environmental footprint. Midway up this 800-foot

section of 12-foot wide road, a CalFire standard turnout would be constructed. Secondary access roads serving micro-cabin RV sites would be 12 feet wide, with turnouts located, as necessary. Dead-end secondary access roads would have hammerhead turnarounds that comply with CalFire standards. In accordance with CalFire road standards for residential development, all proposed access roads would have a maximum grade of 16-percent, with a minimum inside radius of 50 feet, and would be constructed with compacted aggregate base and a surface treatment of chip seal or asphalt concrete for traction and reduced maintenance. Individual micro-cabin RVs would be accessed from the secondary access roads by 9-foot wide aggregate base driveways or 6-foot wide walking paths. All roads and driveways would be designed and constructed using general engineering practices. The proposed project would additionally provide walking trails throughout the upper portions of the Site for use by guests. Proposed locations of the walking trails are shown on the Preliminary Site Plan (Figure 2).

### **Utilities and Services**

The Applicant proposes to provide on-site private utilities, including water, wastewater treatment, and electricity, as described below. The Site is located outside the service boundaries of the Hopland Public Utilities District (Hopland PUD). All utility lines would be trenched below-ground in or adjacent to existing or proposed access roads.

### **Water**

Domestic water would be provided to the lodge facility and each micro-cabin RV via a proposed well and private water system. The project proposes a greater number of service connections than the number permitted by the local agency, the Mendocino County Division of Environmental Health (MCDEH). Therefore, the proposed water system would be permitted through the State Water Resources Control Board (SWRCB) Division of Drinking Water as a transient non-community water system and would be subject to the standards and monitoring requirements set by Federal and State laws, including but not limited to, public health standards of Title 22 of the California Code of Regulations (CCR) and the California Safe Drinking Water Act. Compliance with the required water supply permit includes ongoing monitoring of the water system and annual reports to be submitted to the SWRCB. Construction of the new well would be permitted through the MCDEH and would be required to be constructed in accordance with the California Well Standards (Department of Water Resources Bulletin 74-90).

The proposed well would be installed, west of the Site in the Sanel Valley floor in the vicinity of existing producing agricultural wells. Brutocao Vineyards, Inc. has granted the Applicant permission to drill a well on an adjacent property owned by Brutocao Vineyards, including one of three parcels (APNs 048-270-021, 048-270-020, or 048-260-050). Under the agreement dated January 9, 2020, the water is to be used solely by the Applicant for the project, is nontransferable, is not to be used for agriculture, and the amount of water to be pumped is not to exceed 5,000 gallons per day.

An estimate of water demand in gallons per day (GPD) for the proposed development is summarized below in Table 1, which indicates the water supply system would require a flow capacity of at least 4,073.50 GPD. As detailed in the *Getaway Outpost Estimated Water Use Technical Memo* (Water Use Memo) prepared by LACO and dated October 14, 2020 (see Appendix E), the estimated water demand for the proposed project is based on data collected from operational Outposts with a similar number of cabins as the proposed project. These estimates are based on the use of low flow plumbing fixtures, including shower heads, faucets, and toilets, which would be installed as part of the proposed project.

*Table 1: Summary of Proposed Facilities and Estimated Water Demand*

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| Type of Occupancy                          | Number of Units     | GPD/Unit | GPD             |
|--|---------------------|----------|-----------------|
| Micro-cabin RV <sup>1</sup>                | 45                  | 54.3     | 2,443.50        |
| Managers Unit <sup>1</sup>                 | 2-bedroom residence | 400      | 400             |
| First-floor Laundry area <sup>3</sup>      | 36 loads            | 30       | 1,080           |
| First-floor Employee restroom <sup>3</sup> | 10 employees        | 15       | 150             |
| <b>TOTAL GALLONS PER DAY</b>               |                     |          | <b>4,073.50</b> |

<sup>1</sup>Based on water usage estimates detailed in the Water Use Memo

<sup>2</sup>Based on commercial washing machine water usage data provided for proposed units

<sup>3</sup>Based on water flow of fixtures to be installed

The project water system would include a raw water supply pipe with booster pumps to supply a raw water storage tank at the upper elevation of the project area. The anticipated volume of the raw water tank is estimated to be 6,000 gallons, together with a 20,000 gallon tank for the treated water storage and emergency supply. The proposed water tanks are to be constructed using materials that meet appropriate CalFire standards. The 20,000 gallon tank would include standby water volume for fire flow to on-site hydrants, the fire sprinkler system in the lodge facility, and the supply for daily flow of the treated water for use by the micro-cabin RVs and lodge facility. As required in the conditions received from CalFire on January 15, 2020, and as requested by the Hopland Fire Protection District (HFPD) in a June 25, 2020 email, at least 10,000 gallons of dedicated water storage would be provided on-site for emergency water use and is included in the 20,000 gallon tank mentioned previously. Although the micro-cabin RVs are exempt from fire sprinklers, a fire supply riser would be placed within 150 feet of each proposed micro-cabin RV pad.

Installation of the well would require the installation of an off-site underground water line to connect the proposed well to the on-site water system and the establishment of an access easement for ongoing maintenance and operation of the well. The proposed raw water line would be approximately 2,600 feet in length and would be installed adjacent to or within the existing access road that generally follows the southwest-northeast tree line located southwest of the Site. A small treatment building would be constructed adjacent to the treated water tank to house the booster pumps or transfer pumps and supply the pressurized water to the water distribution system and hydrants. A water treatment system would be housed in the small treatment building to provide filtration as needed, according to water quality from the well source and disinfection requirements to meet the public health standards required by Title 22 of the CCR. The water treatment system would likely be a package unit to be determined upon a review of the water quality analysis. Treated water would be stored for distribution in a 20,000-gallon tank located next to the small treatment building and would be connected to a booster pump system and pressure tank for pressurization of the water system. The water mains would be constructed of C900 and schedule 40 PVC and HDPE water service piping, and would be buried under the access roads, micro-cabin RV driveways, and walking access paths to the extent feasible. Each of the micro-cabin RVs would be connected to the potable water system via a no freeze assembly manufactured by Thermaline.

Furthermore, as explained in the Water Use Memo (LACO, October 2020), at 85-percent occupancy (the yearly average occupancy for Getaway Outposts), approximately 1.26 million gallons per year (GPY) would be anticipated to be used by the proposed project. Compared to the available watershed runoff of approximately 20.69 million GPY in a drought year (presented in the Water Use Memo), the proposed project would use approximately 6.1-percent of the available watershed runoff into the aquifer in an average drought year, and only 2.4-percent of the available watershed runoff in an average rainfall year. For comparison, data prepared by the University of California Agriculture and Natural Resources states that in Lake County, the irrigation required for a typical vineyard is 8 to 11 inches of water per acre, plus an

additional 6 inches of water per acre if frost protection is required. These volumes are equivalent to approximately 0.22 to 0.30 million GPY per acre for irrigation and an additional 0.17 million GPY per acre for frost protection. Based on these values, a typical vineyard would require approximately 0.38 to 0.47 million GPY per acre. Based on these values, the estimated water usage per year of the proposed project would be comparable to the irrigation and frost protection of 3.30 to 2.72 acres of vineyard if it were planted at the Site. The Site currently has approximately 3.5 to 4 acres of potentially plantable area on gentle slopes (2 to 5 percent), with the potential to allow for additional plantable area on the steeper slopes (up to 35 percent) if it was desired to be developed with a vineyard, which is a Permitted Use, and thereby not subject to discretionary review, on the Site per Section 20.060.010 (adopted 1987) of the Mendocino County Code.

**Wastewater**

Wastewater would be managed using a proposed on-site wastewater pre-treatment and treated effluent disposal system (wastewater treatment system). As shown on the Figure 2, wastewater generated at each of the micro-cabin RVs and the lodge facility would be gravity fed into septic tank/pump basin units serving up to 3 or 4 micro-cabin RVs, and the lodge facility, together with joint lift stations, as needed, to a series of septic tanks and into a centralized wastewater treatment module. Treated effluent would be disposed of using a pressurized drip irrigation system to be placed in the basin in the central portion of the Site, as indicated on Figure 2, where the most suitable soils for septic system treatment and percolation exist on the Site. A seasonal creek is located in the southern portion of the Site and project components would observe a minimum 50-foot setback from this resource, in compliance with County requirements.

An estimate of wastewater flows in gallons per day (GPD) for the proposed development is summarized below in Table 2, which indicates flows to the wastewater treatment system would be approximately 4,073.50 GPD, based on the Water Use Memo prepared for the proposed development.

*Table 2: Summary of Proposed Facilities and Estimated Wastewater Flows*

| Type of Occupancy                          | Number of Units     | GPD/Unit | GPD      |
|--|---------------------|----------|----------|
| Micro-cabin RV <sup>1</sup>                | 45                  | 54.3     | 2,443.50 |
| Managers Unit <sup>1</sup>                 | 2-bedroom residence | 400      | 400      |
| First-floor Laundry area <sup>2</sup>      | 36 loads            | 30       | 1,080    |
| First-floor Employee restroom <sup>3</sup> | 10 employees        | 15       | 150      |

**TOTAL GALLONS PER DAY 4,073.50**

<sup>1</sup>Based on water usage estimates detailed in the Water Use Memo

<sup>2</sup>Based on commercial washing machine water usage data provided for proposed units

<sup>3</sup>Based on water flow of fixtures to be installed

It should be noted that the wastewater treatment system to serve the proposed development would need to be designed for a flow capacity of at least 6,030 gallons of wastewater per day in accordance with the County of Mendocino 1991 Uniform Plumbing Code (Plumbing Code), and as shown in Table 3, below. Based on the Water Use Memo, and as shown in Table 2, above, wastewater flow estimates based on the Plumbing Code do not meet the specific usage profile, and are more than the anticipated daily flows, of a Getaway Outpost.

*Table 3: Summary of Septic System Sizing Criteria*

| Type of Occupancy           | Number of Units | GPD/Unit | GPD   |
|-----------------------------|-----------------|----------|-------|
| Micro-cabin RV <sup>1</sup> | 45              | 100      | 4,500 |

|  |                     |     |       |
|--|---------------------|-----|-------|
| Managers Unit <sup>1</sup>                 | 2-bedroom residence | 150 | 300   |
| First-floor Laundry area <sup>2</sup>      | 36 loads            | 30  | 1,080 |
| First-floor Employee restroom <sup>3</sup> | 10 employees        | 15  | 150   |

**TOTAL GALLONS PER DAY 6,030**

<sup>1</sup>Based on the County of Mendocino 1991 Uniform Plumbing Code

<sup>2</sup>Based on Commercial washing machine water usage data provided for proposed units

<sup>3</sup>Based on water flow of fixtures to be installed

**Electricity**

Pacific Gas & Electric Company (PG&E) would provide electricity to the Site. No connections to PG&E distribution lines currently exist on-site, but a connection would be established as part of the proposed project. The residence located adjacent to the west of the Site is served by a PG&E connection.

Electrical power at the Site would feed from existing overhead PG&E power lines, then transition to underground-buried conduit feeding a transformer in the vicinity of the lodge facility. The power distribution system from the existing overhead system along Highway 175 to the initial transformer and meter riser on-site would be a PG&E system. Down-stream of the initial electric meter, the system would become private and would feed the lodge facility with secondary power. Secondary power would then be reverse-transformed back to primary power and feed the Site’s other uses through an underground conduit system to private transformers within 400 feet of the various micro-cabin RVs that the system would feed, in addition to serving the water treatment plant, booster pumps, and the wastewater treatment plant. Each of the micro-cabin RVs would be provided with an electric riser and a 50-amp breaker to connect to the electric system. The treatment plants would be served by a standard electrical panel appropriate for their power demand. The project owner would be responsible for maintenance and repairs of the private electric system. A back-up generator powered by propane is also proposed to provide electricity to the water treatment plant and potable water supply distribution system during temporary power outages. An additional unit may also be provided at the lodge building.

**Storm Drainage**

Storm drainage would primarily infiltrate throughout the Site, except in areas where the lodge facility, micro-cabin RVs, and access road sections surfaced with an impervious surface would be placed. However, a significant amount of runoff is not anticipated, as the majority of the 90.87-acre Site would remain undeveloped. During construction, Best Management Practices (BMPs) would be implemented to prevent the discharge of construction waste, debris, or contaminants from construction materials, tools, and equipment from leaving the Site.

**Solid Waste**

The Site would be served by a local service provider for solid waste service, which would be collected from the trash bin enclosure to be located in the employee parking area adjacent to the lodge facility. The micro-cabin RV keepers would be responsible for collecting solid waste from the Site and individual micro-cabin RVs and transporting it to the Site’s secured trash bin location.

**Fire Protection**

**Fire Service Provider Conditions**

The Site is mapped as located within a “Moderate” fire hazard severity zone, is located within the State Responsibility Area (SRA), just outside of the service boundaries of the Hopland Fire Protection District (HFPD), and is served by the California Department of Forestry and Fire Protection (CalFire). The nearest fire station

to the Site is the HFPD station, located approximately 3.2 miles northwest of the Site, with the nearest CalFire station located 5.3 miles northwest of the Site.

The Major Use Permit application was referred to the HFPD, also referred to as the Sanel Valley Fire District, and CalFire on February 18, 2020. No response was received from the HFPD and in a response dated February 24, 2020 CalFire responded that the project must meet all conditions of approval in the CalFire Fire Safe Application (CalFire File Number 12-20) submitted by the Applicant to CalFire on January 13, 2020 to ensure the project would comply with the applicable State standards, including the 2016 Fire Safe Regulations adopted by the State Board of Forestry in Title 14 of the California Administrative Code. The project obtained Preliminary Clearance on January 15, 2020. CalFire conditioned the project to require a clearly posted address, adequate driveway and roadway widths for emergency response vehicles, defensible space around proposed structures, and an emergency water system that includes the installation of a fire hydrant system and at least 5,000 gallons of dedicated emergency water storage. Prior to occupancy or use, a Final Inspection and Occupancy Permit must be obtained from CalFire. On June 25, 2020, LACO, on behalf of the Applicant, contacted the HFPD requesting feedback on the proposed project. Ron Roysum, Battalion Chief and Fire Marshal with the HFPD, responded with a request to provide an additional 5,000 gallons of dedicated emergency water storage on-site, for a total of 10,000 gallons. The HFPD additionally requires the completion of a standard Application for Fire District Plan Review and a complete set of plans prior to approval of any building permits for the proposed project.

#### ***Proposed Fire-Safe Practices***

The Site is currently undeveloped and primarily comprised of oak trees, shrubs, and grasslands. The proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands flatter portions of the Site, with steep (25 to 35 percent slope) wooded hillslopes remaining primarily undeveloped. Tree and vegetation removal would be limited to the footprints of the micro-cabin RV pads, access roads/trails, lodge facility and parking area, and 100 feet from each side of the lodge facility, as required by CalFire for defensible space. Standard fire-safe operating procedures that guests and staff would be expected to comply with and implement year-round include utilizing U.S. Forest Service (USFS)-approved fire pits that would be locked by on-site staff during burn bans, designating areas where smoking is prohibited, providing parking areas surfaced for year-round travel, and general clearing of understory and brush. The fire pits would be located on four-to-six inches of pure crushed stone atop a compacted subgrade and would be lodged into the compacted stone with an excavator so that they cannot be moved by guests. In addition, upon entering the cabins at check-in, guests would be provided with internal regulations concerning fire safety and each micro-cabin RV would be independently equipped with a fire extinguisher. In addition, as discussed in Section IX (Hazards and Hazardous Materials) and Section XX (Wildfire), Mitigation Measure HAZ-2 would require that a fire safety and evacuation plan be prepared in accordance to California Fire Code (CFC) Chapter 4, including 403.10.1 for R1 occupancies and 403.13 for Organized Camps, and approved by the Mendocino County Department of Planning and Building Services, CalFire, and the HFPD prior to occupancy of the Site.

As discussed above, the new access road would be utilized as the primary Site access, with the existing paved driveway, which serves the adjacent private residence, to be utilized by guests and employees only during an emergency exiting situation such as a wildland fire, or for emergency vehicle access only. The Preliminary Site Plan (LACOa, 2020) proposes a preliminary roadway design that complies with CalFire road standards for residential development, including, but not limited to standards for minimum roadway widths, standard turnouts and turnarounds, maximum grades, and minimum inside radii. In addition, the proposed water system would include a 20,000 gallon treated water tank, to be constructed using materials that meet appropriate CalFire standards and placed at the upper elevation of the Site, and fire hydrants to be located

throughout the Site in close proximity to all proposed micro-cabin RV pads and structures. The proposed treated water tank volume, is currently estimated at 20,000 gallons, which would include standby water volume for fire flow to on-site hydrants, the fire sprinkler system in the lodge facility, and the supply for daily flow of the treated water for use by the micro-cabin RVs and lodge facility. As required by CalFire and the HFPD, at least 10,000 gallons of the treated water storage would be provided for on-site for emergency water use. Although the micro-cabin RVs are exempt from fire sprinklers, a fire supply riser would be placed within 150 feet of each proposed micro-cabin RV pad.

### III. PROJECT SETTING AND LOCATION

The approximately 90.87-acre Site, identified by Assessor's Parcel Numbers (APNs) 048-270-23 and 048-270-24, is currently undeveloped, with no existing structures or utilities on-site and is comprised of gentle (2 to 5 percent slope) to steep (25 to 35 percent slope) terrain cut by a number of narrow drainages. Many of the internal access roads proposed to serve the project currently exist as trails and ranch roads; however, they exhibit limited use in some areas and would need to be upgraded, and in some cases expanded, to meet current standards and adequately serve the proposed development. The Site is currently zoned as Rangeland (R-L 160) under the Mendocino County Zoning Code and has a land use designation of Rangelands (RL160) under the Mendocino County General Plan. The Site is located 3.1 miles east of the Town of Hopland in unincorporated Mendocino County, on the east side of Old Toll Road approximately 0.2 miles south of the intersection of Old Toll Road and Highway 175. Surrounding uses include a residence adjacent to the west, vineyards and Old Toll Road to the west, vineyards to the east, vacant land and Highway 175 to the north, vacant lands to the south, and the Hopland Rancheria to the northeast.

The Site is located within the Russian River watershed and is bordered to the north by Dooley Creek and to the east by McDowell Valley Creek. The Site straddles a narrow spur-ridge extending southward from the western base of the Mayacamas Mountains between the Sanel and McDowell Valleys. According to the *Biological Resource Assessment with Botanical Survey and Delineation of Waters of the U.S.* (Biological Report) prepared by Northwest Biosurvey, dated June 25, 2020, the Site contains four plant communities or vegetation types: mixed oak woodland, blue oak woodland, chamise chaparral, and wild oat grassland. In addition, a small portion of the Site is characterized as ruderal (disturbed habitat). Preparation of the Biological Report included in-season floristic surveys, mapping, and the delineation, which were performed on March 31 and June 11, 2020. As the Biological Report was prepared at the seasonally-appropriate time, the analysis contained in the Biological Report supplants the discussion presented in the Getaway House Preliminary Biological Study (Preliminary Biological Study) prepared by LACO on January 30, 2020 and discussed in the initial submittal of this Major Use Permit application. As noted in the initial submittal, the Preliminary Biological Study was prepared to document species observed on-site. However, as noted, the biotic site survey performed for the Preliminary Biological Study (LACO, 2020b) was conducted in October 2019, outside the recommended seasonally appropriate time period for both suitable sensitive plant identification and sensitive nesting bird occurrence.

Of the 82 native and introduced plant taxa identified on the Site during the in-season, floristic-level botanical surveys, no sensitive plant taxa were identified. A total of sixteen (16) sensitive wildlife species were assessed for potential occurrence at the Site; however, it was determined only two (2) wildlife species with sensitive regulatory status (Grasshopper sparrow and Pallid bat) and raptors and passerines with non-sensitive status, but protected under the Migratory Bird Treaty Act and Fish and Game Code, have the potential to occur within the oak woodlands on the Site (Northwest Biosurvey, 2020).

As noted above, a delineation of the waters of the U.S. was conducted by Northwest Biosurvey as part of the Biological Report. Approximately 3.277 acres of aquatic resources were delineated, including intermittent

streams, which flow seasonally and may not have flowing surface water year-round (McDowell Creek and Dooley Creek), and ephemeral drainages, which flow only after precipitation. McDowell Creek flows north along the eastern base of the Site and then turns west along the northern edge of the Site before entering Sanel Valley. McDowell Creek eventually joins Dooley Creek to continue west across the Sanel Valley floor to the Russian River. As shown on the Preliminary Site Plan (LACO, 2020a), no development is proposed within 100 feet of McDowell Creek. Of the ephemeral drainages, two (2) drainages that have defined erosional channels approximately 1 to 4 feet wide (LACO, 2020a) are present in proximity to the proposed lodge facility and primary access road. Both drainages have a discontinuous overstory canopy consisting primarily of interior live oak, blue oak, valley oak, coyote brush, and bitter cherry and flow west under Old Toll Road through existing culverts to a north-flowing channel extending along the base of the slope, on the west side of Old Toll Road. This channel joins Dooley Creek at the northwestern edge of the Site. Smaller ephemeral drainages originate near the summit of the Site and flow east towards McDowell Creek.

