

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**DRAFT  
INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION  
FOR  
UKIAH WESTERN HILLS OPEN LAND ACQUISITION AND  
LIMITED DEVELOPMENT AGREEMENT**



April 16, 2021  
SCH No: XXXXXX

*Prepared by:*

**City of Ukiah  
Community Development Department  
Planning Division  
300 Seminary Avenue, Ukiah, CA 95482**

## Table of Contents

<b>I. PROJECT INFORMATION</b>	<b>1</b>
<b>II. PROJECT DESCRIPTION</b>	<b>2</b>
1. <i>Project Location</i>	2
2. <i>Environmental Setting</i>	2
3. <i>Background</i>	3
4. <i>Project Components</i>	3
ACQUISITION & ANNEXATION	4
PREZONE	4
LOT LINE ADJUSTMENT	5
DEVELOPMENT AGREEMENT & ASSUMPTIONS	7
INFRASTRUCTURE IMPROVEMENTS	7
CONSTRUCTION	8
<b>III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED</b>	<b>12</b>
<b>IV. DETERMINATION</b>	<b>14</b>
<b>V. EVALUATION OF ENVIRONMENTAL IMPACTS</b>	<b>15</b>
1. <i>Aesthetics</i>	15
2. <i>Agriculture and Forestry Resources</i>	18
3. <i>Air Quality</i>	19
4. <i>Biological Resources</i>	23
5. <i>Cultural Resources</i>	27
6. <i>Energy</i>	30
7. <i>Geology and Soils</i>	32
8. <i>Greenhouse Gas Emissions</i>	34
9. <i>Hazards and Hazardous Materials</i>	36
10. <i>Hydrology and Water Quality</i>	39
11. <i>Land Use and Planning</i>	41
12. <i>Mineral Resources</i>	44
13. <i>Noise</i>	44
14. <i>Population and Housing</i>	47
15. <i>Public Services</i>	49
16. <i>Recreation</i>	50
17. <i>Transportation</i>	51
18. <i>Tribal Cultural Resources</i>	54
19. <i>Utilities and Service Systems</i>	55
20. <i>Wildfire</i>	58
21. <i>Mandatory Findings of Significance</i>	59
<b>VI. REFERENCES</b>	<b>61</b>
<b>VII. MITIGATION MONITORING AND REPORTING PROGRAM</b>	<b>64</b>
<b>ATTACHMENTS</b>	
A. Existing Site Photographs	
B. Biological Resource Assessment	
C. List of Tribes Contacted for AB52	

# I. PROJECT INFORMATION

<b>Project Title:</b>
Ukiah Western Hills Open Land Acquisition and Limited Development Agreement
<b>Lead Agency Address and Phone Number:</b>
<p>City of Ukiah            300 Seminary Avenue            Ukiah, California 95482            (707) 463-6200</p> <p><b>Responsible Agency</b>            Mendocino County Local Agency Formation Commission (LAFCo)            Contact: Uma Hinman, Executive Officer <a href="mailto:eo@mendolafco.org">eo@mendolafco.org</a>            200 S. School Street, Ukiah, CA 95482</p>
<b>Project Contact Person and Phone Number:</b>
<p>Maya Simerson, Project Administrator            City of Ukiah City Manager’s Office            (707) 467-5714  <a href="mailto:msimerson@cityofukiah.com">msimerson@cityofukiah.com</a></p>
<b>CEQA Contact Person and Phone Number:</b>
<p>Michelle Irace, Planning Manager            City of Ukiah Community Development Department            (707) 463-6268  <a href="mailto:mirace@cityofukiah.com">mirace@cityofukiah.com</a></p>
<b>Project Location:</b>
<p>Unincorporated Ukiah Western Hills, “Hull Properties” (APNs 001-040-83, 157-070-01, 157-070-02, 003-190-01, 157-050-09, 157-060-02, 157-050-02, 157-050-04, 157-050-03, 157-060-003, 157-050-01, 157-030-02, 157-030-03, 157-050-11 &amp; 157-050-12). In addition, the “Noguera Properties” (APNs 003-190-09 &amp; 003-110-90) are included in the annexation proposal for access only.</p>
<b>Current County of Mendocino General Plan Designation:</b>
<p>Mendocino County General Plan (Ukiah Valley Area Plan), Remote Residential, 40 Acre Minimum (“RMR40”)</p>
<b>Proposed City of Ukiah General Plan Designation:</b>
<p>Low Density Residential (LDR) and Public (P)</p>
<b>Current County of Mendocino Zoning District:</b>
<p>Upland Residential, 40 acre minimum (“UR:40”)</p>
<b>Proposed City of Ukiah Zoning District:</b>
<p>Single-Family Residential-Hillside Overlay District (R1-H) and Public Facilities (PF)</p>

## II. PROJECT DESCRIPTION

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### 1. Project Location

The Project parcels are currently located within unincorporated Mendocino County within the Ukiah Western Hills. As a part of the Project, the City of Ukiah is proposing to acquire and annex approximately 693 acres, known as the “Hull Properties” (APNs 001-040-83, 157-070-01, 157-070-02, 003-190-01, 157-050-09, 157-060-02, 157-050-02, 157-050-04, 157-050-03, 157-060-003, 157-050-01, 157-030-02, 157-030-03, 157-050-11 & 157-050-12) into the City of Ukiah’s city limits, as shown in Table 1. In addition, the “Noguera Properties” (APNs 003-190-09 & 003-110-90), totaling approximately 14 acres, will be included in the annexation proposal for access only. All of the parcels are currently located within the City’s adopted Sphere of Influence (SOI), with the exception of APNs 157-030-03, 157-030-02, 157-050-01, and a portion of APNs 157-050-02, 157-050-04, 157-060-02, 157-060-03 and 157-050-03 (totaling approximately 296 acres). See **Figure 1**, Project Location Map. As a part of the Project, the City of Ukiah is proposing to acquire (with the exception of the Noguera Properties which will remain privately-owned) and annex all of the aforementioned properties into the City of Ukiah’s city limits.

### 2. Environmental Setting

The Project area is situated within the Coast Range geologic province. The North Coast Range is comprised of a geologic feature unique to California, the Franciscan Formation, which dictates the vegetative communities. The Franciscan Formation is comprised of serpentine, sandstone, and other sedimentary rocks. This area is characterized by a Mediterranean climate; the winters are cool and wet, and the summers are hot and dry. Annual temperatures for this region range from about 30 to 100 degrees Fahrenheit.

The Project is located within the Ukiah Valley, west of the City of Ukiah, in central Mendocino County, with elevations varying from approximately 600-feet above mean sea level up to approximately 3,000 feet in the hills surrounding the city, including the Western Hills. The Ukiah valley is located approximately 30 miles east and inland from the Pacific Ocean. It runs north-south for approximately nine miles, with a maximum width of three miles. The Russian River enters the valley at the north end and runs south along the valley floor. Ukiah is located along the Highway 101 corridor and near the east/west intersection of Highway 20, two hours north of the Golden Gate Bridge (see **Figure 1**). Incorporated in 1876, Ukiah is the county seat and largest city in Mendocino County.

Soils in the Project area are characterized as both Hopland, which consists of very deep, well drained soils formed in colluvium and residuum weathered from sandstone or shale on steep hills and slopes, and Maymen soils that are shallow, somewhat excessively drained soils that formed in residuum weathered from shale, schist, greenstone, sandstone and conglomerate. These soils have a shallow depth to bedrock.

The Project site(s) consists of mostly undeveloped parcels with firebreaks and private access roads. In 2003, a shaded fuel break was constructed (North to South) along the base of the western hills

along the entire length of the City to reduce fuel loads and protect the community from wildfire risk. Maintenance was performed on the 100-ft wide, 2.6-mile fuel break in late 2018 and early 2019. The fuel break will continue to be maintained by CalFire. The parcels have been subject to vegetation management and grading practices, including clearing areas for potential water tank pad sites and house sites, over the last several years through the County’s permitting process. The parcels are currently accessed through existing dirt and gravel roads that traverse the Noguera Properties and connect to Redwood Avenue.

Vegetation on the Project parcels includes native and nonnative annual and perennial grasses, with dense chaparral and mixed hardwood forest throughout. Native trees in the area primarily consist of California bay laurel (*Umbellularia californica*) and California black oak (*Quercus kelloggii*). Undergrowth consists largely of poison oak (*Toxicodendron diversilobum*) and Western bracken fern (*Pteridium aquilinum*). The terrain is very rugged and steep (greater than 50% slope in many areas). The Russian River runs north to south, one mile east of the Project area. Two unnamed creek drainages flow through two of the parcels at the bottom of steep canyons. In addition, two perennial streams flow approximately 2,000-feet to the north and south—Gibson Creek and Doolan Creek, respectively.

### **3. Background**

Certificates of Compliance and Lot Line Adjustments were recorded over the last several years, resulting in the current parcel configuration (see **Figure 2**). The existing road was installed in the 1960’s, and road improvements were completed throughout 2015-2017; in 2018 the road was extended further west. In addition, a water tank pad site was cleared and developed in 2018. Vegetation management was also performed on the property throughout 2017-2020 and included site prep (vegetation removal only, no grading) of the seven potential house sites (proposed “Development Parcels”).

The City has a vision, and is working towards a goal, of promoting the protection of Ukiah’s western urban interface to restore and conserve forest and stream ecosystems, provide large-scale wildfire mitigation and to protect the Upper Russian River Watershed to benefit fish, wildlife and the greater Ukiah community. In order to achieve this goal, the City proposes to acquire and annex approximately 693 acres (“Hull Properties”) in the Western Hills for open space preservation, while allowing the potential for future low-density residential development on the approximately 54 easternmost acres, consistent with existing development in the Western Hills within the City of Ukiah limits. In addition, the “Noguera Properties”, totaling approximately 14 acres, are included in the annexation proposal for access only, but will remain under private ownership.

### **4. Project Components**

Section 15378 of the California Environmental Quality Act (CEQA) defines a “Project” as an activity that (1) is a discretionary action by a governmental agency; and (2) will either have a direct or reasonably foreseeable indirect impact on the environment. (Pub. Res. Code, § 21065). “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.

Accordingly, for this CEQA analysis, the “Proposed Project” includes the following: 1) Acquisition and annexation of the parcels; 2) Rezoning the parcels to PF and R1-H (and associated Zoning Map and General Plan Map Amendments upon approval of the annexation application); 3) Lot Line Adjustment to reconfigure the existing parcels into seven lots (“Development Parcels”) for future potential development; 4) Development Agreement between Hull Properties and the City allowing up to one single-family home and one accessory dwelling unit on each Development Parcel (14 units total); and 5) site improvements including extension of City utilities, road improvements, and construction of the water tank. Each of these components are described further in detail below.

## ACQUISITION & ANNEXATION

The Project proposes to annex the parcels listed below in **Table 1**, totaling approximately 707 acres (“Annexation Parcels”) and within the County of Mendocino’s jurisdiction, into the City of Ukiah. One approximately 188-acre parcel (APNs 157-050-03 & 157-060-003) was donated to the City in December, 2020. The City is currently actively pursuing the purchase and acquisition of the remaining parcels (“Hull Properties”), with the exception of the “Noguera Properties” (APNs 003-190-09 & 003-110-90) which will be utilized for access only and remain under private ownership. In order to complete the acquisition, the City will enter into a Property Exchange and Development Agreement (“Development Agreement”) with the current owner of the Hull Properties subject to the annexation application. Under the Development Agreement, the current owner will convey the Annexation Parcels to the City in exchange for real property owned by the City and a payment from the City of an amount to make up the difference between the fair market value of the exchanged properties. Under the Development Agreement, the City is required to submit its annexation application to the Mendocino County Local Agency Formation (LAFCo), after it acquires title to the Annexation Parcels.

The proposed parcels for annexation would be contiguous to existing City of Ukiah city limits. In accordance with LAFCo-adopted policies and procedures, the City would submit an application for annexation to LAFCo for approval of the overall Project. This Initial Study is intended to meet both the LAFCo and CEQA requirements for annexation and the overall Project.

Under CEQA, the term “responsible agency” includes all public agencies other than the lead agency that have discretionary power over the Proposed Project. Accordingly, the City of Ukiah is the lead agency and LAFCo is the responsible agency.

## PREZONE

The Annexation Parcels within the City’s current SOI (Parcels 1-7, and a portion of Parcels 8 & 10 resulting from the Lot Line Adjustment) will be rezoned prior to their annexation into the City of Ukiah. Government Code Section 65859 allows the City of Ukiah to adopt (i.e., prezone) a zoning district for land outside of the city limits in anticipation of annexation and development. Under the provisions of the Government Code, the zoning district adopted by the City does not become effective unless and until the land is annexed into the City. Once the parcels are annexed into the City, the site(s) would not be developed until an applicant submits a project site plan for development on the Development Parcels. Until the property is annexed, it is subject to existing zoning under Mendocino County’s Zoning Ordinance. After the City acquires title to the Annexation Parcels prior to their annexation into the City, those parcels used for municipal purposes are not subject to County zoning or building codes. Rezoning of the parcels will require a Zoning Map and General Plan Map Amendment upon approval of the annexation application.

The City proposes to annex approximately 640 acres total, collectively referred to as the “Conservation Parcels”, for open space and conservation. Although the City does not currently have a standalone

Open Space zoning designation, the City's existing Public Facilities (PF) zoning designation encompasses lands within the City that contain open space and parks, as well as other public facilities. Accordingly, the portion of the proposed parcels within the current SOI (a portion of Parcels 8 & 10, totaling approximately 343 acres) intended for open space are referred to as the "Inside Conservation Parcels" and are proposed to be rezoned PF (with a "Public" General Plan land use designation) which specifically identifies public or quasi-public uses, including, but not limited to, natural resource conservation areas and parks and recreation. In addition, the City can utilize its parks ordinance (Division 1, Chapter 12 of the Ukiah City Code) to provide rules governing City and public use of PF zoned property. For the portion of the Conservation Parcels located outside of the SOI ("Outside Conservation Parcels," consisting of approximately 296 acres), the City will ensure that they remain preserved as open space through City Council resolution or other means, rather than rezoning them PF. Proposed Parcels 8 and 10 would effectively be "split zoned"; the portion within the SOI would be rezoned PF, while the remaining portion outside of the SOI would not be rezoned, but subject to a conservation easement, or other City Council action prohibiting development and preserving it as open space. See **Figure 3**, Proposed Parcel Configuration & Rezoning. Under Government Code Section 56742, City-owned parcels proposed for annexation are not required to be located within the City's SOI. City-owned parcels can be located anywhere in the County as long as they are less than 300 acres, owned by the City, and used for municipal purposes at the time of the annexation application.<sup>1</sup>

The proposed Development Parcels (all located within the current SOI, totaling approximately 54 acres) will be rezoned to Single-Family Residential-Hillside Overlay District (R1-H) with a General Plan Designation of Low Density Residential (LDR), consistent with adjacent City zoning and development patterns in the Western Hills. In addition, the Noguera Properties (APNs 003-190-09 & 003-110-90) will be rezoned R1-H for consistency with surrounding zoning and land uses, but are not included as Development Parcels, as they will continue to be utilized for access only. The -H Overlay District is intended to encourage planning, design, and development while preserving natural physical features and minimizing potential safety, water runoff and soil erosion concerns associated with the natural terrain.

This approach will allow the City to adequately preserve and protect the collective Conservation Parcels (640 acres total), while allowing orderly and clustered low-density residential development within the Development Parcels (54 acres).

## LOT LINE ADJUSTMENT

The Project also proposes a Lot Line Adjustment to reconfigure ten existing parcels and utilize up to seven lots (Development Parcels) ranging in sizes from 5 to 10 acres each for future single-family residential development, which Hull Properties intends to sell for individual development. See **Table 1** below which identifies the existing and proposed parcels, as well as their proposed rezoning. Please also refer to **Figure 2**, which shows the existing parcel configuration and **Figure 3**, which shows the proposed configuration. Typically, Lot Line Adjustments are ministerial actions. However, as CEQA Guidelines Section 15268(d) states, "*Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.*"

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<sup>1</sup> Under Section 56742, if the City conveys any such City-owned parcels after they were annexed, they automatically become detached from the City, unless they have become contiguous to the City limits.