Elevations at the Site range between approximately 650 feet and 820 feet above mean sea level (amsl). Portions of the Site, along its northern and eastern perimeters, are located within a 100-year flood zone (Zone A), as shown on Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) panel number 06045C1852F, effective June 2, 2011; however, the majority of the Site is mapped as "Area of Minimal Flood Hazard" (Zone X). Based on the Preliminary Site Plan (LACO, 2020a), see Figure 2, the proposed development would be located outside the areas of 100-year flood. Soils are mapped by Natural Resources Conservation Services (NRCS) as Hopland-Woodin complex soils, primarily a deep yellow-red soil originating from shale or sandstone parent materials from upland sources (NRCS, 1997).

#### IV. ENVIRONMENTAL EFFECTS

An environmental checklist follows this section, and addresses all potential adverse effects resulting from the proposed project. No significant adverse effects are expected from any of the proposed activities.

#### V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigation Incorporated" as indicated by the checklists on the following pages.

|   |                           |   |                                    |   |                                    |
|---|---------------------------|---|------------------------------------|---|------------------------------------|
|   | Aesthetics                |   | Agriculture and Forestry Resources |   | Air Quality                        |
| X | Biological Resources      | X | Cultural Resources                 |   | Energy                             |
|   | Geology/Soils             |   | Greenhouse Gas Emissions           | X | Hazards & Hazardous Materials      |
|   | Hydrology/Water Quality   |   | Land Use/Planning                  |   | Mineral Resources                  |
|   | Noise                     |   | Population/Housing                 |   | Public Services                    |
|   | Recreation                |   | Transportation                     | X | Tribal Cultural Resources          |
|   | Utilities/Service Systems | X | Wildfire                           | X | Mandatory Findings of Significance |

An explanation for all checklist responses is included, and all answers take into account the whole action involved and the following types of impacts: off-site and on-site; cumulative and project-level; indirect and direct; and construction and operational. The explanation of each issue identifies (a) the threshold of significance, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. The mitigation measures recommended for the project are included in Appendix A.

In the checklist the following definitions are used:

**"Potentially Significant Impact"** means there is substantial evidence that an effect may be significant.

**"Potentially Significant Unless Mitigation Incorporated"** means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

**"Less Than Significant Impact"** means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

**"No Impact"** means that the effect does not apply to the proposed project, or clearly would not impact nor be impacted by the proposed project.

**DETERMINATION: (To be completed by the Lead Agency on the basis of this initial evaluation)**

|                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.   |
| <input checked="" type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION would be prepared.   |
| <input type="checkbox"/>            | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.   |
| <input type="checkbox"/>            | I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/>            | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.                                   |

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Jesse Davis, Senior Planner  
Name and Title

| I. AESTHETICS. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Thresholds of Significance:** The project would have a significant effect on aesthetics if it would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of public views of the site and its surroundings (if the project is in a non-urbanized area) or conflict with applicable zoning and other regulations governing scenic quality (if the project is in an urbanized area); or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

**DISCUSSION**

As noted in Chapter 4 (Resource Management Element) of the Mendocino County General Plan (August 2009), the County of Mendocino (County) is a predominately rural county, with most of the land in forest or agricultural production, both of which are considered open spaces that add to the quality of life of the County’s residents and attract tourists. The Site is currently undeveloped and largely comprised of oak woodlands would predominately remain as such, as the Applicant would retain existing trees to the extent feasible, limiting tree and vegetation removal to the footprints of the micro-cabin RV pads, access roads/trails, lodge facility and parking area, and 100 feet from each side of the lodge facility, as required by CalFire for defensible space. Maintaining a forested Site aligns with the Applicant’s vision of the development as an escape to nature for the guests. The trees would not only serve as continued habitat, but also would provide shading and development screening to maintain the wooded nature of the Site. The final development plans would emphasize a design that limits tree loss and concentrates development in woodland openings and grassland habitat to the extent practical. The final locations of the micro-cabin RV pads, walking trails, and access roads may be modified, as needed during preparation of the final development plans, to retain trees and vegetation that may be located within the footprint currently proposed for development. Development would be limited to areas shown on the Preliminary Site Plan (LACO, 2020a), or the final development plans upon their completion and approval by the County of Mendocino.

I.a) Due to the Site’s topography and steep (25 to 35 percent) slope adjacent to Highway 175, it is anticipated that public views of the Site from this roadway would remain unchanged and would continue to be of wooded hillside. Along Old Toll Road, the new Site entrance and lodge facility would be visible; however, it is expected that this structure would be partly shielded from persons traveling along Old Toll

Road, due to existing trees along the Site's Old Toll Road frontage. The Site is not a designated scenic vista and visual changes would only be visible along Old Toll Road. A less than significant impact would occur.

I.b) Per Chapter 4 of the Mendocino County General Plan (2009), there are no officially designated State Scenic Highways in Mendocino County, although there are two designated State Scenic Byways through forests, which include the North Central Coast Heritage Corridor on State Route 1 and the Tahoe-Pacific Heritage Corridor encompassing sections of State Route 20 and Highway 101. While not officially designated as State Scenic Highways, Highway 20 through Mendocino County is eligible for designation and Highway 128, which passes through Yolo, Napa, Sonoma, and Mendocino Counties and is 140 miles long, was recently made eligible for designation under Assembly Bill (998) signed by Governor Gavin Newsom in July 2019. Highways 20 and 128 are not in the vicinity of the Site. As previously discussed, the Site is currently undeveloped and therefore does not contain any historic buildings. Since no roads accessing the Site, including Highway 175, are designated State Scenic Highways, no impact would occur.

I.c) As noted above, the County is predominately rural and the Site's location is also considered rural in nature. Surrounding uses include a residence to the west, vineyards to the west and east, vacant lands to the north and south, and the Hopland Rancheria to the northeast. In addition, the Site is bordered to the north by Highway 175, a two-lane highway managed by Caltrans, and to the west by Old Toll Road, a two-lane minor arterial road managed by the Mendocino County Department of Transportation (MCDOT). The project would not be anticipated to substantially degrade the existing visual character or quality of public views of the Site and its surroundings. Visual changes would only be anticipated along Old Toll Road, where the existing site entrance would be expanded, and a lodge facility and secondary ingress/egress point to serve the lodge facility and parking area would be constructed. Due to the Site's topography and steep (25 to 35 percent) slope adjacent to Highway 175, it is anticipated that public views of the Site from this roadway would remain unchanged and would continue to be of wooded hillside. As the primary vantage point from which changes to the existing visual character of the Site would be visible would be along Old Toll Road, and the proposed lodge facility would be compatible with uses in the general vicinity of the Site, the existing visual character or quality of public views of the Site and its surroundings would not be substantially degraded. A less than significant impact would occur.

I.d) The proposed development has the potential to increase light and glare and impact nighttime views as compared to existing conditions, as the Site is currently undeveloped. However, any new exterior lighting to be utilized under the proposed project would be motion-censored, downcast, and shielded in compliance with regulations set by the International Dark-Sky Association and Policy RM-134 of Chapter 4 (Resource Management Element) of the County's General Plan (2009). Each cabin would be equipped with a single, dimmable, and downward-facing exterior light, which would be mounted on the exterior of the micro-cabin RVs to illuminate the nameplate and stairs to the micro-cabin RV and would emit a low, warm glow (2700K), and would include retractable shades on each window, which are often drawn down at night. No lighting would be used on roads and driveways and any light from outdoor fires held in the designated fire pits at each micro-cabin RV site would be temporary in nature. In addition, existing vegetation would be retained to the extent feasible, which would help to block glare from light sources. As a result, the potential for new sources of significant light or glare at the Site, which would adversely affect day or nighttime views in the area, would be reduced. A less than significant impact would occur.

#### **MITIGATION MEASURES**

No mitigation required.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Aesthetics.

| II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Wouldiamson Act contract?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Thresholds of Significance:** The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter “farmland”), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Wouldiamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

## DISCUSSION

The Site has a Mendocino County General Plan land use designation of Rangelands (RL160) and is zoned as Rangeland (R-L 160) under the Mendocino County Inland Zoning Code (County Zoning Code), adopted in 1987. The proposed development would be permitted as ‘Transient Habitation – Campground’, as defined under the County Zoning Code. Per Section 20.060.025(C) of the County Zoning Code, the proposed project would be an allowed use on the Site, subject to a Major Use Permit.

The approximately 90.87-acre Site is currently undeveloped, with no existing structures or utilities on-site and is comprised of relatively steep (25 to 35 percent slope) terrain cut by a number of narrow drainages. Many of the internal access roads proposed to serve the project currently exist as trails and ranch roads. Surrounding uses include a residence adjacent to the west, vineyards and Old Toll Road to the west, vineyards to the east, vacant land and Highway 175 to the north, vacant lands to the south, and the Hopland Rancheria to the northeast. The Site is designated as “Grazing Land” under the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (DOC, 2016), Division of Land Resource Protection and is not currently under a Wouldiamson Act Agricultural Preserve contract (Mendocino County Maps - Timber Production & Wouldiamson Act Lands, 2014).

According to the *Biological Resource Assessment with Botanical Survey and Delineation of Waters of the U.S.* (Biological Report) prepared by Northwest Biosurvey on June 25, 2020, the Site contains four plant communities or vegetation types based on or derived from the "Standardized Classification" scheme described in the California Native Plant Society (CNPS) *A Manual of California Vegetation*: mixed oak woodland, blue oak woodland, chamise chaparral, and wild oat grassland. In addition, a small portion of the Site is characterized as ruderal (disturbed habitat). As shown on the Preliminary Site Plan (LACO, 2020) and as noted in the Biological Report (Northwest Biosurvey, 2020), the proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands.

II.a) The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. As noted above, the Site is designated as "Grazing Land" under the DOC's FMMP (2016). No impact would occur.

II.b) The Site is currently zoned as Rangeland (R-L 160) under the County Zoning Code and is not under a Wouldiamson Act contract (Mendocino County Maps - Timber Production & Wouldiamson Act Lands, 2014). The proposed project is an allowable use in the R-L District with issuance of a Major Use Permit. There is no evidence that there is an existing rangeland use of the Site, or that the property owner intends to utilize the Site for rangeland purposes in the future. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Wouldiamson Act contract and a less than significant impact would occur.

II.c) As discussed above, the Site is currently zoned as Rangeland (R-L 160) under the County Zoning Code and is therefore neither designated nor zoned as forest land or timberland. No impact would occur.

II.d) The Site is currently undeveloped, with no existing structures or utilities on-site and is not utilized for forestry use. Plant communities or vegetation types identified on-site include mixed oak woodland, blue oak woodland, chamise chaparral, and wild oat grassland (Northwest Biosurvey, 2020). Although some trees may need to be removed as a result of the project, on-site trees would be limited in order to preserve the on-site oak woodlands. As such, the proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. A less than significant impact would occur.

II.e) There are no components of the project that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use. Development of the Site would be limited to the proposed improvements described in the project proposal, and the proposed infrastructure would not support additional development beyond the proposed project as currently designed. In addition, in contrast to the vacant Site proposed for development, numerous properties in close vicinity to the Site are actively farmed with crops such as grapes. Development of these properties would require the conversion of agricultural lands, which is outside the scope of this project. Any development proposed on adjoining agricultural properties would be subject to the requirements of the Mendocino County Code and impacts from a potential future project would be evaluated at the time of project proposal. A less than significant impact would occur.

#### **MITIGATION MEASURES**

No mitigation required.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Agricultural and Forestry Resources.

| III. AIR QUALITY. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Thresholds of Significance:** The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

## DISCUSSION

Air pollution control in the State of California is based on federal, state, and local laws and regulations. According to the 2005 Mendocino County Air Quality Management District (MCAQMD) Particulate Matter Attainment Plan (PM Attainment Plan) (pg. 5), the United States Environmental Protection Agency (EPA), California Air Resources Board (CARB), and regional clean air agencies all regulate air quality. The EPA and the CARB have set thresholds for each of the criteria pollutants, which include: ozone (O<sub>3</sub>), carbon monoxide (CO), oxides of nitrogen (NO<sub>x</sub>), lead (Lb), sulfur dioxide (SO<sub>2</sub>), particulate matter less than 10 microns in size (PM<sub>10</sub>), and particulate matter less than 2.5 microns in size (PM<sub>2.5</sub>). The standards set by the CARB are generally more stringent than those set by the EPA and the CARB has set additional standards for visibility-reducing particles (of any size), sulfates, and hydrogen sulfide (H<sub>2</sub>S). These standards are based on observable short-term (acute) health effects (MCAQMD, 2005).

The Site is located within the North Coast Air Basin (NCAB) and is subject to the requirements of the MCAQMD. The MCAQMD is responsible for monitoring and enforcing the state and federal Clean Air Acts as well as local air quality protection regulations in Mendocino County. The entire NCAB is currently designated as "non-attainment," or in excess of allowable limits, for the state 24-hour allowable limits for breathable particulate matter of 10 microns or less (PM<sub>10</sub>), and as "attainment," or within allowable limits, with respect to the balance of the criteria pollutants. The MCAQMD has been determined to be in "attainment", or within allowable limits, for all federal and state ambient air quality standards, except for the state annual average PM<sub>10</sub> standard and the 24-hour PM<sub>10</sub> standard. The California Clean Air Act does not require attainment plans or transportation conformity for Districts that exceed the PM<sub>10</sub> standard, but only requires that the Districts make reasonable efforts toward coming into attainment, defined as a five percent reduction in emissions per year, until the standard is attained. Although not required for coming into attainment for the state standard, the MCAQMD adopted the PM Attainment Plan in 2005. The PM Attainment Plan includes a description of local air quality, the sources of local particulate matter (PM) emissions, and recommended control measures to reduce future PM<sub>10</sub> levels. While PM<sub>10</sub> levels have dropped over the last 20 years, due to changing industrial base, enhanced regulations, and increased enforcement by the MCAQMD, the MCAQMD still exceeds the State PM<sub>10</sub> level several times a year. The majority of these exceedances result from wildfires, residential wood burning, unpaved roads, and construction activities (MCAQMD, 2005).

As previously discussed, the Site, currently vacant and undeveloped, is located immediately east of Old Toll Road and south of Highway 175 and primarily comprised of oak trees, shrubs, and grasslands. The surrounding area contains limited existing development, with an existing residence located adjacent to the west of the Site, on the parcel identified as APN 048-270-18. Surrounding uses include vineyards to the west and east, vacant lands to the north and south, and the Hopland Rancheria to the northeast.

Site improvements proposed under the project involve the construction of primary and secondary Site access roads; secondary Site entrance; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building (lodge facility) to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, an accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport; walking trails; on-site underground utility line (electricity, water, and wastewater disposal) installation and connections; construction of on-site water treatment and supply and wastewater disposal systems; installation of an emergency water supply system, including fire hydrants; construction of a private well on the adjacent agricultural land; and an off-site underground water line connecting the proposed well to the on-site water system. The carport structure would be constructed on the end of the lodge facility to facilitate loading of supplies for transport to the micro-cabin RVs and for vans delivering supplies to the lodge facility and for storing equipment and firewood. Adjacent to the lodge facility would be a small parking lot with nine (9) parking spaces for employees, including one (1) accessible space. The parking area adjacent to the lodge facility would include a secondary ingress/egress location for the Site to facilitate garbage truck access to trash bins on the end of the parking lot. Parking for guests would be located adjacent to the micro-cabin RV for drive-up micro-cabin RVs and adjacent to the access road and in close vicinity to the micro-cabin RVs for walk-up sites. In addition, each micro-cabin RV would be provided with a fire pit on each individual pad area and would be U.S. Forest Service (USFS)-approved fire pits that can be locked during burn bans.

Emissions from the project would be comprised of direct and indirect emissions. On-site emission sources at the Site include stationary, mobile and fugitive sources. Direct emissions from on-site activities, including exhaust and fugitive dust, would result from operation of the equipment utilized for Site maintenance. Indirect emissions would be produced by trucks and other vehicles, including visitors and workers, traveling to and from the Site. A maximum of 10 employees are anticipated under the project, including a full-time General Manager, a full-time Facilities Manager, and six (6) to eight (8) part-time housekeeping staff supported by company operations based in California and New York. The Applicant estimates a yearly average occupancy rate of 85 percent, with an average length of stay of 1.5 nights per stay. The 2-person micro-cabin RVs would accommodate up to 2 guests (with one queen bed) and the 4-person micro-cabin RVs (with two queen beds, bunked) would accommodate up to 4 guests at a time.

The project and its emission sources are subject to MCAQMD rules and regulations contained in the most recent version of the *Rules and Regulations of the MCAQMD*. The MCAQMD has also identified significance thresholds for use in evaluating project impacts under CEQA, provided in Table 3, below.

*Table 3. MCAQMD Significance Thresholds*

| Criteria Pollutant and Precursors                    | Average Daily Emissions (lb/day) | Maximum Annual Emissions (tons/year) |
|--|----------------------------------|--------------------------------------|
| ROG  | 180                              | 40                                   |
| NO <sub>x</sub>                                      | 42                               | 40                                   |
| PM <sub>10</sub>                                     | 82                               | 15                                   |
| PM <sub>2.5</sub>                                    | 54                               | 10                                   |
| Fugitive Dust (PM <sub>10</sub> /PM <sub>2.5</sub> ) | same as above                    |                                      |

|  |               |
|--|---------------|
| Local CO   | 125 tons/year |
| <i>Source: Mendocino County Air Quality Management District (MCAQMD). Adopted Air Quality CEQA Thresholds of Significance – June 2, 2010. Available at: <a href="http://www.co.mendocino.ca.us/aqmd/pdf_files/MCAQMDCEQARecomendations.pdf">http://www.co.mendocino.ca.us/aqmd/pdf_files/MCAQMDCEQARecomendations.pdf</a>.</i> |               |

III.a-b) The project would not conflict with or obstruct implementation of any air quality plan or result in a cumulatively considerable net increase of PM<sub>10</sub>, the only criteria pollutant for which the project region is in non-attainment (MCAQMD, 2005). MCAQMD has advised that generally an activity that individually complies with the state and local standards for air quality emissions would not result in a cumulatively considerable net increase in the countywide PM<sub>10</sub> emissions. While project construction would generate temporary emissions from use of construction equipment, project construction would not include any source of visible emissions, including intentional fire/burning or manufacturing and would control exhaust emissions from construction equipment by limiting idling. In addition, the contractor would suppress fugitive dust during construction and operation, pursuant to Rule-1-430 (Fugitive Dust Emissions) of Chapter IV (Prohibitions) of Regulation 1 (Air Pollution Control Rules) of the MCAQMD's *Rules and Regulations* (February 2011), and would maintain all construction equipment in good working order such that exhaust and fugitive dust emissions are reduced.

Post construction, as described above, a significant amount of development on-site is not proposed and the Site would continue to remain predominately wooded. The project would be subject to current and future regulations adopted by MCAQMD, including the PM Attainment Plan (2005), and compliance with these regulations would ensure the project would not result in a substantial increase of PM<sub>10</sub> within the vicinity of the Site and would support implementation of an applicable air quality plan. A less than significant impact would occur.

III.c-d) The project would not expose sensitive receptors to substantial pollutant concentrations, nor create objectionable odors affecting a substantial number of people. Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants, and include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling unit(s). The nearest sensitive receptor is the single-family residence located adjacent to the west of the Site. The Site is located in a rural area with limited surrounding development, consisting primarily of open agricultural lands. The proposed project would be anticipated to create exhaust and fugitive dust during construction of the project. However, with suppression of fugitive dust during construction and operation, pursuant to Rule-1-430 (Fugitive Dust Emissions) of Chapter IV (Prohibitions) of Regulation 1 (Air Pollution Control Rules) of the MCAQMD's *Rules and Regulations* (February 2011), and maintaining all equipment in good working, fugitive dust and exhaust emissions would be reduced. A less than significant impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Air Quality.

| IV. BIOLOGICAL RESOURCES. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Thresholds of Significance:** The project would have a significant effect on biological resources if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

**DISCUSSION**

Mendocino County is largely rural and forested and has a wide range of climates, topography, soils, and watershed conditions, all of which produce very diverse plant and animal communities. Chapter 4 (Resource Management) of the Mendocino County General Plan (2009) includes policies related to the protection, enhancement, and management of biological resources within the County.

A *Biological Resource Assessment with Botanical Survey and Delineation of Waters of the U.S.* (Biological Report) was prepared by Northwest Biosurvey on June 25, 2020 (see Appendix C). The Biological Report evaluated the potential of the Site to contain sensitive plant and wildlife habitat and delineate waters of the U.S. and included in-season floristic surveys, mapping, and the delineation, which were performed on March 31 and June 11, 2020. As the Biological Report was prepared at the seasonally-appropriate time, the analysis contained in the Biological Report supplants the discussion presented in the *Getaway House Preliminary Biological Study* (Preliminary Biological Study) prepared by LACO on January 30, 2020 and discussed in the Draft Initial Study (Draft IS) dated April 2020 (see Appendix D). As noted in the Draft IS, the biotic site survey performed for the Preliminary Biological Study was conducted in October 2019, outside the recommended seasonally appropriate time period for both suitable sensitive plant identification and sensitive nesting bird occurrence (LACO, 2020b).

According to the Biological Report (Northwest Biosurvey, 2020), the Site is located within the Russian River watershed and is bordered to the north by Dooley Creek and to the east by McDowell Valley Creek. The Site straddles a narrow spur-ridge extending southward from the western base of the Mayacamas Mountains between the Sanel and McDowell Valleys, both of which are heavily developed in fenced vineyard. As a consequence, this intervening ridge serves as a primary wildlife corridor between extensive open habitats to the north and south. The Site contains four plant communities or vegetation types based on or derived from the "Standardized Classification" scheme described in the California Native Plant Society (CNPS) *A Manual of California Vegetation*: mixed oak woodland, blue oak woodland, chamise chaparral, and wild oat grassland. In addition, a small portion of the Site is characterized as ruderal (disturbed habitat). Of the 82 native and introduced plant taxa identified on the Site during the in-season, floristic-level botanical surveys, no sensitive plant taxa were identified. A total of sixteen (16) sensitive wildlife species were assessed for potential occurrence at the Site; however, it was determined only two (2) wildlife species with sensitive regulatory status (Grasshopper sparrow and Pallid bat) and raptors and passerines with non-sensitive status, but protected under the Migratory Bird Treaty Act and Fish and Game Code, have the potential to occur within the oak woodlands on the Site.

As noted above, a delineation of the waters of the U.S. was conducted by Northwest Biosurvey as part of the Biological Report. The delineation was conducted as prescribed in the *Corps of Engineers Wetlands Delineation Manual*, dated January 1987 and the *Arid West 2008 Supplement*. The survey included use of lidar mapped overlays and an extensive foot survey. Approximately 3.277 acres of aquatic resources were delineated, including intermittent streams, which flow seasonally and may not have flowing surface water year-round (McDowell Creek and Dooley Creek), and ephemeral drainages, which flow only after precipitation. McDowell Creek flows north along the eastern base of the Site and then turns west along the northern edge of the Site before joining Dooley Creek to continue west across the Sanel Valley floor to the Russian River. As shown on the Preliminary Site Plan (LACO, 2020), no development is proposed within 100 feet of McDowell Creek. Of the ephemeral drainages, two (2) drainages that have defined erosional channels approximately 1 to 4 feet wide (LACO, 2020b) are present in proximity to the proposed lodge facility and primary access road. Both drainages have a discontinuous overstory canopy consisting primarily of interior live oak, blue oak, valley oak, coyote brush, and bitter cherry and flow west under Old Toll Road through existing culverts to a north-flowing channel extending along the base of the slope, on the west side of Old Toll Road. This channel joins Dooley Creek at the northwestern edge of the Site. Smaller ephemeral drainages originate near the summit of the Site and flow east towards McDowell Creek.

The Biological Report (Northwest Biosurvey, 2020) provides several recommendations for reducing potential impacts to wildlife species, oak woodlands, wildlife movement through the established wildlife corridor, and waterways. These recommendations are described in detail below, in the applicable section.

IV.a) As noted in the Biological Report (Northwest Biosurvey, 2020), while no sensitive plant taxa were identified on-site, two (2) wildlife species with sensitive regulatory status (Grasshopper sparrow and Pallid bat) and raptors and passerines protected under the Migratory Bird Treaty Act and Fish and Game Code have a potential to occur within the oak woodlands on-site. Under the proposed project, tree and vegetation removal would be limited to the extent feasible in order to protect the wooded nature of the Site, which provide suitable habitat for candidate, sensitive, or special status species. The Applicant would limit tree and vegetation removal to the footprints of the micro-cabin RV pads, access roads/trails, lodge facility and parking area, and 100 feet from each side of the lodge facility, as required by CalFire for defensible space. The final development plans would emphasize a design that limits tree loss and concentrates development in woodland openings and grassland habitat to the extent practical. The final locations of the micro-cabin RV pads, walking trails, and access roads may be modified during preparation of the final development plans, to retain trees and vegetation that may be located within the footprint currently proposed for development. Development would not occur in areas not shown on the Preliminary Site Plan (LACO, 2020), or the final development plans upon their completion and approval by the County of Mendocino.

The Biological Report (Northwest Biosurvey, 2020) provides several recommendations for reducing potential impacts to the aforementioned wildlife species. These recommendations are included as BIO-1 and BIO-2, below and include protocol, including a pre-construction nest survey, in the event vegetation removal is necessary during the nesting season for grasshopper sparrows, raptors, and passerines (February 15 through August 31), and a survey for bat roosts, in the event work is proposed within woodland habitat during the maternity roosting season for bats (April 1 through September 15), and have been included as Mitigation Measures BIO-1 and BIO-2, respectively. With the incorporated of Mitigation Measures BIO-1 and BIO2, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). With mitigation incorporated, a less than significant impact would occur.

IV.b) As discussed above, approximately 3.277 acres of aquatic resources were delineated on-site, including two intermittent streams, which flow seasonally and may not have flowing surface water year-round (McDowell Creek and Dooley Creek), and ephemeral drainages, which flow only after precipitation. No development is proposed within 100 feet of the intermittent streams; however, road crossings at a number of ephemeral streams are proposed to accommodate the proposed primary and secondary access roads. As shown on the Preliminary Site Plan (LACO, 2020), see Figure 2, the project includes the construction of a new primary access road that would include improvements to an existing historic road located parallel to Old Toll Road and would require improvements to the existing culverted crossings of the ephemeral drainages that drain to the west to pass under Old Toll Road, and modifications to two of the small ephemeral drainages that drain to the east to facilitate improvements to the secondary access roads. The Preliminary Site Plan (LACO, 2020) indicates that improvements to ephemeral drainages that drain to west of the Site include the replacement of two existing culverted crossings and the installation of two new culverted crossings and a concrete drainage swale to accommodate the new site entrance, lodge facility, and primary access road. Improvements to the ephemeral drainages that drain to the east of the Site include the installation of two culverted crossings.

The Biological Report (Northwest Biosurvey, 2020) notes that roadway and trail crossings of the intermittent and ephemeral streams delineated on-site have the potential to result in erosion and sedimentation and provides recommendations to limit potential impacts to waterways, including standards for designing waterway crossings, a setback from the McDowell Creek riparian zone, permits from the relevant resource

agencies for work involving the placement of fill or structures within waterways, and compliance with local and state regulations. In order to limit and mitigate for any potential impacts to the drainages, these recommendations have been included as Mitigation Measure BIO-3 below, which requires that the Applicant obtain a Lake or Streambed Alteration Agreement (LSAA) through CDFW, a Section 401 Water Quality Certification (WQC) through the North Coast Regional Water Quality Control Board (NCRWQCB), and a Section 404 permit through the U.S. Army Corps of Engineers (USACE), prior to construction of the proposed improvements, if needed.

Additionally, construction projects that would disturb more than one acre of land, such as the proposed project, would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs to be implemented during construction to reduce the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include, for example, straw bales, fiber rolls, and/or silt fencing structures to assure the reduction in erosion resulting from construction and to avoid runoff into sensitive habitat areas (including the unnamed tributary and downstream watercourses), limit ground disturbance, and stabilize disturbed soil areas as soon as feasible after construction is completed. In addition, Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools, and equipment from leaving the site.

Implementation of Mitigation Measure BIO-3 and compliance with the CGP and Mendocino County Code Chapter 16.30 et.seq. would facilitate the implementation of water quality control efforts at the local and State levels and ensure impacts to the riparian habitats of the on-site intermittent streams and ephemeral drainages are reduced. In addition, as discussed below, under impact discussion IV.e), potential impacts to the natural oak woodland community would be reduced to a less than significant level with the incorporation of impact avoidance, minimization, and mitigation measures provided in Mitigation Measure BIO-4. With mitigation incorporated, a less than significant impact would occur.

IV.c) As discussed above, the Biological Report (see Appendix C) included a delineation of waters of the U.S. was due to the presence of streams on the Site. Results of the Biological Report indicate that 3.277 acres of aquatic resources, including intermittent and ephemeral streams were delineated on-site, and no wetlands were delineated. No impact would occur.

IV.d) The Biological Report notes that the Site sits astride a ridge extending between the Sanel and McDowell Valleys that serves as a primary wildlife corridor between extensive open habitats to the north and south, and that night-time noise, lighting, and pets at the proposed development have the potential to adversely impact wildlife movement through the corridor. As shown on the Preliminary Site Plan (LACO, 2020) and as noted in the Biological Report (Northwest Biosurvey, 2020), the proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands. The final development plans would emphasize a design that limits tree loss and concentrates development in woodland openings and grassland habitat to the extent practical. The final locations of the micro-cabin RV pads, walking trails, and access roads would may be modified during preparation of the final development plans, to retain trees and vegetation that may be located within the footprint currently proposed for development. Development would not occur in areas not shown on the Preliminary Site Plan (LACO, 2020), or the final development plans upon their completion and approval by the County of Mendocino. As a result, the majority of the 90.87-acre

Site would remain undisturbed, allowing for passive recreational activities and ensuring that wildlife corridors are maintained, to the extent possible.

The proposed project would not include any barriers to wildlife movement through the Site, as fences would be utilized in a limited capacity on-site for screening micro-cabin RVs from the adjacent residence, areas of the Site not available to guests, the lodge facility, and any above-ground infrastructure, if needed. Potential impacts to wildlife would be further reduced by the use of downcast and shielded lighting, in compliance with regulations set by the International Dark-Sky Association. Each cabin would be equipped with a single, dimmable, and downward-facing exterior light which would be mounted on the exterior of the micro-cabin RVs to illuminate the nameplate and stairs to the micro-cabin RV and emit a low, warm glow (2700K), and with retractable shades on each window, which are often drawn down at night. No lighting would be used on roads and driveways. Night-time noise would be subject to a 10:00 pm curfew and no amplified music would be permitted outside of the micro-cabin RVs. Interactions between wildlife and humans would be further reduced as pets would be required to be kept indoor at night, and on a leash and under direct supervision at all times while on-site, and trash receptacles for visitors would be located inside individual micro-cabin RVs. Individual small metal lidded trash cans would be provided outside each micro-cabin RV for dog waste only. The trash enclosure at the lodge facility for storing all waste from the Site would be securely covered and removed from the Site by a local service provider for solid waste services. Standard rules for the Site must be read and agreed to before a guest may check-in and would be placed inside each micro-cabin RV, where they would be accessible to guests at all times. Implementation of and compliance with these standards would be monitored and enforced by the on-site manager and violations would be subject to a monetary fine. As a result, the proposed project's impact on the movement of wildlife species through the established wildlife corridor would be limited. A less than significant impact would occur.

IV.e) Although the Site is not subject to an adopted tree protection ordinance, habitat conservation plan, or other similar regulation, under the proposed project, tree and vegetation removal would be limited to the extent feasible. Tree and vegetation removal would be limited to the footprints of the micro-cabin RV pads, access roads/trails, lodge facility and parking area, and 100 feet from each side of the lodge facility, as required by CalFire for defensible space. As shown on the Preliminary Site Plan (LACO, 2020a) and as noted in the Biological Report (Northwest Biosurvey, 2020), the proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands. However, the Biological Report (Northwest Biosurvey) provides recommended measures for further reducing the project's potential impact on oak woodlands. These recommendations include standards for subsurface construction beneath the driplines of trees and have been included as Mitigation Measure BIO-4, which requires the preparation of an Oak Mitigation and Monitoring Plan (Oak MMP) that includes impact avoidance, minimization, and mitigation measures for potential impacts to oak trees. The Oak MMP and final development would be required to be provided to and approved by the Mendocino County Department of Planning and Building Services (PBS) prior to the issuance of grading or building permits and implementation of the proposed project.

Additionally, Mendocino County Ordinance No. 4313 (adopted in 2013), Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from leaving the Site. With implementation of Mitigation Measure BIO-4, and development of the project in accordance to all required standards and policies, including but not limited to the Mendocino County General Plan (2009), Mendocino County Zoning Ordinance, and Mendocino County Ordinance No. 4313, the project would not conflict with any local policies or ordinances protecting biological resources. With mitigation incorporated, a less than significant impact would occur.

IV.f) There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that apply to the Site. No impact would occur.

#### **MITIGATION MEASURES**

**BIO-1:** If construction, including vegetation removal, is proposed to occur during the nesting season for grasshopper sparrows and for raptors and passerines (February 15 through August 31), the work shall be preceded by a pre-construction nest survey encompassing the proposed areas of disturbance and the surrounding area (no less than 100 feet from the proposed areas of disturbance, where possible) conducted by a qualified biologist within 14 days of the start of construction, including vegetation removal. If an active nest of a sensitive bird species is found, a construction buffer shall be established around the nest in consultation with CDFW staff and shall remain in place until fledging is completed or until it is determined that the nesting effort has failed, as determined by the qualified biologist. If no active nests are found, construction, including vegetation removal, shall proceed.

**BIO-2:** If construction, including vegetation removal, is proposed within woodland habitat during the maternity roosting season for bats (April 1 through September 15), trees with features capable of supporting roosting bats shall be surveyed by a qualified biologist for bat roosts or evidence of bat roosting (guano, urine staining and scent, dead bats) within 14 days of the start of construction, including vegetation removal. If active roosts are discovered, a buffer of no less than 50 feet around the active roost shall be established by the qualified biologist. Removal may occur once active roosting ceases, as determined by the qualified biologist.

**BIO-3:** Due to the proposed impacts to on-site ephemeral drainages, the project applicant shall obtain a Section 404 Clean Water Act (CWA) permit through the U.S. Army Corps of Engineers for impacts to waters of the United States, a Section 401 Water Quality Certification from the North Coast Regional Water Quality Control Board (NCRWQCB), and a Section 1602 Lake or Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW) for impacts to the stream corridor (defined by CDFW as the top of bank plus the outer edge of the dripline of riparian vegetation). These permits shall be obtained prior to issuance of grading permits and implementation of the project and would identify conditions the Applicant would implement. Conditions shall include but not be limited to the implementation of erosion and bank stabilization measures, riparian habitat enhancement, and/or restoration and revegetation of the stream corridor habitat at no less than a 1:1 ratio.

The Applicant shall design the project such that it would not result in a loss of functions and values of waters of the United States or State through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined by the resource agencies. The Applicant shall design the project to limit the obstruction of and human intrusion into the riparian area of the on-site ephemeral drainages, to the extent feasible. Where crossings of the ephemeral drainages are necessary, the crossings shall use open bank areas lacking dense vegetation, where possible. If it is determined, through obtaining an Approved Jurisdictional Determination through the USACE, that the aquatic resource features on the project site are not jurisdictional under the Clean Water Act, then the Section 404 CWA permit and Section 401 WQC may not be required.

Compensatory mitigation may consist of:

1. Providing on-site compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity in a location at or adjacent to the impact site;

2. Providing off-site compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity at another location, usually within the same watershed as the permitted impact;
3. Obtaining credits from a mitigation bank; and/or
4. Making a payment to an in-lieu fee program that would conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities. The Applicant retains responsibility for the implementation and success of the mitigation project.

Evidence of compliance with this mitigation measure shall be provided prior to initiating construction and grading activities for the project.

**BIO-4:** The final development plans shall emphasize design that limits tree loss and concentrates development in woodland openings and grassland habitat to the extent practical. Prior to any development activity or the issuance of grading permits, the Applicant shall prepare an Oak Mitigation and Monitoring Plan (Oak MMP) that includes:

1. An inventory of oak trees within the project areas identified as oak woodlands that are proposed to be impacted during construction or that are located within 20 feet of the proposed areas of disturbance. The inventory shall include the location, size, and species of all oak trees over 12 inches in diameter, measured at approximately 4.5 feet in height. This inventory shall include oak trees to be removed and those to be preserved within the specified areas.
2. The removal of all oak trees 12 inches or more in diameter at breast height shall be mitigated by one or more of the following:
  - o **Replanting and maintaining oak trees.** Oak trees proposed for removal shall be replaced at a minimum 3:1 mitigation ratio. To the extent feasible, mitigation shall be on-site to recreate and eventually re-establish the oak woodland habitat lost by the implementation of the proposed project. If on-site mitigation is not feasible, the Applicant shall propose and receive approval from the County of Mendocino Department of Planning and Building Services (PBS) for the location of off-site mitigation. Replanted trees shall be planted in areas deemed appropriate by the Oak MMP, considering the locations of the micro-cabin RV pads, trails, access roads, and utilities. Trees planted shall be protected from disturbance by occupants of the Site using split rail or "state-park" style fencing to ensure encroachment into areas to be protected are limited. Replanted oak trees shall be maintained for a period of three years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for three years after the new oak trees are planted. The Oak MMP shall include a monitoring plan that includes identification of a watering system, a three year Monitoring and Reporting Schedule, and reporting requirements to ensure the success of the newly planted oak trees.
  - o **Establishing conservation easements.** Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the Director of PBS or his/her designee.
  - o **Contributing funds for off-site oak woodlands conservation.**
  - o **Designation and protection of natural recruitment areas.** The Oak MMP shall identify natural recruitment areas, if any, to be established in areas where no development is proposed. Natural recruitment areas shall be identified on the final development plans and where occupants of the Site would be discouraged from encroaching. Split-rail or "state-park fencing" shall be used to discourage encroachment by occupants of the Site and enhance natural recruitment of oaks and oak habitat. Natural recruitment may satisfy a portion of the requirement for the replacement of oak trees to be removed, if it can be demonstrated in

the Oak MMP that the natural recruitment area would be as successful, if not more successful, as the planting of new oak trees at re-establishing oak woodland habitat at the Site.

- o The removal of oak trees 12 inches or more in diameter at breast height that are determined by a qualified arborist to have poor health or poor structure shall be exempt from compensatory requirements.
3. Construction activities shall avoid excavation beneath the driplines of oak trees for all oak trees that have not been approved for removal as part of the Oak MMP, to the extent feasible. In areas where improvements beneath the driplines of oak trees may be necessary, trails and roadways shall limit actual excavation and implement structural erosion control measures (for example, utilize rolling dips in place of water bars). Oak Tree protection measures for trees to be retained within 50 feet of the proposed areas of disturbance shall be included in construction specifications. Each oak tree to be preserved shall be surrounded by a tree zone identified by the drip line of the tree. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and limit compaction of the soil, unless authorized by Oak MMP.

The Oak MMP and final development plans shall be provided to and approved by the Mendocino County Department of Planning and Building Services (PBS) prior to the issuance of grading permits and implementation of the project.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Biological Resources.

| V. CULTURAL RESOURCES. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries?                          | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |

**Thresholds of Significance:** The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

## DISCUSSION

Per Chapter 3 (Development Element) of the Mendocino County General Plan (2009), the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County's redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. As European-American settlement occurred in the County, most of these tribes were restricted to reservations and rancherias. During the 19<sup>th</sup> century, other tribes from the interior of California were forced to settle on the Round Valley Reservation in the northeastern portion of the County. Today, there are ten reservations and rancherias in Mendocino County, most of which are inhabited by tribes native to the area. The first permanent non-native settlers came to Mendocino County in the middle of the 16<sup>th</sup> century, exploring and establishing small outposts. It was almost 300 years before the first permanent non-Spanish settlements in the County were established on the Mendocino coast north of Big River in April of 1852. Mendocino County's modern development was tied to the vast stands of coast redwood trees. Timber and agriculture were the mainstays of the County's economy from the 19<sup>th</sup> century into the 20<sup>th</sup> century, and many of the County's cities and towns were founded around these activities. Several historical resources have been identified in the County, many of which have been placed on various federal and state historic registries. However, no historical sites or buildings have been designated by the County, although the County has adopted an Archaeological Ordinance designed to protect Native American sites. The ordinance establishes a County Archaeological Commission that evaluates the potential impacts of proposed projects on archaeological resources and recommends measures to reduce or eliminate impacts on these resources. In addition, Chapter 3 of the Mendocino County General Plan (2009) and the Mendocino County Code include policies related to the protection and preservation of cultural resources. Both Policy DE-115 and Mendocino County Code Chapter 22.12 (Archaeological Resources), adopted in 1987, include provisions for archaeological sensitivity review, field evaluations, impact mitigations, archaeological discovery, and human remain discovery protocols (MCC §22.12.050 – 22.12.100).

An *Archaeological Survey Report* (Archaeological Report) was prepared by Alta Archaeological Consulting (ALTA) on November 26, 2019, in order to identify any archaeological, historical, or cultural resources within the proposed project area. Due to the sensitive and confidential nature of the report, a copy of the Archaeological Report is not included as an appendix to this Initial Study.