**Table 1. Annexation Parcels, Proposed Lot Line Adjustment and Rezoning**

Assessor's Parcel Number (APN)	Existing Size (+/acres)	Proposed Size (+/-acres) through Lot Line Adjustments	Resulting Parcel Configuration, Intended Use and Proposed Rezoning
001-040-83	77.6	9.8	Parcel 1 will become a Development Parcel intended for single family residential development and rezoned R1-H.
157-070 01, 157-070-02, 003-190-01 & 157-050-09	148.2	5.1	Parcel 2 on Existing Conditions Tentative Map, contains several APNs but is one legal parcel (149 acres total). This parcel will become a Development Parcel intended for single-family residential development and rezoned R1-H.
157-050-11	40.0	9.9	Parcel 3 will become a Development Parcel intended for single-family residential development and rezoned R1-H.
157-050-02	40.5	9.0	Parcel 4 will become a Development Parcel intended for single-family residential development and rezoned R1-H.
157-050-01	40.3	5.0	Parcel 5 will become a Development Parcel intended for single-family residential development and rezoned R1-H.
157-030-02	20.0	9.7	Parcel 6 will become a Development Parcel intended for single-family residential development and rezoned R1-H.
157-050-12	40.0	5.0	Parcel 7 will become a Development Parcel intended for single-family residential development and rezoned R1-H.
157-050-04 & 157-060-02	38.7	391.5	Parcel 8 will become a Conservation Parcel. However, a portion of it will be located outside of the City's current SOI. The portion within the SOI will be rezoned PF. The proposed water tank will be placed on this parcel within the existing water tank pad site (on existing Parcel 2).
157-030-03	60.0	60.0	Parcel 9 is an Outside Conservation Parcel and will not be rezoned.
157-030-03 & 157-060-03	188.5	188.5	Parcel 10 will become a Conservation Parcel. However, a portion of it will be located outside of the City's current SOI. The portion within the SOI will be rezoned PF.
"Noguera Properties" 003-190-09 & 003-110-90	10.20 4.14	10.20 4.14	These parcels contain the existing access road that will be improved but remain under private ownership. It will be included in the annexation proposal and rezoned R1-H, consistent with surrounding zoning and land uses, but no development is proposed; this parcel is not included in the Lot Line Adjustment.
<b>TOTAL</b>	<b>+/- 707 acres</b>		



## DEVELOPMENT AGREEMENT & ASSUMPTIONS

As previously noted, the total acreage to be potentially developed is approximately 54 acres. The remaining acreage of 640 acres, and the majority of the total acreage proposed for annexation, is intended for open space conservation. The proposed Development Agreement between Hull Properties and the City limits development to one single-family dwelling and one accessory dwelling unit (ADU) per parcel (14 units total). The Project does not propose any residential development at this time; after the parcels are annexed into the City the sites would not be developed until an applicant submits a project site plan for development, subject to discretionary review, as required by the City's Hillside Overlay Zoning District. However, no purchasers have been identified, and the timing of the sale and development of the properties is unknown. The Noguera Properties that will be annexed and utilized for access are not included in the Hull Properties Development Agreement.

While the R1 zoning district does not identify a maximum lot size, it typically contains single-family residential subdivision lots ranging in size from six thousand (6,000) to ten thousand (10,000) square feet. The –H Overlay District requires a minimum 10,000 square foot lot, and increases with the slope of the site. The –H Overlay District allows for single-family residential development and development of an ADU in areas with less than 50% slope (subject to approval of a discretionary Use Permit and Site Development Permit).

The City of Ukiah General Plan allows for six dwelling units per acre for the Low-Density Residential designation. However, because the proposed Development Agreement would limit development to one primary dwelling unit per parcel, for this analysis it is assumed that up to seven single-family homes will be developed. In addition, one ADU may be developed per lot, for a total of 14 units. While this "maximum buildout" scenario may not come to fruition based on site topography and building constraints, the above-described assumptions ensure that the Development Agreement portion of the Project is adequately analyzed under CEQA. All future development would be analyzed on a project level basis for consistency with land use policies; and would be subject to discretionary and environmental review of their individual and cumulative environmental impacts, as applicable. However, general construction information for single-family homes has been included in the analysis. Although the Noguera Properties will be rezoned R1-H for consistency with surrounding zoning and land uses, no development is proposed and the parcels will continue to be used for access only. For these reasons, development of these properties is not included in the development assumptions.

## INFRASTRUCTURE IMPROVEMENTS

Approximately one-half mile of the existing 18-ft wide gravel private access road beginning at the access point at the terminus of on Redwood Avenue (traversing the Noguera Properties), to the house sites, would be paved to serve the future housing development sites. The road improvements will include developing a cul-de-sac on Proposed Parcel 4 to serve the Development Parcels. The property owner/developer will complete the road improvements in compliance with applicable City requirements but the road will remain under private ownership that will be maintained by a Homeowner's Association (HOA) for future residential development.

City sewer, water and electric utilities would be extended to the area. The City will own and maintain utility infrastructure through the use of utility easements. All utilities will be undergrounded and located within or adjacent to existing access roads, on private parcels and previously disturbed areas. Easements will be required for all utility facilities in roadway and on parcels as necessary.

An onsite community sewer system with a holding tank and sewer line, rather than a leach field, will be constructed for discharging wastewater (effluent only) to a City sewer main at the end of Redwood

Avenue. Proposed Development Parcels 1-3 are located within the Ukiah Valley Sanitation District (UVSD) service area, while Proposed Development Parcels 4-7 are not. However, sewer service would be provided to the Development Parcels by the City for parcels located both within and outside of the UVSD.

Water utilities would be extended by connecting the Development Parcels to the existing water main on Redwood Avenue. Water would be provided by the City. In addition to extending water utilities to the proposed residential developments, the City desires to add new water storage and fire protection facilities in the Western Hills. Therefore, an approximately 150,000-gallon (33ft x 33ft) water tank would be placed within the existing water tank pad site (identified by a blue dot on the Project Map).

Electric utilities would be extended from Helen/Redwood Ave to provide electric service. Easements will be required for all utility facilities in the roadway and on parcels as necessary to provide electric service. The electric system will be in accordance with State and Federal requirements.

## CONSTRUCTION

Proposed road improvements, and the underground extension of City utilities would be completed by the property owner. The water tank would be constructed by the City (or its contractors). Road improvements and utility extension is anticipated to take approximately 1-2 months, beginning in the summer 2021, pending project approval. Water tank construction would occur over 5-10 days. All construction will take place between the hours of 7:00 a.m. and 7:00 p.m., per the City's Noise Ordinance, and will require the use of typical construction equipment including, but not limited to: hand tools, power tools, heavy equipment, manlift, small crane, backhoe, dozer, excavator, forklift, paver, roller, tractor, water truck, grader, etc. Construction equipment and staging will be located within existing disturbed areas and roadways. It is anticipated that approximately 8-10 construction workers will be required.

Extension of utilities would require 3-24" wide trenches to be dug within the access road or other disturbed areas for approximately one-half-mile from the connection point within Redwood Avenue to the Development Parcels. Because the road and water tank pad site are pre-existing, minimal vegetation removal and grading will be required; no trees are proposed for removal. Additional grading may be required to extend driveways to the cul-de-sac and access road. Standard Best Management Practices including, but not limited to, the placement of straw, mulch, seeding, straw wattles, silt fencing, etc. will be implemented during construction, as appropriate.

Residential development would not begin until a buyer purchases one of the proposed Development Parcels and submits a site-specific plan for development. Typically, construction of a single-family dwelling takes approximately 6-10 months to complete and would require the use of the aforementioned standard construction equipment.



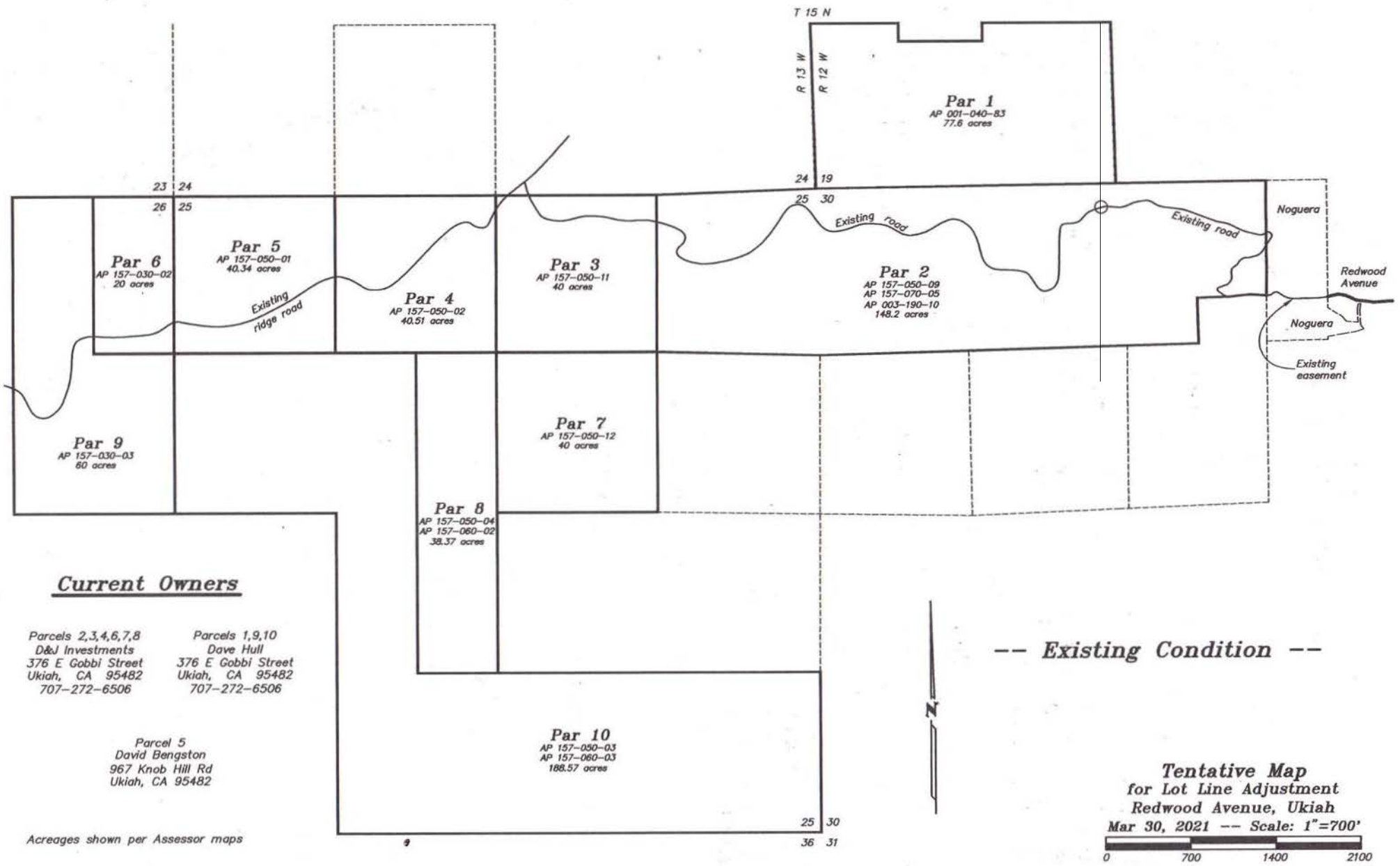
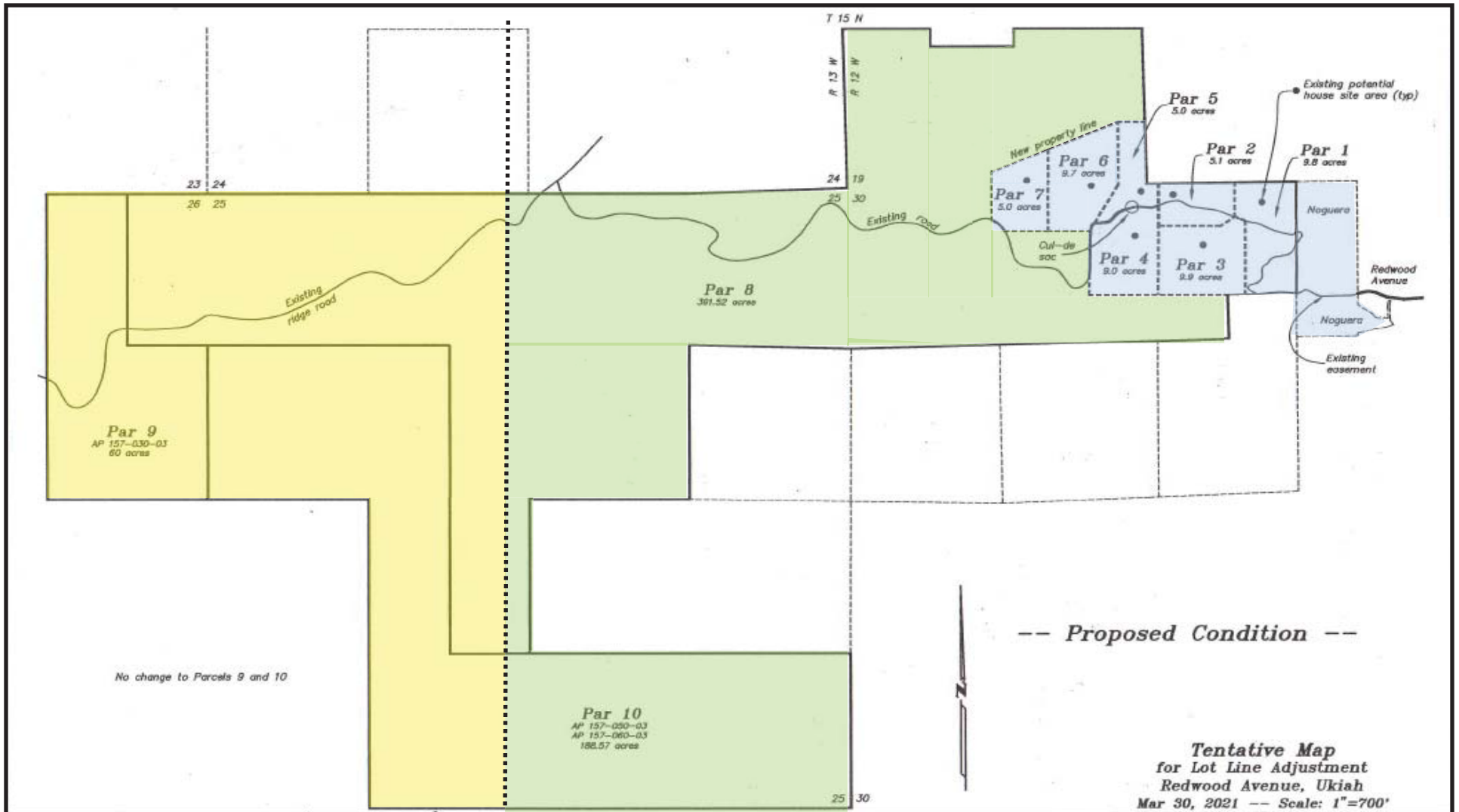
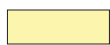


Figure 2



## Proposed Parcel Configuration & Prezoning for Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project

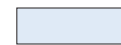
..... Sphere of Influence



"Outside Conservation  
Parcels (296ac)" not  
included in Prezoning



"Inside Conservation  
Parcels" (343ac) with  
Public Facilities (PF)  
Prezoning



"Development Parcels (54ac) with  
Single-Family Residential-Hillside  
Overlay District (R1-H) Prezoning

\*\*Noguera Properties will be utilized for access only.  
No development is proposed.

### III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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**Purpose of the Initial Environmental Study:** This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Project, as proposed, would have a significant impact upon the environment.

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

**Summary of Findings:** The City proposes to acquire and annex approximately 693 acres (“Hull Properties”) in the Western Hills for open space preservation, while allowing the potential for future low-density residential development on the approximately 54 easternmost acres, consistent with existing development in the Western Hills within the City of Ukiah limits. In addition, the “Noguera Properties”, totaling approximately 14 acres, will be included in the annexation proposal for access only, but will remain under private ownership.

Project components including the acquisition, annexation, and rezoning of parcels (and associated Zoning Map and General Plan Map Amendments), in addition to the Lot Line Adjustment, would not directly result in impacts to the physical environment. Therefore, they are not discussed in detail throughout the resource sections related to physical environmental impacts.

However, under the Development Agreement, infrastructure improvements and the potential construction of up to seven single-family homes and associated ADUs, could result in a total of 14 units within the easternmost 54 acres of the Project area. It is unknown whether all of the single family homes, and ADUs in particular, would be developed, but physical impacts would vary depending on location, intensity, and other siting factors. However, the Proposed Project does not include specific development designs or proposals, nor does it grant any entitlements for development. Once the parcels are annexed into the City, the site(s) would not be developed until an applicant submits a project site plan for development on the Development Parcels. Regardless, for the purposes of this CEQA analysis, it is assumed that the development will occur. Although the Noguera Properties will be rezoned R1-H for consistency with surrounding zoning and land uses, they are not included in the Development Agreement and no development is proposed; the parcels will continue to be used for access only. For these reasons, these parcels are not included as Development Parcels and have not been included in the development assumptions.

As described throughout the Initial Study, construction and ground disturbing activities associated with these components could result in direct significant impacts to Air Quality, Biological Resources, Cultural /Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Utilities and Service Systems, and Wildfire. However, mitigation measures identified within the aforementioned sections would reduce impacts to less than significant. Mitigation measures identified within the Initial Study and Mitigated Negative Declaration related to ground disturbing activities and construction for road and utility improvements, as well as residential development, will be included in the Development Agreement and Lot Line Adjustment as Conditions of Approval to ensure that they are implemented accordingly. A Mitigation Monitoring and Reporting Program is provided in Section VII of this Initial Study.

All future residential development would be analyzed on a project level basis for consistency with land use policies; and would be subject to discretionary and environmental review of their individual and cumulative environmental impacts, as applicable.

Based upon the analysis contained within this Initial Study and Mitigated Negative Declaration, all potential impacts resulting from the Proposed Project would be less than significant with incorporation of mitigation.

## IV. DETERMINATION

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On the basis of the initial evaluation that follows:

     I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

  X   I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures and project revisions have been identified that would reduce all impacts to a less than significant level. A MITIGATED NEGATIVE DECLARATION will be prepared.

     I find that the proposed Project MAY have a significant effect on the environment. An ENVIRONMENTAL IMPACT REPORT is required.

     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.

     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

April 16, 2021

\_\_\_\_\_  
Date

Michelle Irace, Planning Manager  
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City of Ukiah  
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## V. EVALUATION OF ENVIRONMENTAL IMPACTS

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The purpose of this Initial Study/Negative Declaration (IS/MND) is to provide an analysis of the potential environmental consequences as a result of the proposed Project. The environmental evaluation relied on the following categories of impacts, noted as column headings in the IS checklist, in accordance with CEQA Guidelines Appendix G.

**“Potentially Significant Impact”** is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

**“Less Than Significant With Mitigation Incorporated”** applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.”

**“Less Than Significant Impact”** applies where the Project would not result in a significant effect (i.e., the Project impact would be less than significant without the need to incorporate mitigation).

**“No Impact”** applies where the Project would not result in any impact in the category or the category does not apply. This may be because the impact category does not apply to the proposed Project (for instance, the Project Site is not within a surface fault rupture hazard zone), or because of other project-specific factors.

### 1. Aesthetics

<b>AESTHETICS.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 nonurbanized 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"/>

**Significance Criteria:** Aesthetic impacts would be significant if the Project resulted in the obstruction of any scenic vista open to the public, damage to significant scenic resources within a designated

State scenic highway, substantial degradation to the existing visual character or quality of the site and its surroundings from public views, or generate new sources of light or glare that would adversely affect day or nighttime views in the area, including that which would directly illuminate or reflect upon adjacent property or could be directly seen by motorists or persons residing, working or otherwise situated within sight of the Project.

**Environmental Setting:** The City of Ukiah is located within the Ukiah Valley, and scenic resources include not only the natural environment, but the built environment as well. One of the most notable scenic resources in the City limits is the Western Hills. Views of expansive hillsides to the north, East and south, within the County jurisdiction, also surround the City. Some hillsides are densely forested with evergreen trees, while others are relatively open in comparison, dominated by mature oak trees set amid scrub and grasslands. Some residential development is visible within the Western Hills from the valley floor. Water in the form of creeks, streams, and rivers is often a prominent feature in the landscape as well. Protecting the natural scenic features has been a priority for the City.

The Mendocino County General Plan identifies the Mendocino Coast, Redwood groves and the pygmy forests as scenic resources in the County. Many open space and scenic areas in Mendocino County are protected under easements managed by land trusts, none of which are located within the vicinity of the Proposed Project. According to the Ukiah Valley Area Plan (UVAP), development in the inland portion of Mendocino County is generally concentrated into nodes surrounded by open space and agriculture. This development pattern contributes to the rural “small town” character of the Ukiah valley. Preserving this character is essential to the community vision for the future. The western and eastern hills frame the valley, creating an aesthetic resource for residents and visitors. Many developed portions of the valley enjoy sweeping views of open space and the hillsides, adding character and economic value to property throughout the valley.

The Project site(s) consists of mostly undeveloped parcels with firebreaks and private access roads. The parcels have been subject to vegetation management and grading practices, including clearing areas for potential water tank pad sites and house sites, over the last several years through the County’s permitting process. Vegetation on the Project parcels includes native and nonnative annual and perennial grasses, with dense chaparral and mixed hardwood forest throughout.

**Discussion: (a & c) Less than significant impact.** Scenic vistas are typically described as areas of natural beauty with features such as topography, watercourses, rock outcrops, and natural vegetation that contribute to the landscape’s quality. The Western Hills, including the Project site are considered a scenic vista. Generally speaking, public views of the Western Hills are available from roadways, and adjacent residential areas within the valley floor. Some residential development is visible within the Western Hills from the valley floor.

The main purpose of the Project is to acquire and preserve open space for scenic and biological preservation. Approximately 640 acres would remain open space, while 54 acres would be potentially developed with up to 14 units (one single-family dwelling and one ADU per lot). Although the Project does not include specific development proposals for construction of the homes, the Development Agreement allows the potential for the homes to be built at some point in the future. Future development of these homes, in addition to construction of the water tank and infrastructure improvements, could have the potential to impact scenic vistas and the visual character of the area, depending on location, height, siting, design, proximity to scenic resources, etc. However, the potential homes are all proposed in the lowest elevation of the Project area, therefore limiting visual impact from the valley floor. In addition, as outlined in the City’s Zoning Ordinance (UCC Section 9018), R1 zoning

contains development standards including a 30-foot height limitation for single-family home. This scale of potential development would be similar to residential development in the area east of the site. While the easternmost portion of the Project that could be developed with homes, development of these homes would not substantially degrade a scenic vista or the visual character of the area, as it is assumed they would be constructed within the existing house sites and not require a substantial amount of vegetation removal. In addition, one of the intentions of the –H District is to preserve outstanding natural physical features, such as the highest crest of a hill, natural rock outcroppings, major tree belts, etc. Allowing the development of homes on the easternmost portion of the site, while preventing residential development on the remaining 640 acres, will ensure orderly development patterns to prevent sprawl and visual degradation within the Western Hills. The assumed low-density development pattern is consistent and contributes to the rural “small town” character of the Ukiah Valley and consistent with proposed City zoning for the sites. In addition, future residential development would be subject to discretionary and environmental review, and be required to comply with City regulations for height, setbacks, and other development standards established to protect natural features and scenic resources within the Western Hills. Therefore, the potential residential development associated with the Project would not conflict with applicable zoning and other regulations governing scenic quality.

Sewer, water and electric utilities would be extended from Redwood Avenue to the house sites, but would be located underground within the existing roadway to avoid visual impacts. The proposed water tank (33 ft x 33ft) would be colored a shade of green to blend in with the landscape. The water tank site has already been cleared of vegetation and is surrounded by trees, making it less visible to the public. Due to the location and topography of the site, and distance from public views, such as those in adjacent residential areas or views from the valley floor, the proposed water tank would not significantly impact scenic resources on the site or in the area. Visual impacts related to trenching and other construction activities to extend utilities would be temporary.

For the aforementioned reasons, the Project would not result in a significant impact to scenic vistas, nor the visual character of the site or area. Impacts would be **less than significant**.

**(b) No impact.** According to the California Department of Transportation’s (Caltrans) State Scenic Highway System Map, there are no designated state scenic highways within the vicinity of the project. In addition, there are no highways identified as eligible for state designation. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Lastly, the City’s General Plan, the County General Plan and the Ukiah Valley Area Plan do not designate any local scenic roads in the Project area; **no impact** to scenic resources within a designated scenic corridor would occur.

**(d) Less than significant impact.** New sources of light and glare associated with future residential development could include building-mounted outdoor lighting, indoor residential lighting, and new sources of glare from windows and cars). All lighting would be required to be downshielded and comply with the Dark Skies Ordinance to protect nighttime views. These sources of light and glare would be typical of those associated with low-density residential development and would not be considered “substantial”. Therefore, impacts would be **less than significant**.

## 2. Agriculture and Forestry Resources

<b>AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson 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 Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The Proposed Project would have a potentially significant impact on agricultural resources if it would convert prime farmland to a non-agricultural use, conflict with a Williamson Act contract, or disrupt a viable and locally important agricultural use. The Project would have a potentially significant impact on forestry resources if it would result in the loss, rezoning or conversion of forestland to a non-forest use.

**Environmental Setting:** According to the UVAP, early agricultural efforts in the Ukiah Valley included the raising of livestock, and the growing of various grains, hay, alfalfa, and hops. When the Northwestern Pacific Railroad was completed in 1889; prunes, potatoes, pears, and hops could be grown and sent to San Francisco and other regional markets. Wine grapes were planted, and irrigation was practiced on a small scale. Through the 1950's, hops, pears, prunes and grapes were the most widely planted crops in the Ukiah Valley. After the railroad was completed, lumber mills sprang up in the Ukiah Valley and became the major industry in Mendocino County as trains took redwood logs and processed boards south to the San Francisco region.

Today, much of the active agricultural land in the UVAP planning area is located on the valley floor and lower elevations along the Russian River system. Only a limited percentage of the valley's agricultural lands are currently protected under Williamson Act Agricultural Preserve contracts. The

County of Mendocino contains three zoning districts for agricultural uses: Agricultural (A-G), Rangeland (R-L), or Forestland (F-L). However, there are some active agricultural lands in unincorporated Mendocino County that currently in production that are not zoned for agricultural or rangeland uses. According to the County’s Public GIS system, there are no Williamson Act contracts within the Project site.

There are no zoning districts within the City limits for Agriculture or Timber Preserve. While there is an overlay for agriculture in the zoning ordinance, it is not applied over any parcel within the City limits.

**Discussion: (a-e) Less than significant.** According to the California Department of Conservation. Farmland Mapping & Monitoring Program, California Important Farmland Finder, the Project area does not contain Unique Farmland, or Farmland of Statewide Importance. However, the site is designated as Grazing Land, which is defined as land on which the existing vegetation is suited to the grazing of livestock but has not been used for grazing. There are no agricultural uses or Williamson Act contracts on-site or in the immediate vicinity. The Project would not convert Farmland, conflict with existing zoning for agriculture or forest land, and would not involve changes to the environment that would result in the conversion of agricultural resources to non-agriculture uses. Therefore, impacts to agricultural resources would be **less than significant**.

### 3. Air Quality

<b>AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The Proposed Project would have a significant impact to air quality if it would conflict with an air quality plan, result in a cumulatively considerable net increase of criteria pollutant which the Mendocino County Air Quality Management District (MCAQMD) has designated as non-attainment, expose sensitive receptors to substantial concentrations of air pollutants, or result in emissions that create objectionable odors or otherwise adversely affect a substantial number of people.

**Environmental Setting:** The Project is located within the North Coast Air Basin (NCAB), which includes Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma Counties, and is under the jurisdiction of the Mendocino County Air Quality Management District (MCAQMD). The area's climate is considered Mediterranean, with warm, dry summers and cooler, wet winters. Summer high temperatures average in the 90's with high temperatures on very warm days exceeding 105 degrees. Summer low temperatures range between 50-60 degrees. Winter high temperatures generally range in the 50's and 60's. The average annual temperature is 58 degrees. Winter cold-air inversions are common in the valley from November to February.

Prevailing winds are generally from the north. Prevailing strong summer winds come from the northwest; however, winds can come from the south and east under certain short-lived conditions. In early autumn, strong, dry offshore winds may occur for several days in a row, which may cause air pollution created in the Sacramento Valley, Santa Rosa Plain, or even San Francisco Bay Area to move into the Ukiah Valley.

The MCAQMD, which includes the City of Ukiah and surrounding areas, is designated as non-attainment for the State Standard for airborne particulate matter less than 10 microns in size (PM<sup>10</sup>). Particulate matter (PM) has significant documented health effects. The California Clean Air Act requires that any district that does not meet the PM<sup>10</sup> standard make continuing progress to attain the standard at the earliest practicable date. The primary sources of PM<sup>10</sup> are wood combustion emissions, fugitive dust from construction projects, automobile emissions and industry. Non-attainment of PM<sup>10</sup> is most likely to occur during inversions in the winter.

Regulation 1 of the MCAQMD contains three rules related to the control of fugitive dust:

- Rule 1-400(a) prohibits activities that "cause injury, detriment, nuisance or annoyance to a considerable number of persons...or which endanger the...health or safety of...the public..."
- Rule 1-430(a) prohibits activities which "...may allow unnecessary amounts of particulate matter to become airborne..."
- Rule 1-430(b) requires that "...reasonable precautions shall be taken to prevent particulate matter from becoming airborne..."

The MCAQMD provides the following significance thresholds for construction emissions:

1. 54 pounds per day of ROG <sup>[1]</sup><sub>SEP</sub>(reactive organic gas)
2. 54 pounds per day of NOx <sup>[1]</sup><sub>SEP</sub>(oxides of nitrogen as nitrogen dioxide)
3. 82 pounds per day of PM<sup>10</sup> (particulate matter less than 10 microns in size)
4. 54 pounds per day of PM<sup>2.5</sup> <sup>[1]</sup><sub>SEP</sub>(airborne particulate matter with a diameter of 2.5 microns or less)
5. Best Management Practices for Fugitive Dust – PM<sup>10</sup> and PM<sup>2.5</sup>

**Discussion: (a-d) Less than significant impact with mitigation incorporated.** Improvement of roadways, installation of utilities, and construction of the water tank, as well as future potential construction of single-family homes could result in impacts to air quality. Short-term construction related impacts (emissions and dust) would result from grading, vegetation removal, trenching, paving, operation of construction equipment, and vehicle trips associated with construction workers. The nearest sensitive receptor is the residence located at 680 Redwood Avenue, adjacent to the access

point and approximately 700 ft away from proposed Development Parcel 1 (and further from the existing “house site” on this parcel).

MCAQMD has a set of standard Best Management Practices (BMPs) and mitigation measures for construction projects that are intended to reduce air quality impacts and ensure that projects remain in attainment with air quality thresholds. In addition, in accordance with the City’s Hillside Overlay District, each individual housing project will require discretionary and environmental review and may require additional mitigation and air quality permits. With incorporation of the mitigation measures identified below, air quality impacts associated with short-term construction would be **less than significant with mitigation incorporated**.

Long-term air quality impacts associated with single-family residential development is typically minimal and generally associated with vehicle trips, wood burning stoves, landscape and maintenance activities, etc. However, existing building codes requiring energy efficient and low emitting equipment and features for new residential development (see Section 6, Energy, Section 8, Greenhouse Gas Emission, and Section 17, Transportation of this Initial Study for more information). With adherence to the aforementioned regulations, and others intended to reduce emissions and impacts to air quality, impacts from operation of the Project would be **less than significant**.

The MCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulatively significant adverse air quality impacts. The MCAQMD developed the operational thresholds of significance based on the level above which a project’s individual emissions would result in a cumulatively considerable contribution to the North Coast Air Basin’s existing air quality conditions. Therefore, a project that exceeds the MCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact. Because each individual construction project (including development of the single-family homes) is required to be in attainment with the established MCAQMD thresholds, it is not likely that cumulative impacts would be significant.

**Mitigation Measures:**

**AQ-1: Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles:**

- a. Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.
- b. Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.
- c. Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.
- d. Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.

**AQ-2: Grading Projects- During Construction-**All grading activities must comply with the following fugitive dust mitigation measures in accordance with District Regulation 1, Rule 1-430:

- a. All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.
- b. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 mph.
- c. Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
- d. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise airborne dusts.
- e. All earthmoving activities shall cease when sustained winds exceed 15 mph.
- f. The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.
- g. The operator shall keep a daily log of activities to control fugitive dust.
- h. For projects greater than one acre or one mile of road not located within a Naturally Occurring Asbestos Area, prior to starting any construction the applicant is required to:
  1. Submit a Large Area Grading permit application to the District.
  2. Obtain a final determination from the Air Quality Management District as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to Naturally Occurring Asbestos.
  3. Obtain written verification from the District stating that the project is in compliance with State and Local regulations relating to Naturally Occurring Asbestos.
  4. If the project is located within a Naturally Occurring Asbestos Area, additional mitigations shall be required.

**AQ-3: Property Development-**Prior to starting any construction, the applicant is required to:

- a. Obtain a Property Development Permit from the District for any open outdoor burning.
- b. Obtain a Grading Permit, if applicable.
- c. Confirm whether the project is in a Naturally Occurring Asbestos Area, and follow additional MCAQMD recommendations, if applicable.
- d. Consider alternate means of disposal other than open burning, such as cutting the majority of the larger material up as firewood, and chipping smaller material, if feasible to mitigate impacts from open outdoor burning.
- e. Obtain written verification from the MCAQMD stating that the project is in compliance with State and Local regulations.



#### 4. Biological Resources

BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 Wildlife 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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** Project impacts upon biological resources would be significant if any of the following resulted: substantial direct or indirect effect on any species identified as a candidate, sensitive, or special status species in local/regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) or any species protected under provisions of the Migratory Bird treaty Act (e.g. burrowing owls); substantial effect upon riparian habitat or other sensitive natural communities identified in local/regional plans, policies, or regulations or by the agencies listed above; substantial effect (e.g., fill, removal, hydrologic interruption) upon state or federally protected wetlands; substantially interfere with movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors; conflict with any local policies/ordinances that protect biological resources or conflict with a habitat conservation plan.

**Environmental Setting:** Regionally, the Project area has historically been used primarily for timber and firewood production, recreation, homesite development, and wildlife habitat. The Project area is comprised of five non-sensitive biological communities: Cismontane Woodland, Valley and foothill grassland, and Broadleaved upland forest habitat. According to USDA Forest Service CALVEG mapping delineation, the regionally dominant vegetation type within the Project area is comprised of

Black oak, Oregon white oak, Pacific Douglas-fir, Douglas-fir-Ponderosa pine, Interior live oak and Interior mixed hardwood.