As noted in the Archeological Report, fieldwork was conducted on September 10, 2019, by the ALTA team and entailed a cultural resources inventory of the project area and surrounding lands. Approximately 48.48 acres of land was surveyed with transects no greater than 20 meter intervals. Proposed micro-cabin RV sites were marked with wooden stakes and flags and stakes were used to make the routes of the proposed pedestrian trails. Ground surface visibility was generally poor due to dense dry grasses and small patches of dense brush. Exposed mineral soils were inspected for evidence of cultural materials. A segment of historic era fence and an approximately 425-foot-long segment of an abandoned road, which appears to be part of the original Toll Road which is also depicted on early maps dating back to 1873, 1874, and 1889, were identified within the project boundaries. Additional segments of the abandoned road were noted outside of the current project area, but were not recorded. However, these historic-era resources were evaluated and recommended as not eligible for listing on the California Register of Historic Resources per Title 14 CCR §15064.5. The project, as presently designed, is not anticipated to have an adverse effect on cultural resources. All archaeological resources identified during the field survey were recorded using the standard State of California Department of Parks and Recreation Archaeological Site Forms, with Global Positioning System (GPS) mapping and photography of site and features completed (ALTA, 2019).

A records search was conducted at the Northwest Information Center (NWIC) located on the Sonoma State University campus on August 23, 2019 (File No. 19-0348), which included a review of all study reports on file within a one-half mile radius of the project area, as well as archaeological site and survey base maps, survey reports, site records, and historic General Land Office (GLO) maps. Review of the historic registers and inventories indicated that no historical landmarks or points of interest are located within the project area. Additionally, no National Register-listed or eligible properties are located within one-half mile of the Site. Eleven (11) prior cultural resources studies have been performed within a one-half mile radius of the Site, although no studies have previously occurred within the project area. Six (6) cultural resources have been documented within one-half mile of the Site, including four (4) prehistoric sites and three (3) historic-era sites, containing lithic scatter, a historic road segment, a concrete culvert, a ceremonial dance ground, and a village site (ALTA, 2019).

In addition, ALTA contacted the Native American Heritage Commission (NAHC) on August 8, 2019, to request a Sacred Lands File (SLF) search and list of Native American contacts in the area. The NAHC response letter, dated August 29, 2019, indicated that a search of the SLF returned a positive result, and included a list of 13 Native American tribes or individuals with cultural affiliations to the area. ALTA sent consultation letters to all 13 contacts on September 6, 2019. Two (2) responses were received. On September 12, 2019, the Tribal Historical Preservation Officer (THPO) for the Hopland Band of Pomo Indians requested to be consulted for the project. On September 18, 2019, the THPO for the Kaisha Band of Pomo Indians responded and informed ALTA that the project is outside of the Tribe's aboriginal territory. Although the project, as currently designed, is not anticipated to have an adverse effect on cultural resources, ALTA included three (3) recommendations in the Archeological Report in order to ensure cultural resources are not adversely impacted by the project, including the recommendation for further consultation with the Hopland Band of Pomo Indians, as requested by the Tribe, and protocol should cultural resources or human remains be inadvertently discovered, similar to the County's "Discovery Clause".

Following initial submittal of the Major Use Permit application, on June 12, 2020, the Applicant contacted the Hopland Band of Pomo Indians via email to request additional input on the proposed project. On June 17, 2020, the THPO for the Hopland Band of Pomo Indians responded via email to request that the Applicant have tribal monitors overseeing the project during earth-moving activities. The Applicant continued to contact the THPO for the Hopland Band of Pomo Indians to seek additional information and detail on the request for tribal monitors; however, no subsequent responses were received. Based on the request of the

THPO, the Applicant has agreed to notify the Hopland Band of Pomo Indians prior to any subsurface construction activities taking place, and would welcome tribal representatives on-site during subsurface construction for observation. A Condition of Approval would be added to the Use Permit to reflect this agreement, and Mitigation Measure CUL-1 is proposed to reflect this.

Assembly Bill 52, which was approved September 2014, and came into effect on July 1, 2015. Before a negative declaration, mitigated negative declaration, or environmental impact report for a project is prepared, the lead agency for the project will seek consultation with the tribes associated with the location of the project. To receive referrals, each tribe must have previously made a written request to the lead agency in order to be consulted on projects occurring in their geographic areas of interest. In 2015, the Department of Planning & Building Services invited all local tribes to define their areas of interest and for which geographies they would like to receive project referrals. Of these, four (4) responses were received, three (3) respondents requested referrals for projects throughout Mendocino County, while one (1) requested review of projects in their vicinity. For all projects necessitating referral, Staff also extends review opportunity of any discretionary project to relevant or nearby entities identified by the Native American Heritage Commission.

V.a) No structures are being demolished or altered as a result of the project. Although a segment of historic era fence and an approximately 425-foot-long segment of an abandoned road, which appears to be part of the original Toll Road which is also depicted on early maps dating back to 1873, 1874, and 1889, were identified by ALTA within the project boundaries, these historic-era resources were evaluated and recommended as not eligible for listing on the California Register of Historic Resources per Title 14 CCR §15064.5. As such, the project, as presently designed, is not anticipated to have an adverse effect on historical resources. A less than significant impact would occur.

V.b-c) As noted above, ALTA prepared an Archaeological Report on November 26, 2019 that included a records search at the NWIC, correspondence with the NAHC, and sending consultation letters to 13 Native American tribal contacts provided by the NAHC. Although ALTA found that the project, as currently designed, is not anticipated to have an adverse effect on cultural resources, ALTA included three (3) recommendations in the Archaeological Report in order to ensure cultural resources are not adversely impacted by the project, including the recommendation for further consultation with the Hopland Band of Pomo Indians, as requested by the Tribe, and protocol should cultural resources or human remains be inadvertently discovered, similar to the County's "Discovery Clause".

A standard condition advising the Applicant of the County's "Discovery Clause" is recommended, which establishes procedures to follow in the event that archaeological or cultural resources or human remains are unearthed during project construction, including but not limited to Site preparation and excavation, in accordance with Mendocino County Code Sections 22.12.090 and 22.12.100. In addition, due to the proximity of the Site to the Hopland Reservation and the request of the Hopland Band of Pomo Indians to have tribal monitors on-site during earth-moving activities, the incorporation of Mitigation Measure CUL-1, which requires that the Hopland Band of Pomo Indians be notified prior to any subsurface construction, and that the Site be open to the Tribe for monitoring during subsurface construction, would ensure that cultural resources, including human remains are not adversely impacted by the proposed project. With incorporation of the Discovery Clause and Mitigation Measure CUL-1, the proposed project is found consistent with Mendocino County policies for protection of cultural resources, including human remains. With mitigation incorporated, a less than significant impact would occur.

## **MITIGATION MEASURES**

**CUL-1** In addition to the standard Discovery Clause included on all projects, a note shall be placed on all grading plans that the applicant/operator shall notify the Hopland Band of Pomo Indians prior to any ground disturbance, and agree to open the Site to the Tribe for monitoring during subsurface construction in order to ensure appropriate treatment of any artifacts uncovered.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Cultural Resources.

| VI. ENERGY. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Thresholds of Significance:** The project would have a significant effect on energy if it would result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation.

## DISCUSSION

On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that would achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

Site improvements proposed under the project involve the construction of primary and secondary Site access roads; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building (lodge building) to house a full-time residence for an on-site manager on the second story, with the bottom floor comprised of a small office and storage area for daytime staff, accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport; walking trails; on-site underground utility line (electricity, water, and on-site septic) installation and connections; construction of on-site water treatment and supply and wastewater disposal systems; installation of an emergency water supply system, including fire hydrants; construction of a private well on the adjacent agricultural land; and an off-site underground water line connecting the proposed well to the on-site water system. The carport structure would be constructed on the end of the lodge facility to facilitate loading of supplies for transport to the micro-cabin RVs and for vans delivering supplies to the lodge facility and for storing equipment and firewood. Adjacent to the lodge facility would be a small parking lot with nine (9) parking spaces for employees, including one (1) accessible space. The parking area adjacent to the lodge facility would include a secondary ingress/egress location for the Site to facilitate garbage truck access to trash bins on the end of the parking lot. Parking for guests would be located adjacent to the micro-cabin RV for drive-up micro-cabin RVs and adjacent to the access road and in close vicinity to the micro-cabin RVs for walk-up sites.

Permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The 2019 Building Energy Efficiency Standards are designed to reduce wasteful, uneconomic, inefficient or unnecessary consumption of energy, and enhance outdoor and indoor environmental quality. It is estimated that single-family homes built with the 2019

standards would use about 7 percent less energy due to energy efficiency measures versus those built under the 2016 standards (CEC, 2018).

The proposed micro-cabin RVs, comparable to tiny houses on wheels, are not considered to be structures per the California Building Code (CBC), according to the Building Official of the Mendocino County Department of Planning and Building Services (PBS). However, they would be constructed by off-site builders who are Recreational Vehicle Industry Association (RVIA)-certified and follow both RVIA and American National Standards Institute (ANSI) standards for the construction of RVs and Park Model RVs.

VI.a-b) The proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation, nor would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As noted above, permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. Although the micro-cabin RVs are not considered “structures” under the CBC, they would not be anticipated to use or waste significant amounts of energy or conflict with or obstruct a state or local plan for renewable energy or energy efficiency. A less than significant impact would occur.

#### **MITIGATION MEASURES**

No mitigation required.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Energy.

| VII. GEOLOGY AND SOILS. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) Landslides?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Thresholds of Significance:** The project would have a significant effect on geology and soils if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

## DISCUSSION

As noted in Chapter 3 (Development Element) of the Mendocino County General Plan (2009), seismic and geologic hazards in the County include earthquakes, tsunamis, landslides, and asbestos. Mendocino County is located within a seismically active region in which large earthquakes may be expected to occur during the economic lifespan (50 years) of any development on the Site. An Alquist-Priolo earthquake fault zone, the Maacama Fault Zone, is located within the eastern portion of the Site (Mendocino County Maps -

Earthquake Fault Zones, n.d.). The Site contains areas of steep (25 to 35 percent) slopes in the northern, western, and eastern portions of the Site, with elevations ranging from approximately 600 feet above mean sea level (amsl) up to approximately 850 feet amsl.

As provided in the project's *Archaeological Survey Report* (Archaeological Report), prepared by Alta Archaeological Consulting on November 26, 2019, the Site is located in a largely undeveloped ridgeline that separates McDowell Valley to the east from the Sanel Valley to the west. Additionally, the Site is situated within the Coast Range geologic province. The northern Coast Ranges are a geologic province comprised of numerous rugged north-south trending ridges and valleys that run parallel to a series of faults and folds. The specific bedrock geology of the Site is composed of Pliocene marine rocks, dating to between the Miocene and Pleistocene. The project proposed on an undeveloped rural lot populated with native and nonnative annual and perennial grasses and has an open understory with moderately dense small patches (ALTA, 2019).

The specific soil type underlying the Site includes the Hopland-Woodin complex, 50 to 75 percent slopes (Map Unit #153) (NRCS, 2019). This soil type is primarily found on hills and mountains and supports native vegetation such as oaks, annual grasses, and the occasional Douglas fir. The Hopland-Woodin complex is comprised of 40 percent Hopland loam and 30 percent Woodin gravelly sandy loam. Both soil types are moderately deep and well-drained. Runoff for both soils is very rapid, and the hazard of erosion is very high. Permeability of the Hopland soil is moderately slow and available water capacity is low to moderate. Permeability of the Woodin soil is moderate and available water capacity is very low (NRCS, n.d.). None of the soil types comprising the Site are classified as hydric soils (which are one indicator of wetlands) and are not susceptible to ponding or flooding (NRCS, 2019).

According to the Building Official of the Mendocino County Department of Planning and Building Services (PBS), no geohazard report is required to inform the proposed development, as the proposed micro-cabin RVs are not considered to be structures per the 2019 California Building Code (CBC). However, design and construction of permanent structures on-site, including a two-story, 1,344-square-foot building to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, accessible restroom, meeting room, laundry area for micro-cabin RV linens; and a carport adjacent to the lodge facility for deliveries and micro-cabin RV supply loading, and for storing equipment and firewood, would be subject to the latest version of the CBC to reduce any potential geological risks.

VII.a.i-ii) As discussed above, the Project Site is located within a seismically active region in which large earthquakes may be expected to occur during the economic lifespan (50 years) of any Site development. In addition, the Maacama Fault Zone traverses the eastern portion of the Site (Mendocino County Maps - Earthquake Fault Zones, n.d.). As a result, there is the potential for surface rupture on the Site from an active fault and strong seismic shaking; however, as shown in Figure 2, the location of the on-site residence is proposed within the western portion of the Site, outside the boundaries of the Maacama Fault Zone. Since the permanent structures proposed under the project would be required to be designed in accordance with the latest version of the CBC, potential risks associated with the earthquake fault zone and strong seismic shaking would be reduced. A less than significant impact would occur.

VII.a.iii) The Site is not considered to be in an area of potential liquefaction, as permeability is slow to moderate, available water capacity is very low to moderate, and runoff is very rapid. Since the Site is not within an area of potential liquefaction and since any permanent structures on-site would be required to be

designed and constructed in accordance with the latest version of the CBC, the potential for seismic-related ground failure, including liquefaction, would be reduced, and a less than significant impact would occur.

VII.a.iv) Per Chapter 3 (Development Element) of the Mendocino County General Plan (2009), landslides in the County have been a major part of the natural erosion process for tens of thousands of years. In addition, the County's rainy wet winters and relatively dry summers, mountainous terrain, and commonly weak bedrock conditions all contribute to the development of landslides. Due to the Site's location within a seismically active region, any development within the County would likely be subjected to seismic activity during its economic lifespan. The Maacama Fault Zone, which traverses the Site, is also known to have very poor slope stability (General Plan, 2009). These conditions, combined with the Site's steep (25 to 35 percent) slopes, means there is the potential for landslides to occur at the Site. The Site and surrounding area have not been mapped by the California Department of Conservation (DOC) under their California Landslide Inventory (DOC, 2019).

The permanent on-site residence would be located in the western portion of the Site, outside the boundaries of the Maacama Fault Zone. In addition, design and construction of the permanent structures proposed under the project would be subject to the rules and regulations contained in the latest version of the CBC, which would reduce the potential for risk of loss, injury, or death involving landslides at the Site. As a result, a less than significant impact would occur.

VII.b) As discussed under Section IV (Biological Resources), above, the proposed project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures, to assure the reduction in erosion resulting from construction and to avoid runoff into sensitive habitat areas, and would be required to stabilize disturbed soils and vegetate bare soil created by the construction phase of the project with native vegetation and/or native seed mixes for soil stabilization as soon as feasible. As a result, the proposed project would not result in substantial soil erosion or the loss of topsoil and a less than significant impact would occur.

VII.c) As discussed above, the Site is located in a seismically active area, with the Maacama Fault Zone traversing the Site's eastern portion. Any development at the Site would be likely to experience strong ground shaking during its economic lifespan. Furthermore, the Site is not within an area subject to liquefaction, but there is the potential for landslides to occur. Since the permanent structures proposed under the project would require compliance with the latest version of the CBC, potential geological risks would be reduced and a less than significant impact would occur.

VII.d) Expansive soils generally comprise cohesive, fine-grained clay soils and represent a significant structural hazard to buildings erected on them, especially where seasonal fluctuations in soil moisture occur at the foundation-bearing depth. The subsurface soils at the Site are loam and gravelly sandy loam, and do not contain clay, which can drastically expand and shrink in volume with moisture changes. In addition, a Plasticity Index of less than 15 represents a low potential for soil expansion and the Site's soil unit has a Plasticity Index of 12.2 (NRCS, 2019). Since the Site is not known to contain expansive soils, no impact would occur.

VII.e) Under the proposed project, the Site would not be served by community wastewater services and an on-site wastewater pre-treatment and treated effluent disposal system would be installed. Based on preliminary analysis, it is anticipated that the septic system could be adequately supported by the Site's soils. Wastewater generated at each of the micro-cabin RVs and the lodge facility would be gravity fed into septic tank/pump basin units serving up to 3 or 4 micro-cabin RVs, and the lodge facility, together with, joint lift stations, as needed, to a series of septic tanks and into a centralized wastewater treatment module. Treated

effluent would be disposed of using a pressurized drip irrigation system to be placed in the basin in the central portion of the Site, as indicated on Figure 2, where the most suitable soils for septic system treatment and percolation exist on the Site. Based on the proposed facilities, an estimate of flows in gallons per day (GPD) for the proposed development is 4,073.50, as summarized above in Table 2 (under Project Description); however, as indicated in Table 3, above (under the Project Description), the on-site wastewater pre-treatment and treated effluent disposal system would be designed for a flow capacity of at least 6,030 gallons per day, in accordance with the County of Mendocino 1991 Uniform Plumbing Code (Plumbing Code).

An on-site septic system permit through the North Coastal Regional Water Quality Control Board (NCRWQCB), subject to the general statewide waste discharge requirements for small domestic wastewater treatment systems or the Mendocino County Division of Environmental Health (DEH), subject to the Mendocino County Local Area Management Plan (LAMP) would be required, dependent upon the projected wastewater flows for the project. Based on projected flows calculated in accordance with Plumbing Code sizing criteria, and summaries in Table 3, above (under Project Description), the NCRWQCB would appear to be the permitting authority; however, based on discussions with NCRWQCB and DEH staff, the DEH would be the permitting authority for this project. In order to identify if soil and groundwater conditions would support the proposed flow capacity, a site exploration was performed by LACO on December 9, 2019, utilizing ten test pits. Bulk soil samples were collected from each soil layer within the test pits for textural analysis in LACO's materials testing laboratory. Results from materials testing and observations in the field indicate suitable soil conditions in the basin in the central portion of the Site (see Figure 2). A less than significant impact would occur.

VII.f) The potential exists for unique paleontological resources or site or unique geological features to be encountered within the project area, as ground-disturbing construction activities, including grading and excavation, would be required for the proposed project. However, in the event that any archaeological or paleontological resources are discovered during site preparation, grading or construction activities, notification would be required, pursuant to County Code Chapter 22.12 – Archaeological Resources. A less than significant impact would occur.

#### **MITIGATION MEASURES**

No mitigation measured.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Geology and Soils.

| VIII. GREENHOUSE GAS EMISSIONS. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Thresholds of Significance:** The project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

### DISCUSSION

The framework for regulating GHG emissions in California is described under Assembly Bill (AB) 32. In 2006, the California Global Warming Solutions Act (AB 32) definitively established the state’s climate change policy and set GHG reduction targets (Health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020 (a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario), and to a level of 80 percent below 1990 levels by 2050. AB 32 requires local governments to take an active role in addressing climate change and reducing GHG emissions. Activities at the Site would be subject to regulations of the Mendocino County Air Quality Management District (MCAQMD), which is responsible for enforcing the state and federal Clean Air Acts as well as local air quality protection regulations. As noted in Chapter 4 (Resource Management Element) of the Mendocino County General Plan (2009), because Mendocino County is primarily rural, the amount of GHG generated by human activities (primarily the burning of fossil fuels for vehicles, heating, and other uses) is small in total compared to other, more urban counties (although higher per capita due to the distances involved in traveling around the county) and miniscule in statewide or global terms.

Given the remote nature of the Site and small development footprint, the project is not expected to significantly increase GHG in the area.

VIII.a) Construction activities associated with the construction of the proposed micro-cabin RV pads and residence, driveway and roadway improvements, and installation of on-site utilities are not anticipated to generate significant GHG emissions or conflict with an applicable plan, policy or regulation. As the micro-cabin RVs would be constructed by off-site builders who are Recreational Vehicle Industry Association (RVIA)-certified and follow both RVIA and American National Standards Institute (ANSI) standards for the construction of RVs and Park Model RVs and rolled on-site to designated pads, the construction of the mobile micro-cabin RVs would not be considered in the impacts to greenhouse gas emissions at the Site. In addition, since the Site is currently undeveloped and vacant, any development on-site, including the proposed use, would be anticipated to result in increased GHG emissions at the Site. However, given the relatively small scale of the project, neither construction nor operation of the proposed project would have a measurable or considerable contribution to the cumulative GHG impact at the local, regional, or state level. A less than significant impact would occur.

VIII.b) Although Action Item RM-50.2 in Chapter 4 of the Mendocino County General Plan (2009) requires the County to “create a greenhouse gas reduction plan for the unincorporated areas of the county that sets

specific reduction strategies and targets to meet”, such a plan has not yet been drafted or adopted by the County. Since there are no adopted local plans for reducing GHG emissions, no impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Greenhouse Gas Emissions.

| IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |

**Thresholds of Significance:** The project would have a significant effect on hazards and hazardous materials if it were to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

## DISCUSSION

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, §66261.20-66261.24. A "hazardous waste" includes any hazardous material that is discarded, abandoned, or

would be recycled. Therefore, the criteria that render a material hazardous also cause a waste to be classified as hazardous (California Health and Safety Code, §25117).