A Biological Assessment Report (BRA) was prepared for the Project by Jacobszoon & Associates, Inc. (Jacobszoon) in March, 2021 and updated in April, 2021 (**Attachment B**). The BRA is designed to identify sensitive communities within the study area and determine the existence or potential occurrence for special-status species. The “study area” referred to within the report and this analysis comprises approximately 55 acres and includes existing dirt and gravel roads, fire breaks, water tank pad sites, and areas cleared for potential house sites. The BRA includes the analysis and comparison of existing habitat conditions within the study area and the documented range and habitat requirements of sensitive plant and wildlife species described in CDFW’s California Wildlife Habitat Relationships System (CWHR).

Jacobszoon conducted a field survey of the Project area on February 5, 2021, to document: (1) the on-site plant communities, (2) existing conditions and their ability to provide suitable habitat for any special-status plant or wildlife species, and (3) if sensitive biological communities (e.g. wetlands, vernal pools) are present. Prior to the field survey, biological information databases were accessed to determine whether sensitive biological communities, special-status species or other sensitive areas were documented within the vicinity of the study area. Existing vegetative communities were reviewed using the CDFW Vegetation Classification and Mapping Program (VegCAMP). Databases queried for the occurrence of special-status species include the USFWS Information for Planning and Consultation (IPaC), California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants, and the CDFW’s California Natural Diversity Database (CNDDB) Spotted Owl Data Viewer, RareFind and Quick Viewer, which consist of mapped overlays of all known populations of sensitive plants and wildlife. In addition, a USFWS protocol-level botanical survey was completed on March 30, 2021.

**Discussion: (a) Less than significant impact with mitigation incorporated.** Based on the database research mentioned above, the study area does not contain and is not adjacent to critical habitat for any Federal or State listed Species. However, based on existing vegetation and known habitat range, seventeen (17) special-status plant species and thirteen (13) special-status wildlife species have a moderate or high potential to occur within the study area. However, during the field survey, none were observed on-site. Because no special status plant species were observed during the field survey, the Project is not anticipated to result in significant impacts to them. However, this does not preclude the possibility of species being present at the time of construction or being impacted from vegetation removal, grading, and other ground disturbing activities for utility extension, road improvements, water tank construction, and future residential development. Therefore, as summarized below, Mitigation Measures BIO-1 through BIO-5 are proposed to ensure impacts to sensitive species are reduced to less than significant. Therefore, impacts to special status species would be **less than significant with mitigation incorporated**. Please refer to the complete BRA in **Attachment B** for more information, including a complete analysis of impacts to each of these species.

*Plants.* Seventeen (17) special-status plant species have a moderate to high potential to occur within the study area based on habitat requirements. These include: mountain lady’s slipper, Koch’s cord moss, stinkbells, Roderick’s fritillary, Mendocino tarplant, congested-headed hayfield tarplant, Contra Costa goldfields, bristly leptosiphon, broad-lobed leptosiphon, redwood lily, green monardella, white-flowered rein orchid, mayacamas popcornflower, beaked tracyina, showy Indian clover, Methuselah’s beard lichen, and oval-leaved viburnum. However, as described in the BRA (Section 5.2), no special-status plant species were observed within the study area during the field survey. Because no special

status plant species were observed during the field survey, the Project is not anticipated to result in significant impacts to them. A botanical survey was completed on March 30, 2021 and found no sensitive plant species. Per USFWS protocols, one additional survey is required during the blooming period (March-July). Mitigation Measure BIO-1 requiring full protocol-level surveys within the blooming period (March-July) prior to any ground disturbing activities will be implemented to verify the presence of special status plants, identify additional mitigation if needed, and ensure that the Project will not result in a significant impact.

*Amphibians.* One special-status amphibian, red-bellied newt (*Taricha rivularis*), has a moderate or high potential to occur within the study area. While none were observed during the field survey, implementation of Mitigation Measure BIO-2, requiring pre-construction surveys, would reduce potential impacts to special status amphibian species to less than significant.

*Fish.* The Study Area does not contain any special-status fish species or fish bearing watercourses or waterbodies. No special-status fish were observed during the biological site assessment. Future development within the study area does not have the potential to impact special-status fish species; no impact.

*Birds.* Although none were observed during the field survey, five special-status avian species have moderate or high potential to occur within the study area: northern goshawk (*Accipiter gentilis*), golden eagle (*Aquila chrysaetos*), osprey (*Pandion haliaetus*), yellow warbler (*Setophaga petechia*), and northern spotted owl (*Strix occidentalis caurina*). Additionally, most non-game bird species in California are protected under the Migratory Bird Treaty Act (MBTA), which prohibits the deliberate destruction of active nests belonging to protected species. While none were observed in the field survey, groundbreaking activities, specifically vegetation removal, within the study area during avian breeding periods have the potential to significantly impact nesting migratory bird species. Therefore, Mitigation Measure BIO-3, requiring pre-construction surveys and protection of nests (if found) would be implemented to reduce any potential impacts to less than significant.

*Insects.* Although none were observed during the field survey, two special-status insect species have moderate or high potential to occur within the study area: the obscure bumble bee (*Bombus caliginosus*) and western bumble bee (*Bombus occidentalis*). Implementation of Mitigation Measure BIO-4, requiring pre-construction surveys and protection of nests (if found), would reduce potential impacts to less than significant.

*Mammals.* Five special-status mammal species have moderate or high potential to occur within the study area: Sonoma tree vole (*Arborimus pomo*), North American porcupine (*Erethizon dorsatum*), western red bat (*Lasiurus blossevillii*), hoary bat (*Lasiurus cinereus*), and fisher [West Coast DPS] (*Pekania pennanti*). While none were observed during the field survey, implementation of Mitigation Measure BIO-5, requiring pre-construction surveys, would reduce potential impacts to less than significant.

**(b-c) Less than significant impact.** No sensitive biological communities, including riparian habitat or wetlands, were observed within or immediately adjacent to the study area. The study area does not contain any special-status fish species or fish bearing watercourses or waterbodies. The closest watercourse is a Class II watercourse located on APN 001-040-83 (existing Parcel 1 and proposed Parcel 8) of the study area. This Class II watercourse is mapped on the USFWS National Wetland Inventory as a riverine habitat classified as R4SBC. R4SBC is a riverine intermittent system with a streambed and is seasonally flooded. Riverine systems are considered watercourses for the purposes

of this assessment. The Proposed Project will not impact this watercourse, as it would be included in proposed Parcel 8, which will be preserved as open space. For the reasons discussed above, the Project would not result in a significant impact to sensitive biological communities or wetlands. Impacts would be **less than significant**.

**(d) Less than significant impact.** There are no established native resident or migratory wildlife corridors, or native wildlife nursery sites within the Project area. Because the Project includes preservation of approximately 640 acres, the Project will preserve existing habitat for wildlife species. The potential for low-density residential development may include some minor vegetation removal, but it would not substantially change foraging or wintering habitat for migratory birds. Additionally, no significant impacts to migratory corridors for amphibian, aquatic, avian, mammalian, or reptilian species is expected as a result of the Proposed Project. Impacts would be **less than significant**.

**(e-f) Less than significant impact.** There are no adopted Habitat Conservation Plans for the City of Ukiah, nor the larger Ukiah Valley that apply to the site. The Project proposes approximately 640 acres of open space for wildlife habitat. Impacts would be **less than significant**.

#### **Mitigation Measures:**

**BIO-1: Special-Status Plants.** Full USFWS protocol-level sensitive plant species surveys for Mendocino tarplant, congested headed hayfield tarplant, bristly leptosiphon, broad-lobed leptosiphon, redwood lily, green monardella, white-flowered rein orchid, Mayacamas popcornflower, beaked tracyina, showy Indian clover, and oval-leaved viburnum within the blooming period (generally March-August) shall be conducted prior to any ground disturbing activities to verify the presence of special status plants, and identify additional mitigation if needed, to ensure that the Project will not result in a significant impact.

**BIO-2: Red-belly newt.** A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of Red-belly newt, and identify additional avoidance measures, if needed.

**BIO-3: Nesting Birds.** Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities occurring between March 1 and August 31 of any year. All active bird nests shall not be removed, relocated, or otherwise disturbed for any purpose until all fledglings have left the nest.

**BIO-4: Special-Status Insects.** A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of special-status insect species and identify additional avoidance measures if needed. If a special-status insect nests are observed, active nests shall not be removed, relocated, or otherwise disturbed until the nest becomes inactive.

**BIO-5: Special-Status Mammals.** Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities. If evidence of bat roosts is observed (i.e. bat guano, ammonia odor, grease stained cavities) around trees or structures, pre-construction bat surveys shall be conducted by a qualified biologist for activities that may affect bat roosting habitat and den sites.

## 5. Cultural Resources

CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The proposed Project would significantly impact cultural resources if the significance of a historical or archaeological resource were substantially changed, or if human remains were disturbed.

Under CEQA, cultural resources must be evaluated to determine their eligibility for listing in the California Register of Historic Resources (CRHR). If a cultural resource is determined ineligible for listing on the CRHR the resource is released from management responsibilities and a project can proceed without further cultural resource considerations.

As set forth in Section 5024.1(c) of the Public Resources Code for a cultural resource to be deemed “important” under CEQA and thus eligible for listing on the California Register of Historic Resources (CRHR), it must meet at least one of the following criteria:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California History and cultural heritage; or
- 2) Is associated with the lives of persons important to our past; or
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic value; or
- 4) Has yielded or is likely to yield, information important to prehistory or history.

Archaeological resources are commonly evaluated with regard to Criteria 4 (research potential). Historic-era structures older than 50 years are most commonly evaluated in reference to Criteria 1 (important events), Criteria 2 (important persons) or Criteria 3 (architectural value). To be considered eligible under these criteria the property must retain sufficient integrity to convey its important qualities. Integrity is judged in relation to seven aspects including: location, design, setting, materials, workmanship, feeling, and association.

Guidelines for the implementation of CEQA define procedures, types of activities, persons, and public agencies required to comply with CEQA. Section 15064.5(b) prescribes that project effects that would “cause a substantial adverse change in the significance of an historical resource” are significant effects on the environment. Substantial adverse changes include both physical changes to the historical resource, or to its immediate surroundings.

Public Resources Code Section 21083.2 also defines “unique archaeological resources” as “any archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and show that there is a demonstrable public interest in that information.
- Has a special and particular quality, such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person."

This definition is equally applicable to recognizing "a unique paleontological resource or site." CEQA Section 15064.5 (a)(3)(D), which indicates "generally, a resource shall be considered historically significant if it has yielded, or may be likely to yield, information important in prehistory or history," provides additional guidance.

Assembly Bill 52 (effective on July 1, 2015) requires that before a negative declaration, mitigated negative declaration, or environmental impact report for a project is prepared, the lead agency for the project must seek consultation with 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. 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).

**Environmental Setting:** The Ukiah Township lies in a valley of the Russian River, bounded on the north by Calpella Township, on the east by Lake County, on the south by Sanel Township, and on the west by Anderson Township. The City of Ukiah was first settled in 1856 by Samuel Lowry. Initially incorporated into Sonoma County, an independent Mendocino County government was established in 1859 with Ukiah as the chosen county seat. Logging, cattle, and agricultural ventures contributed to the early settlement and growth of Ukiah throughout the remainder of the 19<sup>th</sup> century and early 20<sup>th</sup> century. 1889 is the date recorded for the first arrival of the train to Ukiah, quickly resulting in increased settlement of the City and its environs. The City of Ukiah is within the territory of the Northern Pomo. Permanent villages were often established in areas with access to staple foods, often times along ecotones (transitions between varying environments), with access to good water, and generally flat land (Environmental Science Associates, 2013). Areas that are most typically culturally sensitive include those adjacent to streams, springs, and mid-slope benches above watercourses because Native Americans and settlers favored easy access to potable water.

The name Ukiah is a modification of the Indian word YO-KIA or YO-KAYO, which signified "deep valley". Distributed over the lands of Mendocino, Lake, and Sonoma Counties are many independent bands of Pomo Indians. Seven distinct and mutually unintelligible languages are recognized under the rubric of Pomo. These languages are delineated by geographic divisions, which include: Northern, Central, Southern, Eastern, Southeastern, Northeastern, and Southwestern. The land that contains the project area is ethnographically attributed to speakers of the Central Pomo language.

Early settlers in Mendocino County found the interior coast valleys ideal for farming and ranching. Problems quickly developed between Anglo settlers and local Native Americans involving struggles over territory and competition over food between livestock and people. In 1855 two Indian reservations were established in Mendocino County for the purpose of "collecting, removing and subsisting" local tribes. The Mendocino Reservation was established on the coast near Fort Bragg and the Nome Cult Farm in Round Valley. After some years on the Nome Cult Farm, Captain Jack and a group of Potter Valley Indians left the reservation and returned home. In 1879, they purchased land near Ukiah, which later became known as Pinoleville and is the Pinoleville Rancheria today, located north of the City limits. Two unnamed creek drainages flow through two of the parcels at the bottom of steep canyons.

The terrain is very rugged and steep; very few areas of flat terrain are present. Two perennial streams flow about 2,000-feet to the north and south—Gibson Creek and Doolan Creek, respectively. The soils are characterized as both Hopland, which consist of f very deep, well drained soils formed in colluvium and residuum weathered from sandstone or shale on steep hills and slopes, and Maymen soils that are shallow, somewhat excessively drained soils that formed in residuum weathered from shale, schist, greenstone, sandstone and conglomerate. These soils have a shallow depth to bedrock.

**Discussion: (a-d) Less than significant impact with mitigation incorporated.** An Archeological Survey Report (ASR; omitted for confidentiality) was prepared by Alta Archeological Consulting (Alta) in March 2021. The purpose of the ASR is to identify any archaeological, historical, or cultural resources located within the 55 acres (APNs 001-040-83, 157-070-01, 157-070-02, 003-190-01, 157-050-09) included in the Development Agreement to be developed with single family homes at some point in the future.

On January 20, 2020, Alta requested a records search at the Northwest Information Center (NWIC) located on the campus of Sonoma State University (File No. 20-1364). The NWIC, an affiliate of the State of California Office of Historic Preservation is the official state repository of archaeological and historical records and reports for an 18-county area that includes Mendocino County. The records search included a review of all study reports on file within a one-half mile radius of the Project Area. A search of cultural resources included a one-quarter-mile radius. Sources consulted include archaeological site and survey base maps, survey reports, site records, and historic General Land Office (GLO) maps; the National Register of Historic Places, California Historical Landmarks, California Register of Historical Resources, and the California Points of Historical Interest as updated by the Office of Historic Preservation (OHP) History Property Directory (OHP 07-2012). The OHP Built Environment Resource Directory (BERD) was also reviewed for the City of Ukiah. A review of historic registers and inventories indicate that no historical landmarks or points of interest are present in the Project area. No National Register listed or eligible properties are located within the 0.5-mile visual area of the Project area.

A review of archaeological site and survey maps revealed that three cultural resource studies have been previously performed within a one-half mile radius of the current Project area and one study has been conducted within the Project area; the studies found that no cultural resources are documented within quarter-mile radius of the Project area, nor within the Project are itself.

A field survey was conducted by Alta on February 5, 2021. Due to very steep terrain (some areas contain slopes greater than 50%) and vegetation cover, the field survey was conducted on approximately 28-acres (areas with less than or approximately 30% slope), including areas along roadways and walkable slopes and flat areas with exposed soils to investigate for evidence of cultural materials. Survey areas included potential house sites, the proposed water tank site, and areas to be improved with utilities and pavement along the access road. These areas were surveyed using intensive survey coverage with transects no greater than 20-meter intervals. As described in the ASR, areas containing steep slopes that were not able to be surveyed are not considered high probability areas for yielding archaeological resources. However, these areas were observed using a cursory inspection of the terrain and landscape.

No cultural resources were identified within the Project area as a result of the records search, literature review, or archaeological field survey. In addition, given the steep terrain, the potential for substantial prehistoric or historic settlement is considered low. Therefore, the Project activities are not anticipated to cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.

Although no tribes have contacted the City of Ukiah to request notification under AB 52, tribal notifications offering the opportunity to request formal consultation were sent to local tribes on December 15, 2020. In addition, a request seeking a list of tribes that should be contacted was sent to the NAHC. Notices were sent to the additional tribes identified by the NAHC on January 14, 2021. On January 28, 2021, a request for formal consultation by the Pinoleville Pomo Nation was received; the City has been working with the tribe and is currently in the process of concluding consultation. The list of tribes contacted are included in **Attachment C**. Correspondence with Pinoleville Pomo Nation has been omitted for confidentiality.

Despite the negative findings and the low potential for buried deposits in the area, it is possible unanticipated discoveries of cultural and archaeological resources can occur during ground disturbing activities in areas considered to be of low sensitivity. Therefore, the following mitigation measures (that will be incorporated as Conditions of Approval for future development) are proposed to ensure that unknown cultural resources are not adversely affected by the Proposed Project. Impacts to cultural, archeological and historical resources would be **less than significant with mitigation incorporated**.

**Mitigation Measures:**

**CUL-1: Unanticipated Discovery.** If previously unidentified cultural, historic, paleontologic or archeologic resources are encountered during project implementation, altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. A qualified professional archaeologist shall be contacted to evaluate the resource and methods necessary to protect it. Project personnel shall not collect, move, or disturb cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

**CUL-2: Encountering Native American Remains.** If human remains are encountered during ground disturbing activities, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated and further recommendations regarding treatment of the remains will be provided.

**6. Energy**

<b>ENERGY.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption 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"/>



**Significance Criteria:** The Proposed Project would significantly impact energy if construction or operation of the Project would result in wasteful, inefficient or unnecessary consumption of energy resources or if the Project would conflict with a state or local plan for renewable energy or energy efficiency.

**Environmental Setting:** Current building codes require energy efficiency systems to be included in their plans for permit review. These building codes are regularly updated, statewide through California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as “Title 24”. In general, Title 24 requires the design of building shells and building components to conserve energy, with standards to promote better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The current Title 24 regulations and Building Energy Efficiency Standards promote photovoltaic systems in newly constructed residential buildings. The City’s Electric Utility Department has a solar rebate program for residents and business owners to encouraged local consumers to increasingly rely on renewable resources for their direct power needs.

**Discussion: (a-b) Less than significant impact.** The Proposed Project, including the Development Agreement, does not include specific development designs or proposals, nor does it grant any entitlements for development. Future housing projects will be analyzed on a project level basis subject to the City’s building and safety codes, as well as Title 24 regulations (and others) to promote energy efficiency.

Generally speaking, future project construction would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass. Fossil fuels for construction vehicles and other energy-consuming equipment would be used during site clearing, grading, and construction. Fuel energy consumed during construction would be temporary and would not represent a significant demand on energy resources. Project construction equipment would also be required to comply with the latest California Air Resources Board (CARB) and Environmental Protection Agency (EPA) engine emissions standards which require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption.

Once constructed, future residential uses would consume energy for interior and exterior lighting, HVAC systems, refrigeration, electronics systems, appliances, and security systems, among other common household features. However, each residence would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage. In addition, residents would have access to the City’s solar rebate program to incentivize the use of renewal energy.

With adherence to the aforementioned regulations, and others intended to reduce energy consumption, impacts from the Proposed Project related to energy consumption would be **less than significant**.

## 7. Geology and Soils

GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The proposed Project would result in a significant impact to geological or soil resources if it exposed people or structures to seismic risk; ruptured a known fault; produced strong seismic ground shaking, ground failure, liquefaction, landslides or substantial soil erosion; is located on expansive soil or unstable ground, or would create unstable ground; or destroyed a unique paleontological resource or geologic feature.

**Environmental Setting:** The Ukiah Valley is part of an active seismic region that contains the Mayacama Fault, which traverses the valley in a generally northwest-southeast direction east of the Project area. Based on California Geological Survey maps and the Background Report for the County of Mendocino General Plan Update (prepared by P.M.C., 2003), lands within the Western Hills are identified as being located on a somewhat unstable geologic formation but are not located within the Alquist Priolo Fault Zone, or in a landslide or liquefaction zone. However, due to steep slopes (50% in many areas) in the Western Hills, there is some risk of hazards related to slope instability, depending on the location, intensity and design of development.

The Project area is situated within the Coast Range geologic province. The North Coast Range is comprised of a geologic feature unique to California, the Franciscan Formation, which dictates the vegetative communities. The Franciscan Formation is comprised of serpentine, sandstone, and other sedimentary rocks. The soils within the Project site are characterized as both Hopland, which consist of consists of very deep, well drained soils formed in colluvium and residuum weathered from sandstone or shale on steep hills and slopes, and Maymen soils that are shallow, somewhat excessively drained soils that formed in residuum weathered from shale, schist, greenstone, sandstone and conglomerate. These soils have a shallow depth to bedrock.

**Discussion: (a i-iii) Less than significant.** As noted above, the Project site is not in a California Earthquake Fault Zone and is not susceptible to liquefaction or strong seismic ground shaking. All future development will be required to adhere to safety and seismic regulations. Impacts to geology and soils related to these issues would be **less than significant**.

**(a iv & b-c) Less than significant impact with mitigation incorporated.** Improvement of roadways, installation of utilities, and construction of the water tank would be within previously disturbed areas, but may include additional grading, trenching and vegetation removal. Future potential construction of single family homes could also require vegetation removal and grading; these activities could result in impacts associated with erosion, the loss of topsoil and landslides if not properly designed.

However, a Building Permit is required for the aforementioned activities, which will ensure all activities are in compliance with building and seismic safety codes. In addition, the City's Hillside Overlay District requires discretionary and environmental review for construction activities within the Western Hills. Specifically, any parcel of land or subdivision having an average ground gradient across any portion of the property in excess of fifteen percent (15%) requires a Use Permit issuable by the Planning Commission with a right of appeal to the City Council. The Building Permit and Use Permit process will include review of site plans by internal and external departments and agencies to ensure compliance with all applicable local, state and federal safety standards.

The below standard mitigation measure requires sediment and erosion plans identifying BMPs to reduce soil erosion and water runoff to reduce or avoid impacts to geology and soils to be submitted prior to any ground disturbance, in accordance with Ukiah City Code ("UCC") Division 9, Chapter 7, Erosion and Sediment Control. In addition, development within the Hillside Zoning District requires submittal of Geotechnical Reports, Grading Plans, Hydrology Reports, etc. to ensure development is being properly designed, and will include a set of site/project specific recommended Best Management Practices and Mitigation Measures (if needed) for future development projects to avoid impacts to geology and soils.

For the above reasons, impacts to geology from the loss of topsoil, erosion and landslides would be **less than significant with mitigation incorporated**.

**(d-e) Less than significant impact.** An onsite community sewer system (holding tank) with a sewer line, rather than a leach field, will be constructed for discharging wastewater (effluent only) to a City sewer main at the end of Redwood Avenue. The soils at the Project site are not identified as being expansive and could adequately support the sewer system. In addition, building code and Public Works' requirements will ensure that the sewer system is adequately installed in accordance with all standards related to safety. Impacts would be **less than significant**.

**(f) Less than significant impact with mitigation incorporated.** As described in Section 5, Cultural Resources, of this Initial Study, although not anticipated, the potential exists for unique paleontological resources or site or unique geological features to be encountered within the Project area during ground-disturbing construction activities. However, in the event that resources are discovered during construction, Mitigation Measure CUL-1 requires the protection of the resources. Impacts would be **less than significant with mitigation incorporated.**

**Mitigation Measures:**

**Implementation of CUL-1.**

**GEO-1:** The Project shall comply with the erosion and design standards outlined in Chapter 7 of the Ukiah City Code. Prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval. Said plans shall protect against soil erosion and runoff through the implementation of appropriate Best Management Practices (BMPs). Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, etc. No silt, sediment or other materials shall be allowed to flow from the project area.

**8. Greenhouse Gas Emissions**

<b>GREENHOUSE GAS EMISSIONS.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** 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 GHGs.

**Environmental Setting:** Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change.

Carbon dioxide (CO<sub>2</sub>) is the most important anthropogenic GHG because it comprises the majority of total GHG emissions emitted per year and it is very long-lived in the atmosphere. Typically, when evaluating GHG emissions they are expressed as carbon dioxide equivalents, or CO<sub>2</sub>e, which is a means of weighting the global warming potential (GWP) of the different gases relative to the global warming effect of CO<sub>2</sub>, which has a GWP value of one. In the United States, CO<sub>2</sub> emissions account

for about 85 percent of the CO<sub>2</sub>e emissions, followed by methane at about eight percent, and nitrous oxide at about five percent.

The state of California has adopted various administrative initiatives and legislation relating to climate change, much of which set aggressive goals for GHG emissions reductions statewide. Although lead agencies must evaluate climate change and GHG emissions of projects subject to CEQA, the CEQA Guidelines do not require or suggest specific methodologies for performing an assessment or specific thresholds of significance and do not specify GHG reduction mitigation measures. No state agency has developed binding regulations for analyzing GHG emissions, determining their significance, or mitigating significant effects in CEQA documents. Thus, lead agencies exercise their discretion in determining how to analyze GHGs. Because there are no adopted GHG thresholds applicable to the Project, and the proposed development is considered “small scale”, the below qualitative analysis is appropriate.

**Discussion: (a-b) Less than significant impact.** 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.

Construction activities associated with the Project and future housing development could result in direct and indirect emissions of GHGs emissions. Direct project-related GHG emissions generally include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. Operational GHG emissions would result from energy emissions from natural gas usage and automobile emissions.

As discussed in Section 3, Air Quality, of this Initial Study, the Project (both construction and operation) would not result in a significant negative impact to air quality. Similarly, as discussed in Section 17, Transportation, the Project would not produce significant amounts of traffic or vehicle miles traveled that would in turn result in a significant increase in GHG emissions. Individual residential development projects constructed under the Development Agreement will be reviewed on a project by project basis to analyze GHG emissions and will be required to follow all building codes and policies including those intended to reduce emissions. Specifically, future residential uses constructed would be required to adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 standards. Compliance with Title 24 Building Energy Efficiency Standards would provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage, as well as GHG emissions.

Lastly, the Project includes annexation and conservation of approximately 640 acres, which will have no impact (or a beneficial impact) on GHG, given that the Project is located within a non-attainment area, the rural nature of the site, and small development footprint, the Project, including infrastructure improvements and other temporary construction activities, is not expected to significantly increase GHG in the area. With implementation of the aforementioned regulations, impacts to GHG emissions would be **less than significant**.

## 9. Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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"/>

**Significance Criteria:** The Project would result in significant hazards or hazardous materials impacts if it exposed people to hazardous materials or placed them into hazardous situations; if it released hazardous materials or emissions into the environment or within 0.25 miles of a school; if it is located on a listed hazardous materials site; if it would create a hazard due to its proximity to a public airport or private airstrip; if it would create excessive noise for people in the area; if it would interfere with an emergency response or evacuation plan; or if it would expose people or structures to significant risks due to wildland fire.

**Environmental Setting:** Mendocino County has adopted numerous plans related to hazard management and mitigation including, but not limited to: Community Wildfire Protection Plan, Hazardous Waste Management Plan, Operational Area Emergency Plan, etc. The most recent plan, the Mendocino County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) was adopted by the County in December, 2020. The MJHMP provides an explanation of prevalent hazards within the County, identifies risks to vulnerable assets, both people and property, and provides a mitigation strategy to achieve the greatest risk reduction based upon available resources. The four cities within Mendocino County, including the City of Ukiah, participated in preparation of the MJHMP to individually assess hazards, explore hazard vulnerability, develop mitigation strategies, and create their own plan for each respective city (referred to as a “jurisdictional annex” to the MJHMP). The City of Ukiah

adopted its jurisdictional annex chapter of the MJHMP on November 18, 2020. Hazards identified for the City of Ukiah include earthquakes, wildfire, dam failure, flood and pandemic. Table 1-13 of the City's jurisdictional annex lists each hazard and mitigation action for City of Ukiah.

The Ukiah Municipal Airport is located within the City of Ukiah jurisdictional limits. The Ukiah Municipal Airport Master Plan and the Mendocino County Airport Comprehensive Land Use Plan (ACLUP), identify areas with potential hazards and impacts to persons using or working within the Airport Master Plan area.

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 and EnviroStor databases, respectively, nor are there any listed sites within the vicinity of the site.

All lands within the City of Ukiah are within the jurisdiction of the Ukiah Valley Fire Authority. None of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, County lands immediately west of the City (including the majority of the Project site(s)) are located within the SRA and are classified as having a "Very High" fire hazard severity.

**Discussion: (a-b) Less than significant impact with mitigation incorporated.** Construction activities and future residential uses associated with the Project would require the routine 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, paint, etc. 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. In addition, Mitigation Measure HAZ-1 would ensure that materials would be transported and stored in a manner to reduce potential impacts to less than significant. Impacts would be **less than significant with mitigation incorporated**.

**(c) Less than significant impact:** Nokomis Elementary School is approximately 0.25-mile from the access point (680 Redwood Avenue) for the Project. However, construction activities would be required to transport and use routine hazardous materials in accordance with all applicable regulations. Adherence to these regulations would ensure that impacts to the elementary school are **less than significant**.

**(d) No impact:** As previously noted, under Government Code Section 65962.5, both the State Water Resources Control Board and the California Department of Toxic Substances Control are required to maintain databases of sites known to have hazardous substances present in the environment. Both agencies maintain such databases on their websites, known as GeoTracker and EnviroStor. According to these databases, the Project site(s) do not contain any listed hazardous sites; **no impact** would occur.

**(e) Less than significant impact.** The Ukiah Municipal Airport is located within the City of Ukiah. However, the Project site is located outside of the ACLUP with the exception of the access point, all of proposed Parcel 1, and a portion of proposed Parcels 2 and 3, which are located within the "D-Other Airport Environs" compatibility zone. The D zone is described as having negligible risk and has no density limit or restrictions on residential development, with the exception of requiring a deed notice

for development. Based on this information, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. Impacts would be **less than significant**.

**(f) Less than significant impact.** There are no components of the Project that would impair or interfere with emergency response or evacuation. Since the Project, specifically access improvements and residential development, 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, the adopted MJHMP or other emergency response plan or evacuation plan. Impacts would be **less than significant**.

**(g) Less than significant impact with mitigation incorporated.** As previously noted, none of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, County lands immediately west of the City (including the majority of the Project site(s)) are located within the SRA and are classified as having a “Very High” fire hazard severity. The Project site is developed with CalFire fuel breaks and has been subject to vegetation management practices in order to reduce fire risk in the Western Hills. Additionally, the Project includes installation of an approximately 150,000-gallon water tank to add new water storage and fire protection facilities in the Western Hills. Lastly, future residential development would be required to adhere to all fire safety standards. Regardless of the aforementioned, construction activities involving the use of gasoline-powered tools and equipment could introduce new temporary sources of ignition that could increase fire risk. However, with implementation of Mitigation Measure HAZ-2, impacts would be reduced to less than significant. For the reasons stated, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. See Section 20, Wildfire, for more information. Impacts would be **less than significant with mitigation incorporated**.

#### **Mitigation Measures:**

**HAZ-1:** The developer shall establish and implement construction site management practices that will prevent toxic materials and other debris from entering the City’s storm drainage and waterway systems, including:

- a. There shall be no storage of hazardous materials at the Project Site;
- b. The developer shall provide adequate materials management, including covering, securing, and segregating potentially toxic materials (grease, oils, fuel, solvents, etc.); and
- c. The developer shall maintain supplies on-hand to contain spills of oil and any other hazardous materials used on-site.

**HAZ-2:** Should portable gasoline-powered equipment be used on site, the following firesafe precautions shall be taken:

- a. Spark arresters are required on all portable gasoline-powered equipment.
- b. Equipment shall be maintained in good working condition, with exhaust systems and spark arresters in proper working order and free of carbon buildup.
- c. Fuel the equipment in a safe place where spills can be contained and a fire extinguisher is nearby. Use the recommended gas/oil mixture and do not top off. Use a funnel or spout for pouring. Wipe off any spills.
- d. Do not refuel running or hot equipment. Dispense fuel at least 10 feet from sources of ignition.
- e. Do not use equipment in areas of dry vegetation. Keep leaves and dry materials away from a hot muffler.
- f. No smoking or open flame allowed near gasoline-powered equipment.



## 10. Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

**Significance Criteria:** The Project would significantly impact hydrology and water quality if it violated water quality standards or waste discharge requirements or substantially degraded surface or groundwater quality; substantially decreased groundwater supplies or impeded sustainable groundwater management; altered drainage patterns in a manner that would cause substantial on- or off-site erosion, polluted runoff or excessive runoff that caused flooding; impeded or redirected flood flows; risked a release of pollutants due to inundation if in a flood hazard, tsunami or seiche zone; or conflicted with a water quality plan or sustainable groundwater management plan.

**Environmental Setting:** Average rainfall in Ukiah is slightly less than 35 inches. Most of the precipitation falls during the winter. Rainfall is often from brief, intense storms, which move in from the northwest. Virtually no rainfall occurs during the summer months.

The Project area includes the Russian River Hydrologic Unit, Upper Russian River Hydrologic Area, Ukiah Hydrologic Subarea. The Russian River is on the State Water Resources Control Board's (SWRCB) 303(d) list of impaired water bodies for water temperature and sedimentation/siltation. Sediment impairments in tributaries led to listing the entire Russian River Watershed for sediment. Surface water supplies for the Ukiah Valley include the Eel River, from which water is diverted into the Russian River watershed through the Potter Valley Project, Lake Mendocino, and the Russian River. Groundwater is drawn from the Ukiah Valley groundwater basin. The Ukiah Valley groundwater basin

is the northernmost basin in the Russian River water system and underlies an area of approximately 60 square miles. Water enters the groundwater system via percolation of surface waters and through the soil. The creeks and streams in the Ukiah Valley provide drainage channels for groundwater recharge, as well as domestic and agricultural water supply. A groundwater Management Plan has not been prepared for the City, nor County of Mendocino, but according to the 2015 Urban Water Management Plan for the City, based on historical data and use, there is adequate groundwater to serve the City's existing and future demand.

Two unnamed creek drainages flow through two of the parcels at the bottom of steep canyons. The terrain is very rugged and steep; very few areas of flat terrain are present. Two perennial streams flow about 2,000-feet to the north and south—Gibson Creek and Doolan Creek, respectively. The closest watercourse is a Class II watercourse located on APN 001-040-83 (existing Parcel 1 and proposed Parcel 8) of the study area. The Project site is not located within a tsunami hazard zone, nor is it located within a flood zone.