Mendocino County has adopted numerous plans related to hazard management and mitigation including, but not limited to: Community Wildfire Protection Plan, Multi-Hazard Mitigation Plan, Hazardous Waste Management Plan, and Operational Area Emergency Plan. The Site does not include any known hazardous waste sites, as mapped by the State Water Resources Control Board (SWRCB) or the California Department of Toxic Substances Control (DTSC) on the GeoTracker (2015) and EnviroStor (2019) databases, respectively, nor are there any listed sites within the vicinity of the Site. The surrounding area contains limited existing development, with an existing residence located west of the Site on the parcel identified as APN 048-270-18. The Site is located within the State Responsibility Area (SRA), just outside of the service boundaries of the Hopland Fire Protection District (HFPD), and is served by CalFire (Mendocino County Maps - Fire Responsibility Areas - Hopland, 2019). The Site is mapped as located within a "Moderate" fire hazard severity zone (Mendocino County Maps - Fire Hazard Severity Map, 2007).

The project would require the transport, use, storage, and disposal of small quantities of hazardous materials common for equipment and property maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, lubricants, cleaning solvents and supplies, pesticides, fertilizers, and paint. However, all hazardous materials would be utilized and disposed of in accordance with all applicable federal and state regulations.

IX.a-b) The proposed project would not transport, use, emit, or dispose of significant amounts of hazardous materials, or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. As previously discussed, associated improvements include construction of primary and secondary Site access roads; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport adjacent to the lodge facility for deliveries and micro-cabin RV supply loading, and for storing equipment and firewood; walking trails; on-site underground utility line (electricity, water, and wastewater) installation and connections; construction of an on-site water treatment facility; construction of a wastewater collection and disposal systems; installation of an emergency water storage tank and water distribution system, including fire hydrants and potable water connections; construction of a private well on the adjacent agricultural land; an off-site underground water line, with a booster pump station connecting the proposed well to the on-site water treatment system; and construction of a new off-site electric utility power feed from Highway 175 to the Site. During the construction phase, small quantities of hazardous materials common to equipment maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, and lubricants may be required. Once constructed, the project would be anticipated to utilize professional cleaning supplies, in addition to fuels, lubricants, solvents, pesticides, fertilizers, and paint during routine property maintenance. However, the types and quantities of materials to be used are not expected to pose a significant risk to the public and/or environment and would be managed in accordance with federal, state, and local regulations. Since the transport, use, and storage of any hazardous materials at the Site would be required to be conducted in accordance with all federal, state, and local regulations, a less than significant impact would occur.

IX.c) No existing or proposed schools are located within one-quarter mile of the Site. The Site is located within the Ukiah Unified School District (Mendocino County Maps - School Districts, 2014), with the nearest school, Grace Hudson Elementary School, located approximately 12.3 miles northwest of the Site. It is not anticipated

that hazardous materials to be utilized on-site would be used or stored at the Site in any quantity or application that could impact any schools in the area. Therefore, no impact would occur.

IX.d) Review of the SWRCB's GeoTracker (2015) and DTSC's EnviroStor (2019) databases indicates the Site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As discussed above, any hazardous materials to be used on-site would be utilized, stored, transported, and disposed of in accordance with federal, state, and local regulations. A less than significant impact would occur.

IX.e) The Site is not located within an airport land use plan or within two miles of a public or public use airport. The nearest airport, Lampson Field, is located approximately 8.6 miles east of the Site in Lakeport. Therefore, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the proposed project area and no impact would occur.

IX.f) There are no components of the project that would impair or interfere with emergency response or evacuation. Since the project would be required to be designed in accordance with state and local standards, including safety and emergency access requirements, there are no components of the project that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. A less than significant impact would occur.

IX.g) The Site is currently undeveloped and primarily comprised of oak trees, shrubs, and grasslands. The proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands flatter portions of the Site, with steep (25 to 35 percent slope) wooded hillslopes remaining primarily undeveloped. Tree and vegetation removal would be limited to the footprints of the micro-cabin RV pads, access roads/trails, lodge facility and parking area, and 100 feet from each side of the lodge facility, as required by CalFire for defensible space. Standard fire-safe operating procedures that guests and staff would be expected to comply with and implement year-round include utilizing U.S. Forest Service (USFS)-approved fire pits that would be locked by on-site staff during burn bans, designating areas where smoking is prohibited, providing parking areas surfaced for year-round travel, and general clearing of understory and brush. The fire pits would be located on four-to-six inches of pure crushed stone atop a compacted subgrade and would be lodged into the compacted stone with an excavator so that they cannot be moved by guests. In addition, upon entering the cabins at check-in, guests would be provided with internal regulations concerning fire safety and each micro-cabin RV would be independently equipped with a fire extinguisher.

The Major Use Permit application was referred to the Hopland Fire Protection District (HFPD), also called the Sanel Valley Fire District, and CalFire on February 18, 2020. No response was received from the HFPD and in a response dated February 24, 2020 CalFire responded that the project must meet all conditions of approval in the CalFire Fire Safe Application (CalFire File Number 12-20) submitted by the Applicant to CalFire on January 13, 2020 to ensure the project would comply with the applicable State standards, including the 2016 Fire Safe Regulations adopted by the State Board of Forestry in Title 14 of the California Administrative Code. The project obtained Preliminary Clearance on January 15, 2020. CalFire conditioned the project to require a clearly posted address, adequate driveway and roadway widths for emergency response vehicles, defensible space around proposed structures, and an emergency water system that includes the installation of a fire hydrant system and at least 5,000 gallons of dedicated emergency water storage. Prior to occupancy or use, a Final Inspection and Occupancy Permit must be obtained from CalFire. On June 25, 2020, LACO, on behalf of the Applicant, contacted the HFPD requesting feedback on the proposed project. Ron Roysum, Battalion Chief and Fire Marshal with the HFPD, responded with a request to provide an additional 5,000 gallons of dedicated emergency water storage on-site, for a total of 10,000 gallons. The

HFPD additionally requires the completion of a standard Application for Fire District Plan Review and a complete set of plans prior to approval of any building permits for the proposed project.

As discussed above, the project would be constructed and operated in compliance with CalFire's Fire Safe Regulations and standard fire-safe operating procedures would be followed by staff and guests year-round to ensure adequate fire protection measures and access. Although proper precautions and measures would be taken during Site development, operation, and maintenance, the potential exists for wildland fire to inadvertently be ignited when equipment is utilized or outdoor campfires are built near dry grassland, especially during periods of increased fire danger. Potential impacts would be reduced through compliance with the conditions and regulations mentioned above and Mitigation Measures HAZ-1 and HAZ-2, which require the posting of signs in various locations on-site to inform guests that campfires are only permitted within the installed fire pits and the preparation of a fire safety and evacuation plan in accordance with California Fire Code (CFC) Chapter 4, respectively. With mitigation incorporated, a less than significant impact would occur.

#### **MITIGATION MEASURES**

**HAZ-1:** Signs shall be posted on-site to inform guests that campfires are only permitted within the installed fire pits.

**HAZ-2:** A fire safety and evacuation plan shall be developed in accordance with California Fire Code (CFC) Chapter 4, including 403.10.1 for R1 occupancies and 403.13 for Organized Camps, shall be prepared. The fire safety and evacuation plan shall be provided to and approved by the Mendocino County Department of Planning and Building Services and CalFire prior to occupancy of the Site.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Hazards or Hazardous Materials.

| X. HYDROLOGY AND WATER QUALITY. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| i) Result in substantial erosion or siltation on- or off-site?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) Impede or redirect flood flows?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Thresholds of Significance:** The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

## DISCUSSION

According to the Mendocino County General Plan (2009), the most critical surface water quality problem in Mendocino County is sedimentation. Major sources of sediment include erosion from barren or poorly vegetated soils, erosion from the toes of slides along stream channels, and sediments from roads. Manmade sources of sedimentation are a byproduct of current and historical land uses, including logging, agriculture, mining, processing of alluvial aggregate material, road construction and erosion from unpaved roads, and other development-related projects within the county. The Mendocino County General Plan Chapter 4 Resource Management Element (2009) includes policies related to protection of environmentally sensitive

habitat areas and maintaining water quality by reducing adverse effects of waste water dischargers, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, maintaining natural vegetation buffer areas that protect riparian habitats, and limiting alteration of natural streams.

The U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) permit program addresses water pollution by regulating point sources that discharge pollutants to waters of the United States. Created in 1972 by the Clean Water Act, the NPDES permit program grants authority to state governments to perform many permitting, administrative, and enforcement aspects of the program. Within California, the NPDES permit program is administered by the State Water Resources Control Board (SWRCB). Construction projects that would disturb more than one acre of land, such as the proposed project, would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs to be implemented to reduce the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include, for example, straw bales, fiber rolls, and/or silt fencing structures to assure the reduction in erosion resulting from construction and to avoid runoff into sensitive habitat areas (including the on-site Class III drainages), limit ground disturbance, and stabilize disturbed soil areas as soon as feasible after construction is completed.

Additionally, Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system (off-site). Pursuant to Mendocino County Code Section 16.30.070, such BMPs shall include but are not limited to the use of the following:

1. Scheduling construction activity;
2. Preservation of natural features, vegetation and soil;
3. Drainage swales or lined ditches to control storm water flow;
4. Mulching or hydroseeding to stabilize disturbed soils;
5. Erosion control to protect soils;
6. Protection of storm drain inlets (gravel bags or catch basin inserts);
7. Perimeter sediment control (perimeter silt fence, fiber rolls);
8. Sediment trap or sediment basin to retain sediment on-site;
9. Stabilized construction exists;
10. Wind erosion control;
11. Other soil loss BMP acceptable to the County;
12. Material handling and waste management;
13. Building material stockpile management;
14. Management of washout areas (concrete, paints, stucco, etc.);
15. Control of vehicle/equipment fueling to contractor's staging area;
16. Vehicle and equipment cleaning performed off-site;
17. Spill prevention and control; and
18. Other housekeeping BMPs acceptable to the County.

As previously discussed, the Site is currently undeveloped and is primarily composed of oak trees, shrubs, and grasslands. As a result, drainage at the Site occurs through sheet flow and percolation. The unincorporated County storm drainage system is maintained by the Mendocino County Department of Transportation

(MCDOT); however, no storm drainage facilities currently exist within the vicinity of the Site. The Site is located within the Upper Russian River watershed and is bordered to the north by Dooley Creek and to the east by McDowell Valley Creek. Portions of the Site, along its northern and eastern perimeters, are located within a 100-year flood zone (Zone A), as shown on Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) panel number 06045C1852F, effective June 2, 2011; however, the majority of the Site is mapped as "Area of Minimal Flood Hazard (Zone X)". As shown on Figure 2, the proposed development would be located outside of the 100-year flood zone.

The Site is not located within a community services district. Therefore, under the project, potable water would be provided by a proposed well and private water system and sewage disposal would be provided by on-site septic. The proposed well would be located west of the Site in the Sanel Valley floor in the vicinity of existing producing agricultural wells on an adjacent property. Brutocao Vineyards, Inc. has granted the Applicant permission to drill a well on an adjacent property owned by Brutocao Vineyards, including one of three parcels (APNs 048-270-021, 048-270-020, or 048-260-050). Under the agreement dated January 9, 2020, the water is to be used solely by the Applicant for the proposed project, is nontransferable, is not to be used for agriculture, and the amount of water to be pumped is not to exceed 5,000 gallons per day. Installation of the well would require the installation of an off-site underground water line to connect the proposed well to the on-site water system and the establishment of an access easement for ongoing maintenance and operation of the well. The proposed raw water line would be approximately 2,600 feet in length and would be installed adjacent to or within the existing access road that generally follows the southwest-northeast tree line located southwest of the Site.

An estimate of water demand in gallons per day (GPD) for the proposed development is summarized above in Table 1, which indicates the water supply system would require a flow capacity of at least 4,073.50 GPD. As detailed in the Getaway Outpost Estimated Water Use Technical Memo (Water Use Memo) prepared by LACO and dated October 14, 2020 (see Appendix E), the estimated water demand for the proposed project is based on data collected from operational Outposts with a similar number of cabins as the proposed project. These estimates are based on the use of low flow plumbing fixtures, including shower heads, faucets, and toilets, which would be installed as part of the proposed project. Furthermore, as explained in the Water Use Memo (LACO, October 2020), at 85-percent occupancy (the yearly average occupancy for Getaway Outposts), approximately 1.26 million gallons per year (GPY) would be anticipated to be used by the proposed project. Compared to the available watershed runoff of approximately 20.69 million GPY in a drought year (presented in the Water Use Memo), the proposed project would use approximately 6.1-percent of the available watershed runoff into the aquifer in an average drought year, and only 2.4-percent of the available watershed runoff in an average rainfall year. For comparison, data prepared by the University of California Agriculture and Natural Resources (UCANR, 2014) states that in Lake County, the irrigation required for a typical vineyard is 8 to 11 inches of water per acre, plus an additional 6 inches of water per acre if frost protection is required. These volumes are equivalent to 0.22 to 0.30 million GPY per acre for irrigation and an additional 0.17 million GPY per acre for frost protection. Based on these values, a typical vineyard would require approximately 0.38 to 0.47 million GPY per acre. Based on these values, the estimated water usage per year of the proposed project would be comparable to the irrigation and frost protection of 2.72 to 3.30 acres of vineyard if it were planted at the Site. The Site currently has approximately 3.5 to 4 acres of potentially plantable area on gentle slopes (2 to 5 percent slope), with the potential to allow for additional plantable area on the steeper slopes (up to 35 percent slope) if it was desired to be developed with a vineyard.

The project water system would include a raw water supply pipe with booster pumps to supply a raw water storage tank at the upper elevation of the project area. The anticipated volume of the raw water tank is

estimated to be 6,000 gallons, together with a 20,000 gallon tank for the treated water storage and emergency supply. The proposed water tanks are to be constructed using materials that meet appropriate CalFire standards. The 20,000 gallon tank would include standby water volume for fire flow to on-site hydrants, the fire sprinkler system in the lodge facility, and the supply for daily flow of the treated water for use by the micro-cabin RVs and lodge facility. As required in the conditions received from CalFire on January 15, 2020, and as requested by the Hopland Fire Protection District (HFPD) in a June 25, 2020 email, at least 10,000 gallons of dedicated water storage would be provided on-site for emergency water use and is included in the 20,000 gallon tank mentioned previously. Although the micro-cabin RVs are exempt from fire sprinklers, a fire supply riser would be placed within 150 feet of each proposed micro-cabin RV pad. A small treatment building would be constructed adjacent to the treated water tank to house the booster pumps or transfer pumps, and supply the pressurized water to the water distribution system and hydrants. A water treatment system would be housed in the small treatment building to provide filtration as needed, according to water quality from the well source and disinfection requirements to meet public health standards of Title 22 of the California Code of Regulations (CCR) and the California Safe Drinking Water Act.

Wastewater would be managed via a proposed on-site wastewater pre-treatment and treated effluent disposal system. As described above, wastewater generated at each of the micro-cabin RVs and the lodge facility would be gravity fed into septic tank/pump basin units serving up to 3 or 4 micro-cabin RVs, and the lodge facility, together with joint lift stations, as needed, to a series of septic tanks and into a centralized wastewater treatment module. Treated effluent would be disposed of using a pressurized drip irrigation system to be placed in the basin in the central portion of the Site, as indicated on Figure 2, where the most suitable soils for septic system treatment and percolation exist on the Site. An estimate of wastewater flows in GPD for the proposed development is summarized in Table 2, above, (under the Project Description), which indicates the on-site wastewater pre-treatment and treated effluent disposal system would be approximately 4,073.50 GPD, based on the Water Use Memo (LACO, 2020c). It should be noted that the septic system to serve the proposed development would need to be designed for a flow capacity of at least 6,030 gallons of wastewater per day in accordance with the County of Mendocino 1991 Uniform Plumbing Code (Plumbing Code), and as shown in Table 3, above (under Project Description). Based on the Water Use Memo, and as shown in Table 2, above, wastewater flow estimates based on the Plumbing Code do not meet the specific usage profile, and are more than the anticipated daily flows, of a Getaway Outpost.

X.a) The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The permanent structures, access roads, and walking trails proposed on-site would be constructed in accordance with the most recent standards set by all regulatory agencies, including but not limited to the County and state and local water quality control boards [SWRCB and the North Coast Regional Quality Control Board (NCRWQCB)]. Additionally, the project would be subject to the Statewide Construction General Permit (CGP), which requires the preparation and implementation of a SWPPP that specifies erosion and sediment control construction BMPs to reduce or eliminate construction-related impacts to the water quality of receiving water bodies. Since the majority of the 90.87-acre Site would remain undeveloped, stormwater runoff would continue to flow naturally and infiltrate into the soil. In addition, existing vegetation would be preserved, to the extent feasible, and would help to filter potential pollutants from stormwater flows. In addition, the project's proposed septic system would be installed in compliance with all applicable standards and regulations. As a result, the proposed project would have a less than significant impact.

X.b) As noted above, the Water Use Memo (LACO, 2020c) determined that based on numerous factors, including the annual average rainfall for the Hopland area, the terrain and size of the Site, the water use estimates for the proposed development would account for approximately 6.11-percent to 2.44-percent of

the anticipated runoff from the watershed of the Site in a drought year or average rainfall year, respectively. Additionally, since the majority of the Site would remain undeveloped, stormwater would continue to infiltrate throughout the Site. Furthermore, the estimated water use of the proposed project would be comparable to the irrigation and frost protection of 3.30 to 2.72 acres of vineyard if it were planted at the Site. The Site currently has approximately 3.5 to 4 acres of potentially plantable area on gentle slopes (2 to 5 percent slope), with the potential to allow for additional plantable area on the steeper slopes (up to 35 percent slope) if it was desired to be developed with a vineyard.

Based on operational Getaway House sites with similar cabin counts, and as explained in the Getaway Outpost Estimated Water Use Technical Memo (Water Use Memo) prepared by LACO Associates and dated October 14, 2020 (see Appendix E), which indicates the proposed water supply system would require a flow capacity of at least 4,073.50 GPD (1.26 million GPY or 3.9 acre-feet per year) and that runoff from the watershed of the Site would contribute 20.69 million GPY to the groundwater aquifer during a drought year, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. A less than significant impact would occur.

X.c.i) Although the existing drainage patterns of the Site may be slightly altered through the addition of impervious surfaces associated with the permanent structures proposed on the west side of the Site adjacent to Old Toll Road and specific sections of road, as indicated on the Preliminary Site Plan (LACO, 2020a) and a modification to existing topography with the construction of access roads, trails, and micro-cabin RV pads, the project would not result in substantial erosion or siltation on- or off-site as the project would be subject to the Statewide CGP, which requires the preparation and implementation of a SWPPP that specifies erosion and sediment control construction BMPs to reduce or eliminate construction-related impacts on receiving water quality. In addition, due to the small development footprint of the project, infiltration into the Site's soils would continue, reducing the potential for increased peak runoff flow and removing potential pollutants from stormwater flow. As a result, the introduction of limited impervious surfaces and the slight modification to existing topography resulting from the development and road construction would not result in substantial erosion or siltation, and a less than significant would occur.

X.c.ii-iii) The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. As discussed above, there is limited storm drainage infrastructure within the vicinity of the Site. Although development is proposed on-site, due to the proposed development footprint, Site drainage would continue follow a natural flow pattern and infiltrate into the ground and erosion and sediment control BMPs would be implemented during construction to reduce the potential for polluted runoff due to construction. A less than significant impact would occur.

X.c.iv) As discussed above, the majority of the Site is classified as an "Area of Minimal Flood Hazard" (Zone X); however, the northern and eastern perimeters of the Site are located within a 100-year flood zone (Zone A), as shown FEMA FIRM panel number 06045C1852F, effective June 2, 2011. As shown on Figure 2, the proposed development would be located outside of the 100-year flood zone. As a result, the project would not impede or redirect flood flows and no impact would occur.

X.d) As described above, according to FEMA FIRM panel number 06045C1852F, effective June 2, 2011, the Site is primarily classified as an "Area of Minimal Flood Hazard" (Zone X), with the very northern and eastern portions of the Site within a 100-year flood zone (Zone A). However, no development would occur within the 100-year flood zone. Seiches and tsunamis are short duration earthquake-generated water waves in large

enclosed bodies of water and the open ocean. The Project Site is not near any large inland bodies of water and is more than 30 miles east of the Pacific Ocean and approximately 9 miles southeast of Clear Lake. No impact would occur.

X.e) As discussed above, the project would be required to comply with the CGP, which would require preparation of a SWPPP, including identification and implementation of BMPs to be utilized to reduce the amount of sediments and other pollutants from being discharged in stormwater runoff. Additionally, Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. A less than significant impact would occur.