**Discussion: (a-b & e) Less than significant impact.** As previously described, no watercourses are located within the proposed Development Parcels, nor within the vicinity of infrastructure improvements. Future development would adhere to all applicable waste discharge requirements. Therefore, the Project would not violate any water quality standards. Existing City water services will be extended to the site(s) and a 150,000-gallon water tank will be installed. According to the water tank planning study memorandum, prepared by GHD (December 10, 2020), the existing wells produce approximately 50,000 gallons per day and are located adjacent to the proposed tank. As a result, the City proposes to supply the tanks with water from the wells rather than constructing new booster pump stations to pump water up to the tanks from the City's existing wells. Therefore, the Project would not substantially deplete groundwater resources and impacts would be **less than significant**.

**(ci-iii) Less than significant impact with mitigation incorporated.** The project, including improvement of the access road and future residential construction, would result in impervious surfaces that could result in an impact to water quality. However, as noted in Mitigation Measures GEO-1 and HAZ-1, prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval and shall include BMPs to address soil erosion and stormwater runoff. Additionally, construction projects that would disturb more than one acre of land, 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. The proposed Development Agreement does not include specific development designs or proposals, nor does it grant any entitlements for development. Future housing projects will be subject to the City's development standards, building and safety codes, including review of stormwater management practices, where applicable. Impacts associated with erosion and stormwater runoff would be **less than significant with mitigation incorporated**.

**(d) No impact.** As described above, the Project is not located within a tsunami hazard zone, nor a flood zone, as identified by the Federal Emergency Management Agency. **No impact** would occur.

**Mitigation Measures:**

Implementation of **GEO-1 and HAZ-1**.

## 11. Land Use and Planning

LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>

**Significance Criteria:** The Project would significantly impact land use if it physically divided an established community or conflicted with a land use plan, policy or regulation intended to avoid or mitigate an environmental impact, such as the general plan or zoning code.

**Environmental Setting:** The City of Ukiah includes approximately 4.72 square miles. It serves as the County Seat of Mendocino County, as well as the county’s commercial hub. Predominant land uses in the City include single family residential, multi-family residential, and commercial uses ranging from local commercial to service commercial, as well manufacturing, industrial and public facilities. The City’s first General Plan was originally adopted in 1974, updated in 1995, and was last amended in 2019, with adoption of the 2019-2027 Housing Element. The General Plan serves as a blueprint for future development and growth of the community. The City is currently in the process of completing a General Plan Update (the “2040 General Plan”) that will map out the vision for community development through 2040; until the new General Plan is adopted, the 1995 General Plan (as amended in 2019) is considered the applicable plan. Zoning and land use are governed by the City’s Zoning Ordinance, as outlined in Division 9, Chapter 2 of the Ukiah City Code. The purpose of the Ukiah Zoning Code is to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare. Housing development of varying intensity is allowed in all zoning districts of the Ukiah Zoning Code with the exception of the Manufacturing and Industrial Zoning Districts.

Further west (including the Project site) is undeveloped open space, and steep, densely vegetated areas interspersed with rural residential lots within County jurisdiction. The City of Ukiah is governed by the City’s General Plan (adopted in 1995, last revised in 2019) and Ukiah City Code (UCC). The larger Ukiah Valley is governed by the Ukiah Valley Area Plan (UVAP; 2011), which is a comprehensive and long range inter-jurisdictional planning document that represents the vision and foresight of the people who live and work in the Ukiah Valley. This Plan is an element of the Mendocino County General Plan governing land use and development on the unincorporated lands in the Ukiah Valley.

The Project site(s) currently carry a Remote Residential (RMR) land use designation in the County’s General Plan and an Upland Residential (UR) zoning designation, both with a 40-acre minimum. The current Ukiah Valley Area Plan land use designation is Remote Residential, 40 Acre Minimum (“RMR40”) and the existing zoning is Upland Residential, 40-acre minimum (“UR:40”). The County’s current RMR classification is intended to be applied to lands having constraints for commercial agriculture, timber production or grazing, which are well suited for small scale farming and low density agricultural/residential uses by the absence of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource land uses. The RMR land use designation allows a density of one dwelling unit per 40 acres. The UR zoning district is intended to create and

enhance farming and low-density agricultural/residential uses. Typically, the UR zoning district would be applied to nonprime production lands which have constraints to commercial agriculture, timber production or grazing but which are absent of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource lands. The UR zoning district allows for one dwelling unit per 40 acres. In addition, an ADU is permitted on each parcel. Both the existing RMR-40 land use designation and UR-40 zoning designation allow for one dwelling unit per 40 acres.

**Discussion: (a) Less than significant impact.** Physical division of an existing community would typically be associated with construction of a new highway, railroad, park or other linear feature. The Project area is undeveloped with the exception of an existing access road, firebreaks and previous land improvements for potential future housing development. While the Project would improve the existing access road and allow for potential future low-density residential development, it does not propose new linear features that would result in the division of an established community. Impacts would be **less than significant**.

**(b) Less than significant.** The Project includes acquisition and annexation of approximately 693 acres into the City's jurisdiction. In addition, the Noguera Properties (APNs 003-190-09 & 003-110-90), totaling approximately 14 acres, will be included in the annexation proposal for access only. The Annexation parcels within the City's current SOI (Parcels 1-7, and a portion of Parcels 8 & 10 resulting from the LLA) would be rezoned into the City of Ukiah prior to annexation, in accordance with UCC Section 9267, Government Code Section 65859 and LAFCo policies. Under the provisions of the Government Code, the zoning district adopted by the City does not become effective unless and until the land is annexed into the City. Once the parcels are annexed into the City, the site(s) would not be developed until an applicant submits a project site plan for development on the Development Parcels. Until the property is annexed, it is subject to existing zoning under Mendocino County's Zoning Ordinance.

The City proposes to annex approximately 640 acres total, collectively referred to as the "Conservation Parcels", for open space and conservation. Although the City does not currently have a standalone Open Space zoning designation, the City's existing Public Facilities (PF) zoning designation encompasses lands within the City that contain open space and parks, as well as other public facilities. Accordingly, the portion of the proposed parcels within the current SOI (a portion of Parcels 8 & 10, totaling approximately 343 acres) intended for open space are referred to as the "Inside Conservation Parcels" and are proposed to be rezoned PF (with a "Public" General Plan land use designation) which specifically identifies public or quasi-public uses, including, but not limited to natural resource conservation areas and parks and recreation. The Land Use Element of the 1995 City of Ukiah General Plan states that the Public (P) land use designation is intended for public facilities as well as open space and conservation areas and may be applied to lands within the City, the SOI, rural communities (identified as Calpella, Talmage and the Forks), master plan areas, and areas within the General Plan's Unincorporated Planning Area (currently the same boundary as the UVAP and the City's adopted SOI). Because the parcels intended for open space (within the City's current SOI) as a part of the Proposed Project are within the 95' General Plan's Unincorporated Planning Area, the proposed annexation and rezoning of the parcels to PF (with a P General Plan land use designation) are consistent with the intent and land uses identified within the 95' General Plan. In addition, the City can utilize its parks ordinance (Division 1, Chapter 12 of the Ukiah City Code) to provide rules governing City and public use of PF zoned property.

For the portion of the Conservation Parcels located outside of the SOI ("Outside Conservation Parcels," consisting of approximately 296 acres), the City will ensure that they remain preserved as

open space through City Council resolution or other means, rather than rezoning them PF. Proposed Parcels 8 and 10 would effectively be “split zoned”; the portion within the SOI would be rezoned PF, while the remaining portion outside of the SOI would not be rezoned. See **Figure 3**. Under Government Code Section 56742, city-owned parcels are not required to be located within the City's SOI. Parcels can be located anywhere in the County, as long as they are less than 300 acres, owned by the City, and used for municipal purposes at the time of the annexation application.

The proposed Development Parcels (totaling approximately 54 acres) would be rezoned to Single-Family Residential-Hillside Overlay District (R1-H) with a General Plan Designation of Low Density Residential (LDR), consistent with adjacent City zoning and development patterns in the Western Hills. These parcels are located within the 95' General Plan's Unincorporated Planning Area, as well as the current UVAP/SOI boundary, and are consistent with the density and intent of the LDR land use designation and R1-H zoning. Although the Noguera Properties will be rezoned R1-H for consistency with surrounding zoning and land uses, they are not included in the Development Agreement and no development is proposed; the parcels will continue to be used for access only. For these reasons, these parcels are not included as Development Parcels and have not been included in the development assumptions.

The –H Overlay District is intended to encourage planning, design, and development while preserving natural physical features and minimizing potential safety, water runoff and soil erosion concerns associated with the natural terrain. The City of Ukiah's General Plan land use designation of Low Density Residential (LDR) allows for a density of six dwelling units per acre. Under these regulations, the 54 acres for residential development could conceivably be developed with up to 330 units. However, the proposed Development Agreement would restrict development to one single family dwelling per parcel and one ADU (except for in cases where the slope exceeds 50 percent, per the City's Hillside Overlay Ordinance), for a total of up to 14 units. R1-H zoning requires a minimum lot size of 10,000 sf (0.23 acre) for parcels with a slope up to 20%; minimum lot size increases as the slope of the parcel increases, as outlined in UCC Section 9139, *Hillside Development Standards*. Consistent with these standards, the Lot Line Adjustment(s) propose 5-10 acre parcels for the parcels that would be rezoned R1-H. All future residential development would be subject to discretionary review under the City's Hillside Overlay District.

Rezoning of the parcels will require a Zoning Map and General Plan Map Amendment upon approval of the annexation application. Although the City's General Plan and County's UVAP do not contain specific policies related to rezoning, they do contain goals and policies that strive for orderly, clustered development, supporting the City and County's RHNA, and conservation of open space. The City's 2019-2027 Housing Element includes Goal H-5 and Policy 5-1 which seek to support future housing needs through annexation efforts that lead to orderly expansion of growth. Similarly, the County's 2019-2027 Housing Element includes Policy 1.3 and Actions 1.3a through 1.3d that strive to work cooperatively with cities within the County on regional housing, support annexation applications to the Mendocino LAFCo from incorporated cities for annexations of contiguous lands etc. Consistent with these goals and policies, the Proposed Project will allow the City to adequately preserve and protect the collective Conservation Parcels (640 acres total), while allowing orderly and clustered low-density residential development within the Development Parcels (54 acres), consistent with land use patterns within the Western Hills. Additionally, the 14 units that could be developed under the Development Agreement would fulfill a portion of the above moderate income units of housing required by the City's Regional Housing Needs Allocation (RHNA) for the 2019-2027 Housing Element Planning Cycle (see Section 14, Population and Housing, of this Initial Study for more information).

For the reasons mentioned above, the Project would be consistent with the City’s General Plan and zoning code, the County’s UVAP and Housing Element, as well as the Government Code and LAFCo policies related to annexation.

## 12. Mineral Resources

MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>

**Significance Criteria:** Impacts to mineral resources would be considered significant if the proposed Project were to result in the loss of a known mineral resource that has value to the region and state or is otherwise locally important as designated on a local land use plan.

**Environmental Setting:** The most predominant of the minerals found in Mendocino County are aggregate resource minerals, primarily sand and gravel, found along many rivers and streams. The Ford Gravel Bars are located in Ukiah, along the Russian River.

**Discussion: (a-b) No impact.** There are no identified mineral resources within the Project area. No impact would occur.

## 13. Noise

NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The Project would have a significant impact if it temporarily or permanently exceeded local noise standards in the vicinity of the Project, generated excessive ground borne noise or vibration; or would expose people residing or working in the area to excessive noise levels from public airports or private airstrips.

**Environmental Setting:** The Ukiah City Code contains a Noise Ordinance (Division 7, Chapter 1, Article 6) that establishes ambient base noise level standards that apply to specific zoning districts within the City of Ukiah. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. For the purpose of the Noise Ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen (15) minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made. Land uses exceeding these standards for long periods of time are considered to be significant.

In addition, UCC §6054, *Construction of Buildings and Projects*, states that it shall be unlawful for any person within a residential zone, or within a radius of five hundred feet (500') therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist or any other construction type device (between the hours of 7:00 p.m. of one day and 7:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefor has been duly obtained from the Director of Public works.

**Table 2. City of Ukiah Ambient Base Noise Levels**

Zoning Districts	Time Period	Noise Level Standards (dBA)
R1 and R2	10:00 PM - 7:00 AM	40
	7:00 PM - 10:00 PM	45
	7:00 AM-7:00 PM	50
R3	10:00 PM - 7:00 AM	45
	7:00 AM - 10:00 PM	50
Commercial	10:00 PM - 7:00 AM	60
	7:00 AM - 10:00 PM	65
Industrial & Manufacturing	Any time	70

*Source: Ukiah City Code §6048*

**Discussion: (a) Less than significant impact with mitigation incorporated.** Construction activities are generally temporary, resulting in periodic increases in the ambient noise environment. However, these phases of construction have the potential to create the highest levels of noise. Typical noise levels generated by construction equipment are shown in **Table 3** It should be noted that the noise levels identified in the table below are maximum sound levels (Lmax) at 15 ft from the source, which are the highest individual sound occurring at an individual time period. The level of noise varies based on varying durations of construction equipment in use and with distance from the noise source. Typically, noise decreases as distance increases. Construction noise impacts generally occur when construction activities occur in areas immediately adjoining noise-sensitive land uses, during noise-sensitive times of the day, or when construction activity occurs at the same precise location over an

extended period of time (e.g., pile driving in one location for 8-10 hours in a day, or over a duration of several successive days).

**Table 3. Maximum Noise Levels Associated with Typical Construction Equipment**

Type of Equipment	Lmax at 15 Feet (dBA)
Concrete Saw	100
Crane	91
Concrete Mixer Truck	89
Backhoe	88
Dozer	92
Excavator	91
Forklift	88
Paver	87
Roller	90
Tractor	94
Water Truck	90
Grader	95
General Industrial Equipment	95

*Source: Federal Highway Administration. 2006. Roadway Construction Noise Model (FHWA-HEP-*

Certain land uses are particularly sensitive to noise, including schools, hospitals, rest homes, long-term medical and mental care facilities, and parks and recreation areas. Residential areas are also considered noise sensitive, especially during the nighttime hours. The nearest existing sensitive receptors are residential uses adjoining the Project site to the east and south along Redwood Avenue; the closest residence being more than 700 ft away from the potential house site on proposed Parcel 1. However, construction related noise would be considered temporary. In addition, to reduce potential noise impacts to nearby sensitive receptors, mitigation measure Mitigation Measure NOI-1 would require compliance with the City’s allowed hours of construction (7:00 a.m. to 7:00 p.m.), include Best Management Practices (BMPs) for reducing construction noise, and require construction equipment to be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices. Noise impacts associated with construction would be the Project would be **less than significant with mitigation implemented**.

Operation of the Proposed Project would result in stationary noise sources associated with typical residential land uses (e.g., mechanical equipment, dogs/pets, landscaping activities, cars parking, etc.). These noise sources are typically intermittent and short in duration, and would be comparable to existing sources of noise experienced at surrounding residential uses. As such, impacts from operation of the Project would be less than significant.

**(b) Less than significant impact.** Project construction can generate varying degrees of ground borne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate



levels, to slight damage at the highest levels. The Project is anticipated to use typical construction equipment for temporary periods of time that would not be considered excessive. Therefore, impacts would be **less than significant**.

**(c) Less than significant impact.** The nearest airport to the Project site is the Ukiah Municipal Airport, located approximately 0.79-mile east of the Project site. As discussed in Section 9(e) of this Initial Study, a portion of the Project (all of proposed Parcel 1, and a portion of proposed Parcels 2 and 3) are located within the “D- Other Airport Environs” compatibility zone of the ACLUP, which is described as having negligible risk with the potential for periodic annoyance from overhead flights. However, single-family homes are listed as a normally acceptable use in this airport compatibility zone. The remainder of the Project site is not located within the ACLUP. Based on this information, the Project would not expose people residing or working in the Project area to excessive noise levels associated with aircraft. Impacts would be **less than significant**.

**Mitigation Measures:**

**NOI-1:** Prior to building permit or grading permit issuance, the developer shall comply with the following:

- a. Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.
- b. Construction haul routes shall be designed to avoid or lessen impacts to noise-sensitive uses (e.g., residences, schools, convalescent homes), to the extent feasible.
- c. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- d. Per the City’s Noise Ordinance, construction shall not take place outside of the hours of 7:00 a.m. to 7:00 p.m.

**14. Population and Housing**

POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The proposed Project would result in significant impacts to the local population or housing stock if it directly or indirectly induced substantial unplanned population growth or displaced a substantial number of people or housing such that the construction of replacement housing would be required.

**Environmental Setting:** The City of Ukiah comprises of approximately 4.72 square miles within Mendocino County. According to the California Department of Finance, the population in the County of Mendocino was 59,985 in 2018 and 16,226 in the City of Ukiah. The City’s annual growth rate

between 1990 and 2018 averaged approximately 0.3%. Between 2000 and 2010, the City added 545 residents, or 3.7%, to its population. Overall, the City of Ukiah's population has increased moderately over the past nearly 30 years, with a more accelerated increase in the last four years. Projections from the California State University Chico Center for Economic Development- Mendocino County Economic/Demographic Profile show this trend continuing.

As described in the City's 2019-2027 Housing Element (2019), under California law, every city and county has a legal obligation to respond to its fair share of the projected future housing needs in the region in which it is located. For Ukiah and other Mendocino County jurisdictions, the regional housing need allocation (RHNA) is determined by the Mendocino Council of Governments (MCOG), based upon an overall regional need number established by the State. The fair share numbers establish goals to guide local planning and development decision making. MCOG identified the City's RHNA as accommodating 239 additional units within the 2019-2027 Planning Cycle. Specifically, the City of Ukiah is responsible for identifying adequate sites, with appropriate zoning, to support 86 very low-income housing units and 72 low-income housing units, for a total of 158 lower income housing units, and 49 moderate-income and 32 above moderate-income housing units, for a total of 81 moderate and above moderate housing units.

**Discussion: (a) Less than significant impact.** As previously discussed in the Project Description and Land Use Section (11) of this Initial Study, the Proposed Project would annex approximately 707 acres into the City. Once annexed, 54 acres could be developed with up to 14 residential units (seven single family homes and one associated ADU per lot) through the proposed Development Agreement. Although no development is proposed at this time, for this analysis it is assumed that future development would result in construction and development of residential uses on the site.

Under the County's General Plan and Zoning Ordinance, the entirety of the 707 acres has the potential to be developed with up to one dwelling per 40 acres, for a total of 17 primary dwellings. In addition, an ADU may be constructed as of right on each parcel, resulting in the potential for up to 34 total units to be developed. The City of Ukiah's General Plan land use designation of Low Density Residential (LDR) allows for a density of six dwelling units per acre. Under these regulations, the 54 acres for residential development could conceivably be developed with up to 330 units. However, the proposed Development Agreement would restrict development to one single family dwelling per parcel and one ADU (except in cases where the slope exceeds 50 percent, per the City's Hillside Overlay Ordinance), for a total of up to 14 units. The Development Parcels that would be rezoned to R1-H (with a Low Density Residential General Plan land use designation) are located within the 95' General Plan's Unincorporated Planning Area, as well as the current UVAP/SOI boundary, and are consistent with the density and intent of the LDR land use designation and R1H zoning. Additionally, the 14 units that could be developed under the Development Agreement would fulfil a portion of the moderate to above moderate income units required by the City's RHNA for the 2019-2027 Planning Cycle.

As a part of the Project, utilities would be extended to the area. However, because the extension of utilities would be limited to the seven Development Parcels that are currently zoned for rural residential development, the Project, including development of up to 14 units, would not directly induce substantial unplanned development and population growth in the area. The remaining 640 acres that would be preserved as open space would not be developed with residential uses that could result in an increase in population. For the aforementioned reasons, the Proposed Project would not induce substantial unplanned population growth in an area, either directly or indirectly. Impacts would be **less than significant**.

**(b) Less than significant impact.** The Project site is vacant and does not include any housing that would be displaced as a result of the Project. Impacts would be **less than significant**.

**15. Public Services**

PUBLIC SERVICES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) 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:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** The Project would result in a significant impact to public services if it resulted in a requirement for increased or expanded public service facilities or staffing, including fire or police protection, schools and parks.

**Environmental Setting:** Police protection services for the entire City limits is provided by the Ukiah Police Department, while the Mendocino County Sheriff's Department provides police services for areas outside of the City limits. Fire protection services in the Ukiah Valley are provided by the Ukiah Valley Fire Authority and California Department of Forestry and Fire Protection (CalFire). Educational facilities in the Ukiah Valley area are provided by the Ukiah Unified School District (UUSD), County Office of Education, and the Mendocino-Lake Community College District. There are also several private and charter schools serving residents within the City of Ukiah, as well as the unincorporated portions of Mendocino County. As mentioned below in Section 16, Recreation, of this Initial Study, there are 13 City parks, a municipal golf course, and a skate park managed by the City of Ukiah, as well as other recreational facilities in the area.

**Discussion: (a) Less than significant impact.** Although no development is proposed at this time, it is assumed that future development would result in construction and development of residential uses (up to 14 units) on the site. New homes would be served by the City's Police Department and the Ukiah Valley Fire authority. This minimal increase in service area would not be considered significant, as the City collects fire and police impact fees to offset the financial burden that new development can potentially create for the fire department.

Similarly, it is not anticipated that the additional residential units, currently already being served by existing school districts, would result in a significant impact to school services.

Lastly, as discussed in Section 16, Recreation, the increase in residential units would not be considered significant and future development would be required to pay park impact fees, which are used to assist in the development and maintenance of parks and recreation facilities.

Future residential development would be assessed, and impact fees for all aforementioned public services would be collected during the Building Permit process. As such, the Project would have a **less than significant impact** on public services.

## 16. Recreation

RECREATION.	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project 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) Does the project 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"/>

**Significance Criteria:** Impacts to recreation would be significant if the Project resulted in increased use of existing parks or recreational facilities to the extent that substantial deterioration was accelerated or if the Project involved the development or expansion of recreational facilities that would have an adverse effect on the physical environment.

**Environmental Setting:** The Ukiah Valley offers a wide variety of recreational opportunities. These include more than 13 City parks, a municipal golf course, and a skate park managed by the City of Ukiah; two regional parks managed by the County; Cow Mountain Recreation Area managed by the Bureau of Land Management; and Lake Mendocino managed by the US Army Corps of Engineers. In addition, there are approximately 30 miles of trails located throughout the Ukiah Valley.

**Discussion: (a-b) Less than significant impact.** The Project does not propose any recreational facilities at this time. However, the City does have aspirations to develop trails and recreational open space areas at some point in the future. Potential development of up to 14 new residential units would increase population, and in turn, increase the use of existing recreation facilities. However, the increase in population would not be considered significant and future development would be required to pay all park impact fees, which are used to assist in the development and maintenance of parks and recreation facilities. As such, impacts would be **less than significant** on park facilities.

## 17. Transportation

TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 § 15064.3, subdivision (b), Criteria for Analyzing Traffic Impacts?	<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"/>

**Significance Criteria:** Impacts to transportation and traffic would be significant if the Project conflicted with a local plan, ordinance or policy addressing transit, roadway, bicycle and pedestrian facilities; conflicted with CEQA Guidelines Sec. 15064.3(b), which contains criteria for analyzing transportation impacts; substantially increased hazards due to geometric design features; or resulted in inadequate emergency access.

Traditionally, transportation impacts had been evaluated by using Level of Service (LOS) analysis to measure the level of congestion on local roadways. However, 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. Starting July 1, 2020, lead agencies are required to analyze the transportation impacts of new projects using vehicle miles traveled (VMT), instead of LOS. VMT measures the amount of additional miles produced by the project. If the project increases car travel onto the roads excessively, 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.

In 2018, the Office of Planning and Research (OPR) published a Technical Advisory on *Evaluating Transportation Impacts in CEQA* (2018) which is intended to provide advice and recommendations for evaluating VMT, which agencies and other entities may use at their discretion. As discussed further below, the Technical Advisory offers that screening thresholds may be used to identify when land use projects, such as small scale residential projects, should be expected to cause a less-than-significant impact without conducting a detailed traffic study.

On behalf of the Mendocino Council of Governments (MCOG), Fehr & Peers, prepared a Senate Bill 743 Vehicle Miles Traveled Regional Baseline Study (Baseline Study; May, 2020) 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.

The following local plans have historically address transportation within the City of Ukiah: 2017 Ukiah Bicycle and Pedestrian Master Plan, City of Ukiah Safe Routes to School Plan (2014), Mendocino County Rail Trail Plan (2012), Ukiah Downtown Streetscape Improvement Plan (2009), and the City of Ukiah General Plan (Circulation and Transportation Element amended in 2004). MCOG's Regional Transportation Plan (2017) and Section 5, Circulation and Transportation, of the Ukiah Valley Area Plan (2011) addresses transportation within the larger Ukiah Valley. The Baseline Study incorporated applicable goals and policies from each of these documents into the methodology and analysis when formulating its screening tools.

As noted in the Baseline Study, per CEQA Guidelines Section 15064.3, vehicle miles traveled for land use projects exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. In addition, projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project.

**Environmental Setting:** The City of Ukiah generally lies west of U.S. 101 between the U.S. 101/North State Street interchange, and the U.S. 101 / South State Street interchange. Three major interchanges along U.S. 101, Talmage Road, Gobbi Street, and Perkins Street (from south to north), provide access to southern and central Ukiah. The City of Ukiah is developed in a typical grid pattern with streets generally oriented north to south and east to west. Bicycle lanes are located throughout the City and public transit is provided by the Mendocino Transit Authority (MTA).

The Project parcels are currently accessed through existing private dirt and gravel roads that connect to Redwood Avenue, a City owned and maintained road, through an existing access point controlled by a private gate. The Nearest MTA bus stop is located at Washington Avenue and South Dora Street, approximately 0.45-mile southeast of the access point on Redwood Avenue. Portions of Redwood Avenue are improved with sidewalks; Redwood Avenue ultimately connects via Helen Avenue and either Observatory or Washington Streets to Dora Street and the larger western Ukiah area, which contain local bike and pedestrian facilities.

**Discussion: (a-b) Less than significant impact.** The OPR Technical Advisory on *Evaluating Transportation Impacts Under CEQA* suggests that a home based trip approach is one of the best methods for assessing VMT from residential projects. As noted in the Technical Advisory, many agencies use "screening thresholds" to quickly identify when a project should be expected or assumed to cause a less-than-significant impact without conducting a detailed study. As noted in the Fehr & Peers Baseline Study, the specific VMT estimate relies on the vehicle trip generation rate contained

in the OPR Technical Advisory for small project screening and average vehicle trip lengths for Mendocino County based on the 2012 California Household Travel Survey (CHTS). Converting this value to an equivalent number of residential households would indicate that residential projects up to 22 units in Mendocino County could be screened out of analysis. Because the Project would ultimately allow a max buildout of seven single family residential units and the possibility of associated ADUs, the Project may be screened out of further VMT analysis. Nonetheless, a qualitative analysis of VMT is provided below.

Since the Project site is currently undeveloped, any development with related vehicle use would increase VMT. In this case, there would be an increase in traffic to and from the site during 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 each work day. In addition, minor increases to traffic on adjacent streets (specifically Redwood Avenue and Helen Avenue) could occur when heavy equipment required for construction is traveling to and from the site. However, once construction is complete, workers would no longer be traveling to the site, and the source of VMT would result from permanent residents. Four households would generate approximately 108 VMT per day in Mendocino County based on the 2012 California Household Travel Survey (CHTS) noted in the VMT Baseline Study. This results in each residence producing 27 VMT per day. Accordingly, it is anticipated that the seven single-family homes would produce a total of 189 VMT per day. If the associated seven ADUs were constructed, this would generate more VMT, but is not anticipated to result in the same number of VMT as the primary residences. Nonetheless, VMT generated from the Project would be similar to that of existing low-density residential development, and would be considered **less than significant**.

The VMT impacts of the residential development would not conflict with the 2017 Regional Transportation Plan (RTP) adopted by the MCOG, Mendocino County's Regional Transportation Planning Agency. Per the 2017 Regional Transportation Plan (RTP), new development is expected to produce rather localized impacts. As cited below in footnote 2, "*Land use policies [in Mendocino County] tend to protect open-spaced lands such as agriculture and forestlands.*"<sup>2</sup> The Proposed Project would not conflict with identified Major Improvements, Goals, Policies or Objectives identified in the 2017 RTP. Additionally, the Ukiah Valley Area Plan (2011) identifies future conceptual roadway improvements for the plan area. The Proposed Project does not conflict with the UVAP's recommendations and conceptual road improvements, because these recommendations address gaps in the street system expand capacity where future congestion levels are anticipated, and development of parallel north/south facilities.

For the reasons stated above, the Project would not conflict with CEQA Guidelines § 15064.3, nor would it conflict with a regional plan or policy related to traffic. Impacts would be **less than significant**.

**(c-d) Less than significant impact.** Approximately one-half mile of the existing 18-ft wide gravel private access road, beginning at the access point at the terminus of on Redwood Avenue to the house sites, would be paved to serve the future housing development sites. The road improvements will include developing a cul-de-sac and possibly extending driveways to Development Parcels. The Developer will complete the road improvements in compliance with applicable City requirements but the road will remain under private ownership that will be maintained by a Homeowner's Association (HOA) for future residential development. All road improvements would be developed in accordance with Fire and Building codes related to emergency access and safety. Therefore, proposed access

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<sup>2</sup> <https://www.mendocinocog.org/files/742330750/2017+RTP+As+Adopted%28web+format%29.pdf> (pg. 11)

improvements would not increase traffic hazards, nor would they result in inadequate emergency access. Impacts would be **less than significant**.

### 18. Tribal Cultural Resources

<b>TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) 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 section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 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"/>

**Significance Criteria:** An impact to tribal cultural resources would be significant if the Project were to substantially reduce the significance of a tribal cultural resource, a listed or eligible historic resource, or a resource considered significant by a California Native American tribe. Tribal cultural resources include “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” that are eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources. Lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the Proposed Project.” The consultation process must be completed before a CEQA document can be certified.

**Environmental Setting:** As discussed in Section 5, Cultural Resources, areas that are most typically culturally sensitive include those adjacent to streams, springs, and mid-slope benches above watercourses because Native Americans and settlers favored easy access to potable water.

Tribes known to be present within the Ukiah area include (but are not limited to) the following:

- Coyote Valley Band of Pomo Indians
- Guidiville Indian Rancheria of Pomo Indians
- Hopland Band of Pomo Indians
- Pinoleville Pomo Nation
- Potter Valley Rancheria
- Redwood Valley Little River Band of Pomo Indians
- Scotts Valley Band of Pomo Indians
- Yokayo Tribe, not federally recognized

**Discussion: (a-b) Less than significant impact.** As described in Section 5, Cultural Resources, of this Initial Study, no cultural resources were identified within the Project area as a result of the records



search, literature review, or archaeological field survey. In addition, due to its topography, the site is considered to have a “low potential” for cultural, archeological, and historic resources.

Although no tribes have contacted the City of Ukiah to request notification under AB 52, tribal notifications offering the opportunity to request formal consultation were sent to local tribes on December 15, 2020. In addition, a request seeking a list of tribes that should be contacted was sent to the NAHC. Notices were sent to the additional tribes identified by the NAHC on January 14, 2021. On January 28, 2021, a request for formal consultation by the Pinoleville Pomo Nation was received; the City has been working with the tribe and is currently in the process of concluding consultation. The list of tribes contacted are included in **Attachment C**. Correspondence with Pinoleville Pomo Nation has been omitted for confidentiality.

Despite the negative findings and the low potential for resources to occur on-site, there is potential for resources to be inadvertently discovered during ground disturbing activities. Therefore, Mitigation Measures CUL-1 and CUL-2 would be implemented. Impacts to would be **less than significant with mitigation incorporated**.

**Mitigation Measures:**

Implementation of **CUL-1** and **CUL-2**.

**19. Utilities and Service Systems**

<b>UTILITIES AND SERVICE SYSTEMS.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

**Significance Criteria:** Impacts to utility and service systems would be significant if the Project resulted in the construction or expansion of utilities that could cause significant environmental effects; have insufficient water supplies available to the Project during normal to extremely dry years; resulted in inadequate capacity of the wastewater treatment plant; generated solid waste exceeding the capacity

of local infrastructure or impairing the achievement of solid waste reduction goals; or failed to comply with any management and reduction statutes or regulations related to solid waste.

**Environmental Setting:** The majority of City properties are served by City water, sewer, electricity and trash collection. However, some properties within the Western Hills, including the Proposed Project sites, do not currently have access to City utilities. For property outside of the City limits, services are provided by private service providers and special districts, as summarized below.

*Electric.* The City of Ukiah's Electric Utility Department provides electric services to properties within the City limits, while Pacific Gas & Electric (PG&E) provides services to properties outside of the City.

*Water.* There are five major providers of community water services in the Ukiah Valley. The City of Ukiah serves customers within the City, while Rogina Water Company and Millview, Calpella, and Willow County Water Districts serve the unincorporated areas. All suppliers are regulated by the California Department of Health Services, and Rogina Water Company is additionally regulated by the California Public Utilities Commission. The Project parcels are not located within an existing water district's boundary. According to the UVAP, the primary water source for water providers in the Ukiah Valley is the Russian River and diversion of Eel River water with storage in Lake Mendocino. Property owners without access to the City or community systems obtain water from individual wells, springs or direct diversions of Russian River water. As described in the 2015 Urban Water Management Plan, the City has rights to purchase up to 800 acre-feet per year (AFY) from the Flood Control District who holds water rights for storage and use of up to 8,000 AFY stored in Lake Mendocino, directly diverted from the east fork of the Russian River.