#### **MITIGATION MEASURES**

No mitigation required.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Hydrology and Water Quality.

| XI. LAND USE AND PLANNING. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Physically divide an established community?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on land use and planning if it would physically divide an established community or cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

### DISCUSSION

The approximately 90.87-acre Site is located 3.1 miles east of the town of Hopland in unincorporated Mendocino County, on the east side of Old Toll Road and immediately south of Highway 175, approximately 0.2 miles south of the intersection of Old Toll Road and Highway 175. The Site is identified by Assessor’s Parcel Numbers (APNs) 048-270-24, 048-270-23, and a portion of 048-270-22; however, the proposed development footprint is based upon the lot lines identified in the recently completed boundary line adjustment (BLA), approved by the Mendocino County Subdivision Committee on December 12, 2019. The BLA modified the northwestern boundary of the parcel identified by APN 048-270-23 and transferred 4.3 acres from the parcel identified by APN 048-270-22 to the parcel identified by APN 0418-270-23 and was completed to ensure adequate space to construct secondary access to the Site. Previously, an existing 60-foot-wide access easement bisected the parcel identified by APN 048-270-22. Under the BLA, the property line between the two parcels was adjusted to follow the northern boundary of the existing easement. As a result, the access easement is now entirely contained within the parcel identified by APN 048-270-23.

The Site has a land use designation of Rangelands (RL160) under the Mendocino County General Plan and is zoned as Rangeland (R-L 160) under the Mendocino County Inland Zoning Code (see Figure 2). No changes to the Site’s current land use or zoning designations are proposed under the project. Per Section 20.060.025(C) of the County Zoning Code (adopted in 1997), the proposed use would be permitted as ‘Transient Habitation – Campground,’ subject to a Major Use Permit.

Proposed project improvements include the construction of primary and secondary Site access roads; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building (lodge facility) to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, an accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport; walking trails; on-site underground utility line (electricity, water, and on-site septic) installation and connections; construction of on-site water treatment and supply and wastewater disposal systems; installation of an emergency water supply system, including fire hydrants; construction of a private well on the adjacent agricultural land; and an off-site underground water line connecting the proposed well to the on-site water system.

XI.a) The Site is currently undeveloped, with no existing structures or utilities on-site and is comprised of relatively steep (25 to 35 percent slope) terrain cut by a number of narrow drainages. Surrounding uses include a residence adjacent to the west, vineyards and Old Toll Road to the west, vineyards to the east, vacant land and Highway 175 to the north, vacant lands to the south, and the Hopland Rancheria to the northeast. As Site is currently undeveloped and is surrounded by vineyards and primarily undeveloped

parcels, the proposed project would not physically divide an established community. A less than significant impact would occur.

XI.b) The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. As required under Section 20.060.025(C) of the County Zoning Code, the proposed project would be permitted as 'Transient Habitation – Campground,' subject to a Major Use Permit within the R-L District. Surrounding uses include a residence to the west, vineyards to the west and east, vacant lands to the north and south, and the Hopland Rancheria to the northeast. Since the proposed project would be consistent and compatible with surrounding uses and land use designations and zonings, a less than significant impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Land Use and Planning.

| XII. MINERAL RESOURCES. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on mineral resources if it would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

**DISCUSSION**

The proposed project is not located in an area of known rock, aggregate, sand, or other mineral resource deposits of local, regional, or state residents. There are no known mineral resources of significance on the Site that would be made unavailable by the proposed project. Furthermore, the parcel is not utilized for Surface Mining and Reclamation Act (SMARA) activities.

XII.a-b) The proposed project area does not contain mineral resources that are of value locally, to the region, or to residents of the County or state. The proposed project area is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would not interfere with materials extraction or otherwise cause a short-term or long-term decrease in the availability of mineral resources. No impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have **No Impact** on Mineral Resources.

| XIII. NOISE. Would the project result in:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on noise if it would result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or generation of excessive groundborne vibration or groundborne noise levels; or expose people residing or working in the project area to excessive noise levels (for a project located within the vicinity of a private airstrip or an airport or an airport land use plan, or where such as plan has not been adopted, within two miles of a public airport or public use airport).

#### DISCUSSION

Acceptable levels of noise vary depending on the land use. In any one location, the noise level would vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment. Mendocino County relies principally on standards in its Noise Element, its Zoning Ordinance, and other County ordinances, and the Mendocino County Airport Comprehensive Land Use Plan to evaluate noise-related impacts of development.

As provided in Chapter 3 (Development Element) of the Mendocino County General Plan (2009), major noise sources in the County consist of highway and local traffic, railroad operations, airports, commercial and industrial uses, and recreation and community facilities. Highways with traffic that generates significant noise include Highway 101 and State Routes 1, 20, 128, 162, 253, and 175, which runs adjacent to the Site. Generally speaking, land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential land use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise-sensitive.

Policies contained in Chapter 3 of the County General Plan (2009) denote the County's standards for maximum exterior noise levels for residential land uses and noise compatibility guidelines for residential, commercial, and industrial land use types. Per Policy DE-100, exterior noise levels for single family homes should not exceed 60 dBA during the hours of 7:00 a.m. and 10:00 p.m. and 50 dBA during the hours of 10:00 p.m. and 7:00 a.m. for more than 30 minutes in any hour. As provided in Table 3-K (Noise Compatibility Guidelines) in Policy DE-101, included below, the proposed use would be subject to the "Residential" and "Commercial" land use compatibility standards:

**TABLE 3-K  
NOISE COMPATIBILITY GUIDELINES (EXPRESSED AS A 24-  
HOUR DAY-NIGHT AVERAGE OR LDN)**

| Land Use    | Completely Compatible | Tentatively Compatible | Normally Incompatible | Completely Incompatible |
|-------------|-----------------------|------------------------|-----------------------|-------------------------|
| Residential | Less than 55 dBA      | 55-60 dBA              | 60-75 dBA             | Greater than 75 dBA     |
| Commercial  | Less than 65 dBA      | 65-75 dBA              | 75-80 dBA             | Greater than 80 dBA     |
| Industrial  | Less than 70 dBA      | 70-80 dBA              | 80-85 dBA             | Greater than 85 dBA     |

Table 3-L (Maximum Acceptable Interior Noise Levels Created by Exterior Noise Sources) in Policy DE-103 provides the County's standards for acceptable indoor intermittent noise levels for various types of land uses, as shown below:

**TABLE 3-L  
MAXIMUM ACCEPTABLE INTERIOR NOISE LEVELS  
CREATED BY EXTERIOR NOISE SOURCES**

| Land Use Type  | Acceptable Noise Level (dBA Ldn or CNEL)                             |
|--|--|
| Residential Living and Sleeping Areas, Daytime                           | 45 dBA   |
| Private School Classrooms  | 55 dBA   |
| Commercial, Educational, Office, Light and Heavy Industrial, Warehousing | Conform with applicable state and federal workplace safety standards |

Per Policy DE-105, a 5db increase in CNEL or Ldn noise levels is typically considered a significant increase in noise. Under Policy DE-106, individual property owners constructing their own home may decide not to meet the standard noise levels, provided they certify they are aware of existing and future noise levels and their potential effects.

The Site, currently vacant and undeveloped, is located immediately east of Old Toll Road and south of Highway 175. Surrounding uses include a residence to the west, vineyards to the west and east, vacant lands to the north and south, and the Hopland Rancheria to the northeast. The uses proposed under the project, including up to 45 micro-cabin RVs, in addition to the two-story building with permanent residence and office/storage/laundry areas, small maintenance shed or barn, carport, employee parking area, and associated improvements, are similar to and compatible with the uses that already exist in the area.

The residence proposed on-site would be subject to more stringent requirements than the placement of up to 45 micro-cabin RVs and associated improvements on-site, which are considered a commercial use. As shown in Table 3-K, above, residential development is "Completely Compatible" in areas with an exterior noise level of less than 55 dBA, "Tentatively Compatible" in areas with an exterior noise level between 55 and 60 dBA, "Normally Incompatible" in areas where the exterior noise level is between 60 and 75 dBA, and "Completely Incompatible" in areas where the exterior noise level exceeds 75 dBA. Per Table 3-L, the single-family residence would be required to have a maximum interior noise level of 45 dBA. Based on Table 3-K, above, the micro-cabin RVs and associated improvements are considered acceptable in areas with slightly higher elevated noise levels. Per Table 3-L, the uses would be required to "conform with applicable state and federal workplace safety standards."

Although the Site is located adjacent to Highway 175, the proposed uses would be sited in such a way as to reduce exposure to possible elevated noise levels at this Site. As shown in Figure 2, the Applicant is proposing to set back the residence, principal Site entrance, and the majority of micro-cabin RVs away from Highway 175 and the existing residence, to the extent feasible.

XIII.a-b) The proposed residence and micro-cabin RVs would not be expected to generate noise in excess of what is common for such uses once construction of the residence and installation of the micro-cabin RVs and associated improvements are complete, nor result in excessive ground borne vibration or ground borne noise levels. The Site is located in a rural area with limited development. However, three sensitive receptors are located near the Site (within 1,000 feet), including one residence located on the property immediately west of the Site, in addition to two residences located across Highway 175 from the Site. The project's conceptual plans indicate the majority of uses on-site would be located near the center of the Site.

Construction of the residence and installation of the primary and secondary Site access roads, micro-cabin RV pads, and associated improvements, and use of construction equipment would cause temporary increases in noise; however, these impacts would only be associated with construction and would be temporary in nature. In addition, the given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions, including limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.

Upon build-out of the Site, operational noise would be associated with use and operation of the lodging and recreational facilities, in addition to employees and patrons traveling to and leaving from the Site. However, a manager would reside on-site and the manager, including daytime staff, would be responsible for ensuring visitors to the Site do not exceed the established noise standards, including a 10:00 pm curfew for night-time noise and the prohibition on amplified music outside of the micro-cabin RVs, which would be monitored and enforced by the on-site manager. In addition, a back-up generator powered by propane is also proposed to provide electricity to the water treatment plant and potable water supply distribution system during temporary power outages and an additional unit may also be provided at the lodge facility. While the use of a back-up generator may exceed acceptable noise levels for the adjacent residence, the generator(s) would only be utilized in the event of an emergency power outage and their use would be temporary in nature. A less than significant impact would occur.

XIII.c) As previously discussed, the Site is not located within an airport land use plan or within two miles of a public or public use airport. The nearest airport, Lampson Field, is located approximately 8.6 miles east of the Site in Lakeport. Therefore, no impact would occur.

#### **MITIGATION MEASURES**

No mitigation required.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Noise.

| <b>XIV. POPULATION AND HOUSING. Would the project:</b>   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on population and housing if it would induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure); or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

**DISCUSSION**

Per the latest census data from the U.S. Census Bureau, Hopland, a census-designated place, had a population of 756 persons in 2010, with 263 total households and an average household size of 2.81 persons (U.S. Census Bureau, Not Dated). Based on this data, the residence proposed on-site to house a full-time on-site manager would be anticipated to result in a total population of 3 residents on-site.

The project would be operated by a full-time General Manager, a full-time Facilities Manager, and six (6) to eight (8) part-time housekeeping staff supported by company operations based in California and New York. It is anticipated that most, if not all, of the workers would live locally, especially those persons working part-time on-site; however, it is possible that the some or all potential employees would relocate from other areas.

XIV.a) The project would not induce substantial population growth, as the project entails up to 45 micro-cabin RVs on-site that would be booked for nightly stays and only up to a total of ten (10) employees are anticipated under operation of the project. The majority of persons utilizing the Site would be on a temporary basis. However, the project would result in the construction of one residence on-site for use by the full-time on-site manager, which based on U.S. Census Bureau data, is expected to result in a total population of three (3) residents on-site. A less than significant impact would occur.

XIV.b) The Site is currently vacant, and, as a result, no existing housing units would be removed under the project. Since the project would not displace any existing housing or residents, no impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Population and Housing.

| <b>XV. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Fire protection?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other public facilities?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for (a) fire protection, (b) police protection, (c) schools, (d) parks, or (e) other public facilities.

**DISCUSSION**

There are no elements of the proposed project that would impact the ability of the County or other local services providers to provide public services to the Site or local community. As previously discussed, the Applicant is requesting a Major Use Permit to develop a rental recreational vehicle (RV) facility (Outpost) for up to 45 company-owned micro-cabin RVs to be constructed off-site and towed to designated micro-cabin RV pads. The micro-cabin RVs would be booked for nightly stays, would be placed approximately 50 to 100 feet apart, and would be moved only for repairs or upgrades. Each micro-cabin RV would be connected to on-site private utilities, including water, septic, and electricity, with each micro-cabin RV containing an individual bathroom and kitchenette.

Associated improvements involve the construction of primary and secondary Site access roads; secondary Site entrance; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building (lodge facility) to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, an accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport; walking trails; on-site underground utility line (electricity, water, and wastewater) installation and connections; construction of an on-site water treatment facility; construction of a wastewater collection and disposal systems; installation of an emergency water storage tank and water distribution system, including fire hydrants and potable water connections; construction of a private well on the adjacent agricultural land; an off-site underground water line, with a booster pump station connecting the proposed well to the on-site water treatment system; and construction of a new off-site electric utility power feed from Highway 175 to the Site.

While it is expected that most, if not all, of the Site’s employees (10 maximum) would already live locally, it is possible that some workers may relocate from another location. As discussed under Section XIV (Population and Housing), above, the project is anticipated to result in a maximum of three (3) full-time residents on-site.

Since a significant population increase is not anticipated as a result of the project, significant impacts on public services are also not anticipated.

XV.a) As previously discussed, the Site is located within the State Responsibility Area (SRA), just outside of the service boundaries of the Hopland Fire Protection District (HFPD), and is served by the California Department of Forestry and Fire Protection (CalFire) (Mendocino County Maps - Fire Responsibility Areas - Hopland, 2019). The Site is mapped as located within a "Moderate" fire hazard severity zone (Mendocino County Maps - Fire Hazard Severity Map, 2007). The nearest fire station to the Site is the Hopland Fire Protection District station, located approximately 3.2 miles northwest of the Project Site, west of Highway 101, at 21 Feliz Creek Road. The nearest CalFire station is located approximately 5.3 miles northwest of the Site along Highway 101 at 11000 U.S. Highway 101.

The Major Use Permit application was referred to the Hopland Fire Protection District (HFPD), also called the Sanel Valley Fire District, and CalFire on February 18, 2020. No response was received from the HFPD and in a response dated February 24, 2020 CalFire responded that the project must meet all conditions of approval in the CalFire Fire Safe Application (CalFire File Number 12-20) submitted by the Applicant to CalFire on January 13, 2020 to ensure the project would comply with the applicable State standards, including the 2016 Fire Safe Regulations adopted by the State Board of Forestry in Title 14 of the California Administrative Code. The project obtained Preliminary Clearance on January 15, 2020. CalFire conditioned the project to require a clearly posted address, adequate driveway and roadway widths for emergency response vehicles, defensible space around proposed structures, and an emergency water system that includes the installation of a fire hydrant system and at least 5,000 gallons of dedicated emergency water storage. Prior to occupancy or use, a Final Inspection and Occupancy Permit must be obtained from CalFire. On June 25, 2020, LACO, on behalf of the Applicant, contacted the HFPD requesting feedback on the proposed project. Ron Roysum, Battalion Chief and Fire Marshal with the HFPD, responded with a request to provide an additional 5,000 gallons of dedicated emergency water storage on-site, for a total of 10,000 gallons. The HFPD additionally requires the completion of a standard Application for Fire District Plan Review and a complete set of plans prior to approval of any building permits for the proposed project. By complying with conditions specified by CalFire and the HFPD, a less than significant impact would occur.

XV.b) Police protection services within the unincorporated area of the County, including the Site, is provided by the Mendocino County Sheriff's Office (Sheriff's Office). The nearest Sheriff's Office is the Ukiah office, which is located approximately 14.9 miles northwest of the Site, at 951 Low Gap Road in Ukiah. As the Site is already served by Mendocino County Sheriff's Office and the development footprint and additional population anticipated to be served is not significant, a less than significant impact would occur.

XV.c) Although the Site is located within the Ukiah Unified School District (Mendocino County Maps - School Districts, 2014), the nearest school, Grace Hudson Elementary School, is located approximately 12.3 miles northwest of the Site. However, it is not anticipated that the proposed project, including the full-time residence for an on-site manager, would significantly increase the need for school services within the area, since most persons at the Site would either be patrons temporarily visiting the Site or employees who work on-site during the daytime but reside elsewhere. A less than significant impact would occur.

XV.d-e) As previously discussed, the permanent population is not expected to substantially increase as a result of the proposed project; however, there would be an increase in the number of persons on-site, as the Site is currently undeveloped and vacant, and would include patrons of the micro-cabin RVs (up to a total of 45 micro-cabin RVs on-site) and the daytime staff. Since the proposed project would include the installation of walking trails throughout the Site, the project is not anticipated to substantially increase the

usage of local parks or recreational facilities such that new facilities would be needed. In addition, the usage of other public facilities, such as regional hospitals or libraries, would also not be anticipated to substantially increase. A less than significant impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Public Services.

| XVI. RECREATION. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on recreation if it would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

**DISCUSSION**

The Site is located in the vicinity (within 15 miles) of the following neighborhood and regional parks and recreational facilities:

- South Cow Mountain OHV Recreation Area, located approximately 5.2 miles north of the Site;
- Westside Community Park, located approximately 8.1 miles northeast of the Site;
- Clear Lake, located approximately 8.9 miles northeast of the Site;
- Highland Springs Recreation Area, located approximately 8.6 miles southeast of the Site;
- Library Park, located approximately 9.3 miles northeast of the Site;
- Russian River RV Campground, located approximately 9.4 miles south of the Site;
- Cloverdale River Park, located approximately 11.1 miles south of the Site;
- Cloverdale City Park, located approximately 12.1 miles south of the Site;
- Lakeside Park, located approximately 12.1 miles northeast of the Site;
- Cloverdale Citrus Fairgrounds, located approximately 12.3 miles south of the Site;
- Clark Park, located approximately 12.4 miles southeast of the Site;
- Vintage Meadows Park, located approximately 12.5 miles south of the Site;
- Furber Park, located approximately 13.1 miles south of the Site;
- Observatory Park, located approximately 13.5 miles northwest of the Site;
- Clear Lake State Park, located approximately 13.8 miles northeast of the Site;
- Yorty Creek Recreation Area; located approximately 13.8 miles southwest of the Site;
- Konocti County Park, located approximately 14.1 miles east of the Site;
- Todd Grove Park, located approximately 14.5 miles northwest of the Site;
- Ukiah Valley Golf Course, located approximately 14.6 miles northwest of the Site; and
- Vinewood Park, located approximately 14.8 miles northwest of the Site.

XVI.a) As previously discussed, the proposed project involves the installation of up to 45 micro-cabin RVs on-site that would be booked for nightly stays, construction of the two-story, 1,344-square-foot building containing one new full-time residence for the on-site manager (in addition to a small office and storage area for daytime staff, accessible restroom, meeting room, and laundry area for micro-cabin RV linens) and carport, in addition to associated improvements, including roadways, secondary entrance, employee parking area, and walking trails throughout the Site. As a result, the population is expected to increase slightly as a result of the proposed project, although most persons on-site, including, patrons and employees, would

only temporarily visit the Site. In addition, the project includes the installation of walking trails on-site for use by the micro-cabin RV guests. As a result, it is not anticipated that the proposed project would result in such an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. A less than significant effect would occur.

XVI.b) As noted above, the proposed project involves the installation of walking trails for use by guests at the Site. However, the project contract would utilize applicable Best Management Practices (BMPs) during installation to reduce any potential adverse physical effects on the environment. A less than significant impact would occur.

#### **MITIGATION MEASURES**

No mitigation required.

#### **FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Recreation.

| XVII. TRANSPORTATION. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on transportation if it would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

**DISCUSSION**

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, initiating an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal to better measure the actual transportation-related environmental impacts of a given project. Traditionally, transportation impacts had been evaluated by using Level of Service (LOS) analysis. Starting July 1, 2020, lead agencies are required to analyze the transportation impacts of new projects using vehicle miles traveled (VMT), instead of LOS. According to the SB 743 Frequently Asked Questions provided by the Governor’s Office of Planning and Research (OPR), VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto the roads, the project may cause a significant transportation impact. VMT analysis is intended to promote the state’s goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations (OPR, 2020). On May 20, 2020, Fehr & Peers, on behalf of the Mendocino Council of Governments (MCOG), prepared a Senate Bill 743 Vehicle Miles Traveled Regional Baseline Study (SB 743 Baseline Study) to provide an overview of SB 743, summarize VMT data available for Mendocino County, discuss alternatives for and recommend VMT measurement methods and thresholds for lead agencies in Mendocino County, and recommend transportation demand management (TDM) strategies for reducing VMT on projects in Mendocino County.

As previously discussed, the Site is located in a rural area, approximately 3.1 miles east of the unincorporated community of Hopland. The Site is bordered to the north by Highway 175, a two-lane highway managed by the California Department of Transportation (Caltrans), and to the west by Old Toll Road, a two-lane minor arterial road managed by the Mendocino County Department of Transportation (MCDOT). Surrounding uses include a residence to the west, vineyards to the west and east, vacant lands to the north and south, and the Hopland Rancheria to the northeast. Currently, the Site is accessed via a paved entrance to Old Toll Road on the western side of the Site. As the Site is located in a rural area surrounded by vineyards, undeveloped land, and dispersed rural residences, no dedicated bicycle or pedestrian facilities, including sidewalks, currently exist in the project area. The proposed project would additionally provide walking trails

throughout the upper portions of the Site for use by guests. Proposed locations of the walking trails are shown on the Preliminary Site Plan (Figure 2). Hopland is served by Route 65 of the Mendocino Transit Authority (MTA), which runs from Fort Bragg to Santa Rosa, with two stops in Hopland, at Mendocino Savings Bank and the north end of Brutocao, approximately 2.6 miles west of the Site.

The Preliminary Site Plan (LACO, 2020a) proposes a preliminary roadway design that complies with CalFire road standards for residential development and includes an upgraded encroachment to Old Toll Road, a new primary Site access road, secondary access roads throughout the Site, and driveways and walking paths to serve individual micro-cabin RV sites. Improvements to the existing private encroachment to Old Toll Road would include widening the entrance to 24 feet in width to meet County encroachment standards and to facilitate a two-lane entrance/exit with paved aprons. A secondary ingress/egress point to serve the lodge facility and employee parking area is proposed to the southwest of the proposed employee parking area adjacent to the lodge facility. As the entrances to Old Toll Road would encroach into the MCDOT right-of-way, a MCDOT encroachment permit would be required.

The new access road would be utilized as the primary Site access, with the existing paved driveway, which serves the adjacent private residence, to be utilized for emergency access only. The existing private road would be gated beyond the new project access approximately 225 feet upslope of the existing gate location, with signage and gates to deter guests from utilizing the driveway that serves the adjacent private residence. Access over the private driveway by guests and employees would be allowed only during an emergency exiting situation such as a wildland fire, or for fire vehicle access only. The primary Site access road would consist of a 20-foot wide two-way road with the exception of an 800-foot section within a steep (25 to 35 percent slope) canyon, which would be constructed as a 12-foot-wide roadway to limit the environmental footprint. Midway up this 800-foot section of 12-foot wide road, a CalFire standard turnout would be constructed. Secondary access roads to micro-cabin RV sites would be 12 feet wide, with turnouts located throughout the Site, as necessary. Dead-end secondary access roads would have hammerhead turnarounds that comply with CalFire standards. In accordance with CalFire road standards for residential development, all proposed access roads would have a maximum grade of 16-percent, with a minimum inside radius of 50 feet, and would be constructed with compacted aggregate base and a surface treatment of chip seal or asphalt concrete for traction and reduced maintenance. Individual micro-cabin RVs would be accessed from the secondary access roads by 9-foot wide aggregate base driveways or 6-foot wide walking paths. A small parking lot with nine (9) parking spaces for employees, including one (1) accessible space would be located adjacent to the lodge facility. Parking for guests would be located adjacent to the micro-cabin RV for drive-up micro-cabin RVs and adjacent to the access road and in close vicinity to the micro-cabin RVs for walk-up sites. All roads, driveways, and parking facilities would be designed and constructed using general engineering practices.

XVII.a) Since the Site is currently undeveloped, there would be an increase in traffic to and from the Site under both construction and operation of the project. It is expected that construction of the project would result in a temporary increase in traffic to and from the Site, as construction workers arrive and leave the Site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the Site. Once construction is complete, these workers would no longer be required at the Site. Upon build-out of the Site, employees (10 maximum) and guests (up to 110 persons per night) would travel to and leave the Site at the end of their shifts or stay.

As noted above, the Site is located in a rural area with no dedicated bicycle or pedestrian facilities, is not located near existing pedestrian-generating land uses where pedestrians would be anticipated, and would

not be expected to attract pedestrians to the Site. Due to the small scale of the proposed project, the project is not anticipated to significantly increase or impact existing transit operations or facilities, such as the daily route of the MTA, which passes through Hopland approximately 2.6 miles west of the Site. The Major Use Permit application was referred to the MCDOT and Caltrans on February 18, 2020. No response was received from Caltrans and in a referral response dated March 5, 2020, the MCDOT recommended the following conditions of approval which would be incorporated into the County's approval of the proposed project:

1. A Commercial Driveway Approach shall be constructed at each proposed entrance onto Old Toll Road (CR 108), in accordance with Mendocino County Road and Development Standards No. A51B, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
2. Applicant shall apply double chip seal surfacing to Old Toll Road (CR 108) from State Highway 175 to site entrance. Prior to applying chip seal, dig outs and patch repairs shall be performed where needed, as determined by Mendocino County Department of Transportation staff.
3. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County rights-of-way.

As a result, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and a less than significant impact would occur.

XVII.b) CEQA Guidelines Section 15064.3, subdivision (b) indicates that a land use project would have a significant impact if the project results in vehicle miles traveled (VMT) exceeding an applicable threshold of significance. CEQA Guidelines Section 15064.3, subdivision further notes that if existing models or methods are not available to estimate a project's expected VMTs, a lead agency may analyze the project's expected VMT qualitatively by evaluating factors such as the availability of transit and proximity to other destinations. As noted above, the SB 743 Baseline Study (MCOG, 2020) recommends VMT measurement methods and thresholds for lead agencies in Mendocino County; however, as of the date of this Initial Study, the County of Mendocino has not established thresholds of significance for VMT consistent with SB 743 and CEQA Guidelines Section 15064.3, subdivision (b).

Since the site is currently undeveloped, any development on-site would increase VMT. Under the Project, VMT would be attributed to visitors and employees traveling to and from the Site, with employees most likely traveling to the Site from Hopland, or a nearby community in Mendocino or Lake Counties. Per page 12 of the Governor's Office and Planning and Research's (OPR) 2018 *Technical Advisory on Evaluating Transportation Impacts in CEQA*, it is stated that "projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact." Assuming each micro-cabin RV (45) and each employee (10) would generate approximately two (2) trips per day, 110 trips per day would be anticipated upon build-out of the Site. However, with an average Outpost occupancy rate of 85-percent, as described in Section II (Project Description), above, on average, the Site would be anticipated to generate approximately 93.5 trips per day, with 110 trips per day only being reached when the Site is fully occupied.

Additionally, the proposed project has the potential to reduce VMT for employees, potentially providing a work destination in the transient lodging industry closer to home, and visitors to nearby communities in Mendocino or Lake Counties. The proposed project would provide transient lodging in a rural area in close proximity to a number of wineries, wedding venues, and restaurants that visitors may travel to from locations both within and outside Mendocino County. Due to the Site's close proximity to a number of these

destinations, VMT may be decreased for tourists coming to the area for a distinct purpose, as they would not have to travel outside the area to find available transient lodgings. Although an increase in traffic trips to the currently undeveloped Site would be anticipated, the proposed project would be anticipated to result in less than 110 trips per day, on average, and provide an employment and lodging opportunity in an area with limited options for transient lodging. As a result, a less than significant impact would occur.

XVII.c) As previously discussed, the project includes improvements to the existing Site entrances, construction of a secondary Site entrance, a primary access road, secondary access roads, and parking areas to serve the proposed development. The proposed project has been reviewed by and project conditions have been received from CalFire and the MCDOT. As the Site improvements would be required to be designed and constructed in accordance with established standards and the conditions of the MCDOT and CalFire, described above, the project, as designed, would not increase hazards due to a geometric design feature. As such, a less than significant impact would occur.

XVII.d) The proposed project would not result in inadequate emergency access, as the project is required to meet pertinent design criteria to provide adequate emergency access in accordance with applicable design standards. As noted above, the project was reviewed by and project conditions were received from both CalFire and MCDOT. The Preliminary Site Plan (LACO, 2020a) proposes a preliminary roadway design that complies with CalFire road standards for residential development and includes an upgraded encroachment to Old Toll Road, a new primary Site access road, secondary access roads throughout the Site, and driveways and walking paths to serve individual micro-cabin RV sites. As the entrances to Old Toll Road would encroach into the MCDOT right-of-way, a MCDOT encroachment permit would be required. As the project would comply with the applicable standards and conditions of CalFire and the MCDOT, the project would not result in inadequate emergency access and a less than significant impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Transportation.

| XVIII. TRIBAL CULTURAL RESOURCES. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:                     | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |

**Thresholds of Significance:** The project would have a significant effect on Tribal Cultural Resources if it would cause a substantial adverse change in the significance of a cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1.

## DISCUSSION

Per Chapter 3 (Development Element) of the Mendocino County General Plan (2009), the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County's redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. The entire southern third of Mendocino County was the home of groups of Central Pomo. To the north of the Central Pomo groups were the Northern Pomo, who controlled a strip of land extending from the coast to Clear Lake. The Coast Yuki claimed a portion of the coast from Fort Bragg north to an area slightly north of Rockport. They were linguistically related to a small group, called the Huchnom, living along the South Eel River north of Potter Valley. Both of these smaller groups were related to the Yuki, who were centered in Round Valley. At the far northern end of the county, several groups extended south from Humboldt County. The territory of the Cahto was bounded by Branscomb, Laytonville, and Cummings. The North Fork Wailaki was almost entirely in Mendocino County, along the North Fork of the Eel River. Other groups in this area included the Shelter Cove Sinkyone, the Eel River, and the Pitch Wailaki.

As discussed under Section V (Cultural Resources), above, an *Archaeological Survey Report* (Archaeological Report) was prepared by Alta Archaeological Consulting (ALTA) on November 26, 2019, in order to identify any archaeological, historical, or cultural resources within the proposed project area. Due to the sensitive and confidential nature of the report, a copy of the Archaeological Report is not included as an appendix to this Initial Study.

As noted in the Archeological Report, fieldwork was conducted on September 10, 2019, by the ALTA team and entailed a cultural resources inventory of the project area and surrounding lands. Approximately 48.48 acres of land was surveyed with transects no greater than 20 meter intervals. Proposed micro-cabin RV sites were marked with wooden stakes and flags and stakes were used to make the routes of the proposed pedestrian trails. Ground surface visibility was generally poor due to dense dry grasses and small patches of dense brush. Exposed mineral soils were inspected for evidence of cultural materials. An approximately 425-foot-long segment of an abandoned road, which appears to be part of the original Toll Road, was identified within the project boundaries, which is also depicted on early maps dating back to 1873, 1874, and 1889. Additional segments of the abandoned road were noted outside of the current project area, but were not recorded. However, the project, as presently designed, is not anticipated to have an adverse effect on significant cultural resources. All archaeological resources identified during the field survey were recorded using the standard State of California Department of Parks and Recreation Archaeological Site Forms, with Global Positioning System (GPS) mapping and photography of site and features completed (ALTA, 2019). A records search was conducted at the Northwest Information Center (NWIC) located on the Sonoma State University campus on August 23, 2019 (File No. 19-0348), which included a review of all study reports on file within a one-half mile radius of the project area, as well as archaeological site and survey base maps, survey reports, site records, and historic General Land Office (GLO) maps. Review of the historic registers and inventories indicated that no historical landmarks or points of interest are located within the project area. Additionally, no National Register-listed or eligible properties are located within one-half mile of the Site. Eleven (11) prior cultural resources studies have been performed within a one-half mile radius of the Site, although no studies have previously occurred within the project area. Six (6) cultural resources have been documented within one-half mile of the Site, including four (4) prehistoric sites and three (3) historic-era sites, containing lithic scatter, a historic road segment, a concrete culvert, a ceremonial dance ground, and a village site (ALTA, 2019).

In addition, ALTA contacted the Native American Heritage Commission (NAHC) on August 8, 2019, to request a Sacred Lands File (SLF) search and list of Native American contacts in the area. The NAHC response on August 29, 2019, indicated that a search of the SLF returned a positive result, and included a list of 13 Native American tribes or individuals with cultural affiliations to the area. ALTA sent consultation letters to all 13 contacts on September 6, 2019. Two (2) responses were received. On September 12, 2019, the Tribal Historical Preservation Officer (THPO) for the Hopland Band of Pomo Indians requested to be consulted for the project. On September 18, 2019, the THPO for the Kaisha Band of Pomo Indians responded and informed ALTA that the project is outside of the Tribe's aboriginal territory. Although the project, as currently designed, is not anticipated to have an adverse effect on cultural resources, ALTA included three (3) recommendations in their Archaeological Report in order to ensure cultural resources are not adversely impacted by the project, including the recommendation for further consultation with the Hopland Band of Pomo Indians, as requested by the Tribe, and protocol should cultural resources or human remains be inadvertently discovered, similar to the County's "Discovery Clause".

Assembly Bill 52, which was approved September 2014, and came into effect on July 1, 2015. Before a negative declaration, mitigated negative declaration, or environmental impact report for a project is prepared, the lead agency for the project will seek consultation with the tribes associated with the location

of the project. To receive referrals, each tribe must have previously made a written request to the lead agency in order to be consulted on projects occurring in their geographic areas of interest. In 2015, the Department of Planning & Building Services invited all local tribes to define their areas of interest and for which geographies they would like to receive project referrals. Of these, four (4) responses were received, three (3) respondents requested referrals for projects throughout Mendocino County, while one (1) requested review of projects in their vicinity. For all projects necessitating referral, Staff also extends review opportunity of any discretionary project to relevant or nearby entities identified by the Native American Heritage Commission.

Following submittal of the Major Use Permit application, on June 12, 2020, the Applicant contacted the Hopland Band of Pomo Indians via email to request additional input on the proposed project. On June 17, 2020, the THPO for the Hopland Band of Pomo Indians responded via email to request that the Applicant have tribal monitors overseeing the project during earth-moving activities. The Applicant continued to contact the THPO for the Hopland Band of Pomo Indians to seek additional information and detail on the request for tribal monitors; however, no subsequent responses were received. Based on the request of the THPO, the Applicant has agreed to notify the Hopland Band of Pomo Indians prior to any subsurface construction activities taking place, and would welcome tribal representatives on-site during subsurface construction for observation. A Condition of Approval would be added to the Use Permit to reflect this agreement, and Mitigation Measure CUL-1 is proposed to reflect this.

a.i-ii) As noted above, one historic-era site was identified within the Site boundaries, consisting of a 425-foot-long segment of an abandoned road. As noted on the State of California Primary Record Form, the linear resource appears to be part of the original Toll Road and is depicted on early maps (GLO Plat 1873, 1874, 1889). Additional segments of the abandoned road were noted outside of the current project area, but not recorded. Although a resource was identified on-site, the Archaeological Report concludes that the project, as currently designed, is not anticipated to have an adverse effect on cultural resources, including tribal cultural resources. In addition, no known tribal cultural resources were identified in the Archaeological Report nor through the Tribal consultation process, including subsequent discussions with the Hopland Band of Pomo Indians.

A standard condition is recommended that advises the Applicant of the County's "Discovery Clause," which establishes procedures to follow in the event that archaeological or cultural materials, including tribal cultural resources, are unearthed during Site preparation or excavation activities, in accordance with Mendocino County Code Sections 22.12.090 and 22.12.100. In addition, due to the proximity of the Site to the Hopland Reservation and the request of the Hopland Band of Pomo Indians to have tribal monitors on-site during earth-moving activities, the incorporation of Mitigation Measure CUL-1, which requires that the Hopland Band of Pomo Indians be notified prior to any subsurface construction, and that the Site be open to the Tribe for monitoring during subsurface construction, would ensure that cultural resources, including human remains are not adversely impacted by the proposed project. With incorporation of the Discovery Clause and Mitigation Measure CUL-1, the proposed project is found consistent with Mendocino County policies for protection of historic and tribal cultural resources. With mitigation incorporated, a less than significant impact would occur.

## **MITIGATION MEASURES**

Refer to Mitigation Measure CUL-1 under Section V (Cultural Resources), above.

## **FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Tribal Cultural Resources.

| XVIX. UTILITIES AND SERVICE SYSTEMS. Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on utilities and service systems if it would require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

**DISCUSSION**

The Site is located outside the service boundaries of the Hopland Public Utilities District (Hopland PUD) and would therefore be responsible for providing the Site with adequate utilities. All utility lines would be trenched below-ground in or adjacent to existing or proposed access roads.

Each micro-cabin RV would be fully self-contained and would include a sleeping area; restroom with a walk-in shower, and toilet; and kitchenette, with a small mini-refrigerator, 2-top induction stovetop, kitchen sink, utensils, pots and pans, and a seating area. Each micro-cabin RV would be served by electricity (50-amp), on-site water and wastewater service, and would include heat and air conditioning. Once placed on the pad, the micro-cabin RVs would be professionally leveled and steps would be placed, then the micro-cabin RVs would be hooked up to utilities.

## Water

Domestic water would be provided to each micro-cabin RV via a proposed well and private water system. The project proposes a greater number of service connections than the number permitted by the local agency, the Mendocino County Division of Environmental Health (MCDEH). Therefore, the proposed water system would be permitted through the State Water Resources Control Board (SWRCB) Division of Drinking Water as a transient non-community water system and would be subject to the standards and monitoring requirements set by Federal and State laws, including but not limited to, public health standards of Title 22 of the California Code of Regulations (CCR) and the California Safe Drinking Water Act. Compliance with the required water supply permit includes ongoing monitoring of the water system and annual reports to be submitted to the SWRCB. Construction of the new well would be permitted through the MCDEH and would be constructed in accordance with the California Well Standards (Department of Water Resources Bulletin 74-90).

The proposed well would be installed, west of the Site in the Sanel Valley floor in the vicinity of existing producing agricultural wells. Brutocao Vineyards, Inc. has granted the Applicant permission to drill a well on an adjacent property owned by Brutocao Vineyards, including one of three parcels (APNs 048-270-021, 048-270-020, or 048-260-050). Under the agreement dated January 9, 2020, the water is to be used solely by the Applicant for the project, is nontransferable, is not to be used for agriculture, and the amount of water to be pumped is not to exceed 5,000 gallons per day.

An estimate of water demand in gallons per day (GPD) for the proposed development is summarized above in Table 1, which indicates the water supply system would require a flow capacity of at least 4,073.50 GPD. As detailed in the *Getaway Outpost Estimated Water Use Technical Memo* (Water Use Memo) prepared by LACO and dated October 14, 2020 (see Appendix E), the estimated water demand for the proposed project is based on data collected from operational Outposts with a similar number of cabins as the proposed project. These estimates are based on the use of low flow plumbing fixtures, including shower heads, faucets, and toilets, which would be installed as part of the proposed project.

Furthermore, as explained in the Water Use Memo (LACO, October 2020), at 85-percent occupancy (the yearly average occupancy for Getaway Outposts), approximately 1.26 million gallons per year (GPY) (3.9 acre-feet per year) would be anticipated to be used by the proposed project. Compared to the available watershed runoff of approximately 20.69 million GPY in a drought year (presented in the Water Use Memo in Appendix E), the proposed project would use approximately 6.1-percent of the available watershed runoff into the aquifer in an average drought year, and only 2.4-percent of the available watershed runoff in an average rainfall year. For comparison, data prepared by the University of California Agriculture and Natural Resources (UCANR, 2014) states that in Lake County, the irrigation required for a typical vineyard is 8 to 11 inches of water per acre, plus an additional 6 inches of water per acre if frost protection is required. These volumes are equivalent to 0.22 to 0.30 million GPY per acre for irrigation and an additional 0.17 million GPY per acre for frost protection. Based on these values, a typical vineyard would require approximately 0.38 to 0.47 million GPY per acre. Based on these values, the estimated water usage per year of the proposed project would be comparable to the irrigation and frost protection of 2.72 to 3.30 acres of vineyard if it were planted at the Site. The Site currently has approximately 3.5 to 4 acres of potentially plantable area on gentle slopes (2 to 5 percent slope), with the potential to allow for additional plantable area on the steeper slopes (up to 35 percent slope) if it was desired to be developed with a vineyard.

The project water system would include a raw water supply pipe with booster pumps to supply a raw water storage tank at the upper elevation of the project area. The anticipated volume of the raw water tank is

estimated to be 6,000 gallons, together with a 20,000 gallon tank for the treated water storage and emergency supply. The proposed water tanks are to be constructed using materials that meet appropriate CalFire standards. The 20,000 gallon tank would include standby water volume for fire flow to on-site hydrants, the fire sprinkler system in the lodge facility, and the supply for daily flow of the treated water for use by the micro-cabin RVs and lodge facility. As required in the conditions received from CalFire on January 15, 2020, and as requested by the Hopland Fire Protection District (HFPD) in a June 25, 2020 email, at least 10,000 gallons of dedicated water storage would be provided on-site for emergency water use and is included in the 20,000 gallon tank mentioned previously. Although the micro-cabin RVs are exempt from fire sprinklers, a fire supply riser would be placed within 150 feet of each proposed micro-cabin RV pad.