*Sewer and Wastewater.* The Ukiah Valley Sanitation District (UVSD) and the City of Ukiah provide public sewer services to customers within their boundaries under the purview of the State Water Quality Control Board. The City's sewage treatment plant and Waste Water Treatment Plant (WWTP), operational since 1958, serves the City of Ukiah and the Ukiah Valley Sanitation District. It has a current treatment capacity of 2.8 million gallons per day (MGD) of dry weather flow and 20 MGD of peak wet weather flow. Primary treatment removes floating material, oils and greases, sand and silt and organic solids heavy enough to settle in water. Secondary treatment biologically removes most of the suspended and dissolved organic material. Proposed Parcels 1-3 are located within the Ukiah Valley Sanitation District (UVSD) service area, while Parcels 4-7 are not included within a provider's current service area.

*Solid Waste.* The Ukiah landfill, outside City limits on Vichy Springs Road, stopped receiving municipal solid waste in 2001 and the City is working on capping the landfill. No new waste generated will be processed through the landfill. Solid waste generated in the Ukiah Valley is exported for disposal to the Potrero Hills Landfill in Solano County. The Valley's solid waste disposal system consists of a large volume transfer station, Ukiah Transfer Station, which receives waste for export.

**Discussion: (a) Less than significant impact with mitigation incorporated.** City sewer, water and electric utilities would be extended to the area which could result in physical impacts to the environment. However, all utilities will be undergrounded and located within or adjacent to existing access roads, on private parcels and previously disturbed areas. The City will own and maintain utility infrastructure through the use of utility easements. In addition to serving the proposed residential developments, the City desires to add new water storage and fire protection facilities in the Western Hills. Therefore, a water tank would be placed within the existing water tank pad site (identified by a blue dot on the Project Map in Figure 1). No other development is proposed at this time. With

incorporation of mitigation measures listed below and described in Biological Resources, Geology and Soils, and Hydrology and Water Quality, impacts related to expansion of utilities would not result in a significant impact to the environment. Impacts would be **less than significant with mitigation measures incorporated**.

**(b) Less than significant impact.** Existing City water services will be extended to the site(s) and a 150,000-gallon water tank will be installed. According to the water tank planning study memorandum, prepared by GHD (December 10, 2020), the existing wells produce approximately 50,000 gallons per day and are located adjacent to the proposed tank. As a result, the City proposes to supply the tanks with water from the wells rather than constructing new booster pump stations to pump water up to the tanks from the City's existing wells. As noted in the GHD memorandum, the potential development in this area could be served with adequate pressure by a tank at the proposed location. Accordingly, impacts would be **less than significant**.

**(c) Less than significant impact.** Wastewater from the properties will be treated at the City's Wastewater Treatment Plant (WWTP) through a new effluent line that will be constructed in existing roadways. The WWTP has capacity to serve this development. The Project would use a community septic tank, which would have to be pumped as needed, and sludge would be disposed of at the WWTP. With this design, discharges through the sewer line would have less Biochemical Oxygen Demand (BOD) and Total Dissolved Solids (TDS) than from other residential developments. Impacts would be **less than significant**.

**(d-e) Less than significant impact.** A significant amount of solid waste is not anticipated to be generated from the Project and all solid waste would be disposed of in accordance with all federal, state, and local statutes and regulations related to solid waste including state and local waste diversion requirements. Solid waste collected from construction and future development will be delivered to the Ukiah Transfer Station, which is owned by the City of Ukiah and operated by Solid Wastes Systems, Inc., and any materials not recycled, will be 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. 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.

All development would be required to comply with all regulations pertaining to wastewater, solid waste, and other service systems.

**Mitigation Measures:**

Implementation of **BIO-1** through **BIO-5**, and **GEO-1**.

## 20. Wildfire

<b>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	Less Than Significant Impact	No Impact
a) Substantially 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria:** Impacts to wildfire would be significant if the Project were located in or near a State Responsibility Area (SRA) or lands classified as very high fire hazard severity zones and substantially impaired an emergency response plan; exposed Project occupants to wildfire pollutants or uncontrolled spread of wildfire due to site conditions such as slope and prevailing winds; require the installation or maintenance of infrastructure that could exacerbate fire risk; or expose people or structures to significant risks as a result of post-fire runoff, slope instability or drainage changes.

**Environmental Setting:** None of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, County lands immediately west of the City (including the majority of the Project site(s)) are located within the SRA and are classified as having a “Very High” fire hazard severity. The Project site is developed with CalFire fuel breaks and has been subject to vegetation management practices in order to reduce fire risk in the Western Hills. A shaded fuel break was constructed (North to South) along the base of the western hills along the entire length of the City to reduce fuel loads and protect the community from wildfire risk in 2003. Maintenance was performed on the 100-ft wide, 2.6-mile fuel break in late 2018 and early 2019, with ongoing annual maintenance performed by the property owner/developer. The fuel break will continue to be maintained by CalFire, at the City’s request.

As discussed in Section 9, Hazards and Hazardous Materials, the County’s EOP plan and MJHMP address emergency operations, natural disasters (including wildfire), as well as mitigation strategies to reduce potential risks. The City of Ukiah adopted its “jurisdictional annex” chapter of the MJHMP on November 18, 2020. Hazards identified for the City of Ukiah include earthquakes, wildfire, dam failure, flood and pandemic. Table 1-13 of the City’s jurisdictional annex lists each hazard and mitigation action for City of Ukiah.

**Discussion: (a, b & d) Less than Significant.** As described above the Project area is developed with fuel breaks and has been subject to vegetation management practices in order to reduce fuel load within the Western Hills. The Project site is developed with an existing access road that will be improved in accordance with all access regulations. The Project also includes installation of an

approximately 150,000-gallon water tank to add new water storage and fire protection facilities in the Western Hills. Lastly, future residential development would be reviewed by the fire department and be required to adhere to all fire safety standards, including those for emergency access.

There are no components of the Project that would conflict with, or impair the adopted MJHMP, EOP, or other adopted emergency response plan or emergency evaluation plan. For the reasons stated, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, and would not impair emergency access. Impacts would be **less than significant**.

**(C) Less than significant impact. with mitigation incorporated.** As described in Section 9, Hazards and Hazardous Materials, of this Initial Study, installation of infrastructure and construction of the Project may involve the use of gasoline-powered tools and equipment potentially introducing new temporary sources of ignition that could increase fire risk. However, implementation of Mitigation Measure HAZ-2 will reduce impacts to less than significant. **Less than significant with mitigation incorporated.**

**Mitigation Measures:**

Implementation of **HAZ-2**

**21. Mandatory Findings of Significance**

MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion: (a) Less than significant impact with mitigation incorporated.** Project components including the acquisition, annexation, and rezoning of parcels, in addition to the Lot Line Adjustment, would not directly result in physical impacts to the physical environment. However, infrastructure improvements and the potential construction of up to seven single-family homes and seven associated ADUs, for a total of 14 units within the easternmost 54 acres of the Project area, could occur under the Development Agreement. Although residential development is not proposed at this time and the

Project would not grant any entitlements, this analysis assumes that the development will occur. As described throughout the Initial Study, construction and ground disturbing activities associated with these components could result in direct significant impacts to Air Quality, Biological Resources, Cultural /Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Utilities and Service Systems, and Wildfire. However, mitigation measures identified within the aforementioned sections would reduce impacts to **less than significant with mitigation incorporated**.

**(b) Less than significant impact with mitigation incorporated.** Cumulative impacts are generally considered in analyses of Air Quality, Biological Resources, Cultural Resources, Noise, and Traffic. As discussed throughout the Initial Study, the Proposed Project would have less than significant impacts on these resources with implementation of mitigation measures described herein. As discussed in Section 14, Population and Housing, as well as Section 11, Land Use and Planning, the potential development of up to 14 units would not induce substantial unplanned population growth in an area, either directly or indirectly. 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. However, all future housing development would be analyzed on a project level basis for direct, indirect, and cumulative impacts, as necessary. Mitigation measures identified within the Initial Study and Mitigated Negative Declaration related to ground disturbing activities and construction for road and utility improvements, as well as residential development, will be included in the Development Agreement and Lot Line Adjustment as Conditions of Approval to ensure that they are implemented accordingly. Based on the findings and conclusions contained in the Initial Study, cumulative impacts related to the Proposed Project would be **less than significant with mitigation incorporated**.

**(c) Less than significant impact with mitigation incorporated.** Based on the findings and conclusions contained in the Initial Study, the Proposed Project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be **less than significant with mitigation incorporated**.

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## VII. MITIGATION MONITORING AND REPORTING PROGRAM

Potential Impact	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
<p>Construction and ground disturbing activities could result in short-term impacts to air quality.</p>	<p><b>AQ-1: Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles:</b></p> <p>a. Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.</p> <p>b. Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.</p> <p>c. Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.</p> <p>d. Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.</p>	Developer	Developer	During construction and ground disturbing activities	
	<p><b>AQ-2: Grading Projects- During Construction-</b>All grading activities must comply with the following fugitive dust mitigation measures in accordance with District Regulation 1, Rule 1-430:</p> <p>a. All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.</p> <p>b. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 mph.</p> <p>c. Earth or other material that has been transported by trucking or earth moving</p>	Developer	Developer	During construction and ground disturbing activities	

	<p>equipment, erosion by water, or other means onto paved streets shall be promptly removed.</p> <p>d. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise airborne dusts.</p> <p>e. All earthmoving activities shall cease when sustained winds exceed 15 mph.</p> <p>f. The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.</p> <p>g. The operator shall keep a daily log of activities to control fugitive dust.</p> <p>h. For projects greater than one acre or one mile of road not located within a Naturally Occurring Asbestos Area, prior to starting any construction the applicant is required to:</p> <ol style="list-style-type: none"> <li>1. Submit a Large Area Grading permit application to the District.</li> <li>2. Obtain a final determination from the Air Quality Management District as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to Naturally Occurring Asbestos.</li> <li>3. Obtain written verification from the District stating that the project is in compliance with State and Local regulations relating to Naturally Occurring Asbestos.</li> <li>4. If the project is located within a Naturally Occurring Asbestos Area, additional mitigations shall be required.</li> </ol>				
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	<p><b>AQ-3: Property Development</b>-Prior to starting any construction, the applicant is required to:</p> <ol style="list-style-type: none"> <li>Obtain a Property Development Permit from the District for any open outdoor burning.</li> <li>Obtain a Grading Permit, if applicable.</li> <li>Confirm whether the project is in a Naturally Occurring Asbestos Area, and follow additional MCAQMD recommendations, if applicable.</li> <li>Consider alternate means of disposal other than open burning, such as cutting the majority of the larger material up as firewood, and chipping smaller material, if feasible to mitigate impacts from open outdoor burning.</li> <li>Obtain written verification from the MCAQMD stating that the project is in compliance with State and Local regulations.</li> </ol>	Developer	Developer	Prior to construction	
<b>Biological Resources</b>					
Construction and ground disturbing activities could result in impacts to sensitive plant species	<p><b>BIO-1: Special-Status Plants.</b> Full USFWS protocol-level sensitive plant species surveys for Mendocino tarplant, congested headed hayfield tarplant, bristly leptosiphon, broad-lobed leptosiphon, redwood lily, green monardella, white-flowered rein orchid, Mayacamas popcornflower, beaked tracyina, showy Indian clover, and oval-leaved viburnum within the blooming period (generally March-August) shall be conducted prior to any ground disturbing activities to verify the presence of special status plants, and identify additional mitigation if needed, to ensure that the project will not result in a significant impact.</p>	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction and ground disturbing activities could	<p><b>BIO-2: Red-belly newt.</b> A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of Red-belly</p>	Qualified Biologist	Developer	Prior to ground disturbing activities	

impact Red-belly newt and their habitat	newt, and identify additional avoidance measures, if needed.				
Construction, vegetation removal, and ground disturbing activities could impact nesting birds and their habitat	<b>BIO-3: Nesting Birds.</b> Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities occurring between March 1 and August 31 of any year. All active bird nests shall not be removed, relocated, or otherwise disturbed for any purpose until all fledglings have left the nest.	Qualified Biologist	Developer	Prior to vegetation removal or ground disturbing activities between March 1 and August 31	
Construction and ground disturbing activities could impact special-status insects and their habitat	<b>BIO-4: Special-Status Insects.</b> A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of special-status insect species and identify additional avoidance measures if needed. If a special-status insect nests are observed, active nests shall not be removed, relocated, or otherwise disturbed until the nest becomes inactive.	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction and ground disturbing activities could impact special-status mammals and their habitat	<b>BIO-5: Special-Status Mammals.</b> Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities. If evidence of bat roosts is observed (i.e. bat guano, ammonia odor, grease stained cavities) around trees or structures, pre-construction bat surveys shall be conducted by a qualified biologist for activities that may affect bat roosting habitat and den sites.	Qualified Biologist	Developer	Prior to ground disturbing activities	

Cultural Resources and Tribal Cultural Resources					
Ground disturbing activities have the potential for accidental discovery of unknown, undiscovered cultural resources and tribal cultural resources	<p><b>CUL-1: Unanticipated Discovery.</b> If previously unidentified cultural, historic, paleontologic or archeologic resources are encountered during project implementation, altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. A qualified professional archaeologist shall be contacted to evaluate the resource and methods necessary to protect it. Project personnel shall not collect, move, or disturb cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.</p>	Qualified archaeologist	Developer	During ground disturbing activities	
Ground disturbing activities have the potential for accidental discovery of unknown Native American remains	<p><b>CUL-2: Encountering Native American Remains.</b> If human remains are encountered during ground disturbing activities, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains will be provided.</p>	Qualified archaeologist	Developer	During ground disturbing activities	

Geology and Soils					
Ground disturbing activities could result in impacts associated with erosion, the loss of topsoil and landslides if not properly designed	Incorporation of Mitigation Measure <b>CUL-1</b>	Qualified archaeologist	Developer	During ground disturbing activities	
	<b>GEO-1:</b> The Project shall comply with the erosion and design standards outlined in Chapter 7 of the Ukiah City Code. Prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval. Said plans shall protect against soil erosion and runoff through the implementation of appropriate Best Management Practices (BMPs). Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, etc. No silt, sediment or other materials shall be allowed to flow from the project area.	Developer	Developer	Prior to any ground disturbance and throughout construction activities; ongoing as needed to control erosion	
Hazards and Hazardous Materials					
Project construction could result in a hazard to the public or the environment if the incidental use of petroleum hydrocarbons (fuel, oil) in tools used during construction were to lead to	<b>HAZ-1:</b> The developer shall establish and implement construction site management practices that will prevent toxic materials and other debris from entering the City's storm drainage and waterway systems, including:  a) There shall be no storage of hazardous materials at the Project Site; b) The developer shall provide adequate materials management, including covering, securing, and segregating potentially toxic materials (grease, oils, fuel, solvents, etc.); and	Developer	Developer	During construction	

accidental leaks or spills in or around the work area	c) The developer shall maintain supplies on-hand to contain spills of oil and any other hazardous materials used on-site.				
Construction of the Project may involve the use of gasoline-powered tools and equipment potentially introducing new temporary sources of ignition that could increase fire risk.	<p><b>HAZ-2:</b> Should portable gasoline-powered equipment be used on site, the following firesafe precautions shall be taken:</p> <ul style="list-style-type: none"> <li>a) Spark arresters are required on all portable gasoline-powered equipment.</li> <li>b) Equipment shall be maintained in good working condition, with exhaust systems and spark arresters in proper working order and free of carbon buildup.</li> <li>c) Fuel the equipment in a safe place where spills can be contained and a fire extinguisher is nearby. Use the recommended gas/oil mixture and do not top off. Use a funnel or spout for pouring. Wipe off any spills.</li> <li>d) Do not refuel running or hot equipment. Dispense fuel at least 10 feet from sources of ignition.</li> <li>e) Do not use equipment in areas of dry vegetation. Keep leaves and dry materials away from a hot muffler.</li> <li>f) No smoking or open flame allowed near gasoline-powered equipment.</li> </ul>	Developer	Developer	During construction	



Hydrology and Water Quality					
Ground disturbing activities and construction of the project would result in impervious surfaces that could impact water quality	Implementation of Mitigation Measures GEO-1 and HAZ-1	Developer	Developer	Prior to and during construction ; ongoing as needed to control erosion	
Noise					
Ground disturbing activities and construction of the project would result in temporary noise impacts	<p><b>NOI-1:</b> Prior to building permit or grading permit issuance, the developer shall comply with the following:</p> <ul style="list-style-type: none"> <li>a. Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.</li> <li>b. Construction haul routes shall be designed to avoid or lessen impacts to noise-sensitive uses (e.g., residences, schools, convalescent homes), to the extent feasible.</li> <li>c. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.</li> <li>d. Per the City's Noise Ordinance, construction shall not take place outside of the hours of 7:00 a.m. to 7:00 p.m.</li> </ul>	Developer	Developer	Prior to issuance of building or grading permits, and during construction	

<b>Utilities and Service Systems</b>					
City sewer, water and electric utilities would be extended to the area which could result in physical impacts to the environment	Implementation of <b>BIO-1</b> through <b>BIO-5</b> , and <b>GEO-1</b> .	See BIO-1 through BIO-5 and GEO-1	See BIO-1 through BIO-5 and GEO-1	See BIO-1 through BIO-5 and GEO-1	
<b>Wildfire</b>					
Construction of the Project may involve the use of gasoline-powered equipment and machinery, potentially introducing new sources of ignition that could increase fire risk	Implementation of Mitigation Measure <b>HAZ-2</b>	Developer	Developer	During construction	