Installation of the well would require the installation of an off-site underground water line to connect the proposed well to the on-site water system and the establishment of an access easement for ongoing maintenance and operation of the well. The proposed raw water line would be approximately 2,600 feet in length and would be installed adjacent to or within the existing access road that generally follows the southwest-northeast tree line located southwest of the Site. A small treatment building would be constructed adjacent to the treated water tank to house the booster pumps or transfer pumps, and supply the treated water to the water distribution system and hydrants. A water treatment system would be housed in the small treatment building to provide filtration as needed, according to water quality from the well source and disinfection requirements to meet public health standards required by Title 22 of the CCR.

The water treatment system would likely be a package unit to be determined upon a review of the water quality analysis. Treated water would be stored for distribution in a 20,000-gallon tank located next to the small treatment building and would be connected to a booster pump system and pressure tank for pressurization of the water system. The water mains would be constructed of C900 and schedule 40 PVC and HDPE water service piping, and would be buried under the access roads, micro-cabin RV driveways, and walking access paths to the extent feasible. Each of the micro-cabin RVs would be connected to the potable water system via a no freeze assembly manufactured by Thermaline.

### **Wastewater**

Wastewater would be managed using a proposed on-site wastewater pre-treatment and treated effluent disposal system. As shown on Figure 2, wastewater generated at each of the micro-cabin RVs and the lodge facility would be gravity fed into septic tank/pump basin units serving up to 3 or 4 micro-cabin RVs, and the lodge facility, together with joint lift stations, as needed, to a series of septic tanks and into a centralized wastewater treatment module. Treated effluent would be disposed of using a pressurized drip irrigation system to be placed in the basin in the central portion of the Site, as indicated on Figure 2, where the most suitable soils for septic system treatment and percolation exist on the Site. A seasonal creek is located in the southern portion of the Site and project components would observe a minimum 50-foot setback from this resource, in compliance with County requirements.

An estimate of wastewater flows in gallons per day (GPD) for the proposed development is summarized in Table 2, above (under the Project Description), which indicates flows to the on-site wastewater pre-treatment and treated effluent disposal system would be approximately 4,073.50 GPD, based on the Water Use Memo prepared for the proposed development. It should be noted that the septic system to serve the proposed development would need to be designed for a flow capacity of at least 6,030 gallons of wastewater per day in accordance with the County of Mendocino 1991 Uniform Plumbing Code (Plumbing Code), and as shown in Table 3, above (under Project Description). Based on the Water Use Memo, and as shown in Table 2, above (under Project Description), wastewater flow estimates based on the Plumbing Code do not meet the specific usage profile, and are more than the anticipated daily flows, of a Getaway Outpost.

**Storm Drainage**

Storm drainage would primarily infiltrate throughout the Site, except in areas where the lodge facility, micro-cabin RVs, and access road sections surfaced with an impervious surface would be placed. However, a significant amount of runoff is not anticipated, as the majority of the 90.87-acre Site would remain undeveloped. During construction, Best Management Practices (BMPs) would be implemented to prevent the discharge of construction waste, debris, or contaminants from construction materials, tools, and equipment from leaving the Site.

**Electricity**

Pacific Gas & Electric Company (PG&E) would provide electricity to the Site, and natural gas, if needed. No connections to PG&E distribution lines currently exist on-site, but a connection would be established as part of the proposed project. The residence located adjacent to the west of the Site is served by a PG&E connection.

Electrical power at the Site would feed from existing overhead PG&E power lines, then transition to underground-buried conduit feeding a transformer in the vicinity of the lodge facility. The power distribution system from the existing overhead system along Highway 175 to the initial transformer and meter riser on-site would be a PG&E system. Down-stream of the initial electric meter, the system would become private and would feed the lodge facility with secondary power. Secondary power would then be reverse-transformed back to primary power and feed the Site's other uses through an underground conduit system to private transformers within 400 feet of the various micro-cabin RVs that the system would feed, in addition to serving the water treatment plant, booster pumps, and the wastewater treatment plant. Each of the micro-cabin RVs would be provided with an electric riser and a 50-amp breaker to connect to the electric system. The treatment plants would be served by a standard electrical panel appropriate for their power demand. The project owner would be responsible for maintenance and repairs of the private electric system.

A back-up generator powered by propane is also proposed to provide electricity to the water treatment plants and potable water supply distribution during temporary power outages. An additional unit may also be provided at the lodge facility.

**Solid Waste**

The Site would be served by a local service provider for solid waste service, which would be collected from the trash bin enclosure to be located in the employee parking area adjacent to the lodge facility. The housekeeping staff would be responsible for collecting solid waste from the Site and individual micro-cabin RVs and transporting it to the Site's secured trash bin location.

**Telecommunications**

Various telecommunication companies provide telecommunications to the surrounding area.

XVIX.a) As discussed above, the infrastructure necessary for electrical, telecommunications, and on-site water supply and wastewater collection connections would be installed as part of the proposed project; however, in order to ensure significant environmental effects would not occur, the respective utility providers and installers would implement applicable Best Management Practices (BMPs) to reduce the potential for impacts to occur, including but not limited to erosion during construction. A less than significant impact would occur.

XVIX.b) As detailed above, domestic water would be provided to the lodge facility and micro-cabin RVs via a proposed well and private water system. The Water Use Memo (LACO, 2020c) determined that based on numerous factors, including the annual average rainfall for the Hopland area, the terrain and size of the Site, the water use estimates for the proposed development would account for approximately 6.11-percent to 2.44-percent of the anticipated runoff from the watershed of the Site in a drought year or average rainfall year, respectively. Furthermore, the estimated water use of the proposed project would be comparable to the irrigation and frost protection of 3.30 to 2.72 acres of vineyard if it were planted at the Site. The Site currently has approximately 3.5 to 4 acres of potentially plantable area on gentle slopes (2 to 5 percent slope), with the potential to allow for additional plantable area on the steeper slopes (up to 35 percent slope) if it was desired to be developed with a vineyard.

An estimate of water demand in gallons per day (GPD) for the proposed development is summarized above in Table 1, which indicates the water supply system would require a flow capacity of at least 4,073.50 GPD. As detailed in the Getaway Outpost Estimated Water Use Technical Memo (Water Use Memo) prepared by LACO and dated October 14, 2020 (see Appendix E), the estimated water demand for the proposed project is based on data collected from operational Outposts with a similar number of cabins as the proposed project. These estimates are based on the use of low flow plumbing fixtures, including shower heads, faucets, and toilets, which would be installed as part of the proposed project. In addition, the proposed project would utilize approximately 1.26 million GPY of water and that runoff from the watershed of the Site would contribute 20.69 million GPY to the groundwater aquifer during a drought year (LACO, 2020c). As such, the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. A less than significant impact would occur.

XVIX.c) As discussed above, the Site would be served by an on-site septic system, which would require an on-site septic system permit through the North Coastal Regional Water Quality Control Board (NCRWQCB), subject to the general statewide waste discharge requirements for small domestic wastewater treatment systems or the Mendocino County Division of Environmental Health (DEH), subject to the Mendocino County Local Area Management Plan (LAMP), dependent upon the projected wastewater flows for the project. Based on the Plumbing Code sizing criteria shown in Table 3, above (under the Project Description), the NCRWQCB would appear to be the permitting authority; however, based on discussions with NCRWQCB and DEH staff, the DEH would be the permitting authority for this project. Since the project would be served by an on-site system, no impact would occur.

XVIX.d-e) A significant amount of solid waste is not anticipated under the project and all solid waste generated under the project would be disposed of in accordance to all federal, state, and local statutes and regulations related to solid waste including state and local waste diversion requirements. As noted above, the project would be served by a local service provider for solid waste service and the Site's housekeeping staff would be responsible for collecting solid waste from the Site and individual micro-cabin RVs and placing it in the Site's secured trash bin for collection. As noted in Chapter 3 (Development Element) of the Mendocino County General Plan (2009), there are no remaining operating landfills in Mendocino County, and, as a result, solid waste generated within the County is exported for disposal to the Potrero Hills Landfill in Solano County. Based on information provided on CalRecycle's website, the Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day and a remaining capacity of 13.872 million cubic yards, and is estimated to remain in operation until February 2048 (2019). As such, the proposed would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A less than significant impact would occur.

## **MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Utilities and Service Systems.

| <b>XX. WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Impair an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on wildfire if it would impair an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges.

## DISCUSSION

The Site is located within the State Responsibility Area (SRA), just outside of the service boundaries of the Hopland Fire Protection District (HFPD), and is served by the California Department of Forestry and Fire Protection (CalFire) (Mendocino County Maps - Fire Responsibility Areas - Hopland, 2019). The Site is mapped as located within a "Moderate" fire hazard severity zone (Mendocino County Maps - Fire Hazard Severity Map, 2007). The nearest fire station to the Site is the Hopland Fire Protection District station, located approximately 3.2 miles northwest of the Site, with the nearest CalFire station located 5.3 miles northwest of the Site. As the Subject Property is located within the SRA, the project is required to comply with the Fire Safe Regulations adopted by the State Board of Forestry in Title 14 of the California Administrative Code. These include standards for roads, defensible space, and an emergency water supply. The Major Use Permit application was referred to the Hopland Fire Protection District (HFPD), also called the Sanel Valley Fire District, and CalFire on February 18, 2020. No response was received from the HFPD and in a response dated February 24, 2020 CalFire responded that the project must meet all conditions of approval in the CalFire Fire Safe Application (CalFire File Number 12-20) submitted by the Applicant to CalFire on January 13, 2020 to ensure the project would comply with the applicable State standards, including the 2016 Fire Safe Regulations adopted by the State Board of Forestry in Title 14 of the California Administrative Code. The project obtained Preliminary Clearance on January 15, 2020. CalFire conditioned the project to require a clearly posted address, adequate driveway and roadway widths for emergency response vehicles, defensible space around proposed structures, and an emergency water system that includes the installation of a fire hydrant system and at least 5,000 gallons of dedicated emergency water storage. Prior to occupancy or use, a Final Inspection and Occupancy Permit must be obtained from CalFire. On June 25,

2020, LACO, on behalf of the Applicant, contacted the HFPD requesting feedback on the proposed project. Ron Roysum, Battalion Chief and Fire Marshal with the HFPD, responded with a request to provide an additional 5,000 gallons of dedicated emergency water storage on-site, for a total of 10,000 gallons. The HFPD additionally requires the completion of a standard Application for Fire District Plan Review and a complete set of plans prior to approval of any building permits for the proposed project.

The Site is currently undeveloped and primarily comprised of oak trees, shrubs, and grasslands. The proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands flatter portions of the Site, with steep (25 to 35 percent slope) wooded hillslopes remaining primarily undeveloped. Tree and vegetation removal would be limited to the footprints of the micro-cabin RV pads, access roads/trails, lodge facility and parking area, and 100 feet from each side of the lodge facility, as required by CalFire for defensible space. Standard fire-safe operating procedures that guests and staff would be expected to comply with and implement year-round include utilizing U.S. Forest Service (USFS)-approved fire pits that would be locked by on-site staff during burn bans, designating areas where smoking is prohibited, providing parking areas surfaced for year-round travel, and general clearing of understory and brush. The fire pits would be located on four-to-six inches of pure crushed stone atop a compacted subgrade and would be lodged into the compacted stone with an excavator so that they cannot be moved by guests. In addition, upon entering the cabins at check-in, guests would be provided with internal regulations concerning fire safety and each micro-cabin RV would be independently equipped with a fire extinguisher.

As discussed above, the new access road would be utilized as the primary Site access, with the existing paved driveway, which serves the adjacent private residence, to be utilized by guests and employees only during an emergency exiting situation such as a wildland fire, or for emergency vehicle access only. The Preliminary Site Plan (LACO, 2020a) proposes a preliminary roadway design that complies with CalFire road standards for residential development, including, but not limited to standards for minimum roadway widths, standard turnouts and turnarounds, maximum grades, and minimum inside radii. In addition, the proposed water system would include a 20,000 gallon treated water tank, to be constructed using materials that meet appropriate CalFire standards and placed at the upper elevation of the Site, and fire hydrants to be located throughout the Site in close proximity to all proposed micro-cabin RV pads and structures. The proposed treated water tank volume, is currently estimated at 20,000 gallons, which would include standby water volume for fire flow to on-site hydrants, the fire sprinkler system in the lodge facility, and the supply for daily flow of the treated water for use by the micro-cabin RVs and lodge facility. As required by CalFire and the HFPD, up to 10,000 gallons of the treated water storage would be provided for on-site for emergency water use. Although the micro-cabin RVs are exempt from fire sprinklers, a fire supply riser would be placed within 150 feet of each proposed micro-cabin RV pad.

XX.a) The County of Mendocino County adopted a *Mendocino County Operational Area Emergency Operations Plan* (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the County's website, the County EOP, which complies with local ordinances, state law, and stated and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within the County. The purpose of the County EOP is to "*facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies*" (County of Mendocino – Plans and Publications, 2019).

As discussed under Section IX (Hazards and Hazardous Materials), above, there are no components of the project that would impair an adopted emergency response plan or emergency evaluation plan, including the adopted County EOP. The Site is located with the SRA and within a "Moderate" fire hazard severity zone.

All project components would be required to be designed in accordance to state and local standards, including safety and emergency access requirements and CalFire's Fire Safe Regulations. As discussed above, the Applicant submitted a Fire Safe Regulations application on January 13, 2020 (CalFire File Number 12-20) and obtained Preliminary Clearance on January 15, 2020. Prior to occupancy or use, a Final Inspection and Occupancy Permit must be obtained from CalFire. CalFire conditioned the project to require the Applicant to provide adequate driveway and roadway width for emergency response vehicles, provide an adequate emergency water supply on-site, and maintain defensible space for fire protection purposes in order to ensure State Fire Safe Regulations are met. As a result, a less than significant impact would occur.

XX.b) The Site is currently undeveloped and primarily comprised of oak trees, shrubs, and grasslands. The proposed development is focused on openings in the oak woodland canopy, clearings, and open grasslands flatter portions of the Site, with steep (25 to 35 percent slope) wooded hillslopes remaining primarily undeveloped. As discussed above, the project would be constructed and operated in compliance with CalFire's Fire Safe Regulations and standard fire-safe operating procedures would be followed by staff and guests year-round to ensure adequate fire protection measures and access. In addition, upon entering the cabins at check-in, guests would be provided with internal regulations concerning fire safety and each micro-cabin RV would be independently equipped with a fire extinguisher. Although proper precautions and measures would be taken during Site development, operation, and maintenance, the potential exists for wildland fire to inadvertently be ignited when equipment is utilized or outdoor campfires are built near dry grassland, especially during periods of increased fire danger. Potential impacts would be reduced through compliance with the conditions and regulations mentioned above and Mitigation Measures HAZ-1 and HAZ-2, which require the posting of signs in various locations on-site to inform guests that campfires are only permitted within the installed fire pits and the preparation of a fire safety and evacuation plan in accordance with California Fire Code (CFC) Chapter 4, respectively. With mitigation incorporated, a less than significant impact would occur.

XX.c) The Site is currently vacant and undeveloped, and the proposed project would require the installation and maintenance of associated infrastructure, including internal access roads; primary and secondary Site access roads; walking trails; on-site underground utility line (electricity, water, and on-site septic) installation and connections; construction of on-site water treatment and supply and wastewater disposal systems; installation of an emergency water supply system, including fire hydrants; construction of a private well on the adjacent agricultural land; and an off-site underground water line connecting the proposed well to the on-site water system. Installation and maintenance of the aforementioned infrastructure would reduce the potential for a risk of fire and while the installation activities would result in temporary impacts to the environment, they would be reduced through the implementation of Best Management Practices (BMPs) during construction, to limit the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include, for example, straw bales, fiber rolls, and/or silt fencing structures to ensure the reduction in erosion resulting from construction and to avoid runoff into sensitive habitat areas (including the unnamed tributary and downstream watercourses), limit ground disturbance, and stabilize disturbed soil areas as soon as feasible after construction is completed. A less than significant impact would occur.

XX.d) The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges, as the Site is located in a rural area with limited development. A less than significant impact would occur.

#### **MITIGATION MEASURES**

Refer to Mitigation Measures HAZ-1 and HAZ-2 under Section IX (Hazards and Hazardous Materials), above.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Wildfire.

| XXI. MANDATORY FINDINGS OF SIGNIFICANCE.   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |

**THRESHOLDS OF SIGNIFICANCE:** The project would have a significant effect on mandatory findings of significance if it would have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory; have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.); or have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

**DISCUSSION**

Certain mandatory findings of significance must be made to comply with CEQA Guidelines §15065. The proposed project has been analyzed and it has been determined that it would not:

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;
- Have environmental effects that would directly or indirectly cause substantial adverse effects on human beings; or
- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.

The proposed project includes the development of a micro-cabin recreational vehicle (RV) facility (Outpost) featuring up to 45 company-owned micro-cabin RVs to be constructed off-site and towed to designated micro-cabin RV pads (see Figure 2). Once placed, the micro-cabin RV would be booked for nightly stays and would only be moved for repairs and upgrades. Currently, the three versions of the Applicant's micro-cabin RVs include a 142-square-foot 2-person micro-cabin RV, a 159-square-foot 4-person micro-cabin RV, and a 176-square-foot 2-person accessible micro-cabin RV. Each micro-cabin RV is self-contained with a walk-in shower, toilet, mini-refrigerator, 2-top induction stovetop, kitchen sink, and seating area. Micro-cabin RVs would be serviced with 50-amp electricity, water, septic, and include heating and air conditioning.

Associated improvements include the development of primary and secondary Site access roads; micro-cabin RV pads for up to 45 micro-cabin RVs; a two-story, 1,344-square-foot building (lodge facility) to house a full-time residence for an on-site manager on the second floor, with the bottom floor comprised of a small office and storage area for daytime staff, an accessible restroom, meeting room, and a laundry area for micro-cabin RV linens; a carport; walking trails; on-site underground utility line (electricity, water, and wastewater) installation and connections; construction of an on-site water treatment facility; construction of a wastewater collection and disposal systems; installation of an emergency water storage tank and water distribution system, including fire hydrants and potable water connections; construction of a private well on the adjacent agricultural land; an off-site underground water line, with a booster pump station connecting the proposed well to the on-site water treatment system; and construction of a new off-site electric utility power feed from Highway 175 to the Site.

Potential environmental impacts from the approval of a Major Use Permit to use the Site for the aforementioned proposed use, have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

XXI.a) The project may result in impacts associated with biological resources, cultural resources, and tribal cultural resources that may be significant if left unmitigated. However, implementation of mitigation measures (Mitigation Measures BIO-1 through BIO-4 and CUL-1) and conditions have been incorporated into Section IV (Biological Resources) and Section V (Cultural Resources) and Section XVIII (Tribal Cultural Resources) would fully mitigate all potential impacts on these resources to levels that are less than significant. With mitigation incorporated, a less than significant impact would occur.

XXI.b) No cumulative impacts have been identified as a result of the proposed project. Individual impacts from the project would not significantly contribute to cumulative impacts in the area as there are no known past projects nor current projects within the vicinity of the Site. Any potential future projects in the vicinity of the Site would be subject to the Mendocino County Code, and all other applicable regulations governing development in the area. The project is compatible with the existing zoning of the Site and the surrounding agricultural and rural residential land uses. A less than significant impact would occur.

XXI.c) Mitigation measures HAZ-1 and HAZ-2 have been incorporated into Section IX (Hazards and Hazardous Materials) and Section XX (Wildfire) to mitigate any potential environmental effects of the proposed project on human beings. With mitigation incorporated, the proposed project would not generate any potential direct or indirect environmental effect that would have a substantial adverse impact on human beings including, but not limited to, exposure to hazards and wildfires. With mitigation incorporated, all potential impacts associated with full build-out of the Project would be reduced to a less-than-significant level.

## **MITIGATION MEASURES**

Refer to Mitigation Measures BIO-1 through BIO-4 in Section IV (Biological Resources), Mitigation Measure CUL-1 in Section V (Cultural Resources) and Section XVIII (Tribal Cultural Resources), and Mitigation Measures HAZ-1 and HAZ-2 in Section IX (Hazards and Hazardous Materials) and Section XX (Wildfire), above.

## **FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Mandatory Findings of Significance.

## VI. REFERENCES

- Alta Archaeological Consulting (ALTA). November 26, 2019. *Archaeological Survey Report – Major Use Permit, Hopland, Mendocino County, California, APN 048-270-22, 048-270-23 & 048-270-24.*
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## FIGURES

**Figure 1 Location Map**

**Figure 2 Preliminary Site Plan**

## APPENDIX A

### **Mitigation and Monitoring Program (MMRP)**

## APPENDIX B

### **Cultural Resources Correspondence**

## APPENDIX C

### **Biological Resource Assessment with Botanical Survey and Delineation of Waters of the U.S.**

## APPENDIX D

### **Preliminary Biological Survey**

## APPENDIX E

### **Getaway Outpost Estimated Water Use Technical Memo**