

Section I Description Of Project.	
<p>DATE: MARCH 14, 2022 CASE#: CDP_2021-0042 DATE FILED: 11/12/2021 OWNER/APPLICANT: JAMES SCHMIDT & KRISTEN WILLIAMS AGENT: JAY ANDREIS REQUEST: Standard Coastal Development Permit for major vegetation removal of 2.9± acres of trees, for a planned single-family residence, view shed enhancement, and associated development. ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration LOCATION: In the Coastal Zone, 1± mile northeast of Mendocino, 0.35± miles north of the intersection of Gurley Lane (CR 407Z) and Little Lake Road (CR 408); located at 11100 Gurley Lane (CR 407Z), Mendocino; APN 119-020-35. STAFF PLANNER: LIAM CROWLEY</p>	
Section II Environmental Checklist.	
<p><i>“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.</i></p>	

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

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

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

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

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

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

"No Impact" means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<u>I. AESTHETICS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- a) **No Impact:** A scenic vista is defined as a location that offers a high quality, harmonious, and visually interesting view. No views into and out of the site have been identified as a scenic vista. The Mendocino County Coastal Element and Coastal Land Use Maps identify “highly scenic areas” within which new development shall be subordinate to the character of its setting. These designated areas contain views which would be considered scenic vistas. However, the project is not located in a designated highly scenic area. The proposal to remove trees as well as the reasonably foreseeable future single-family residential development, would not be located in an area designated as a scenic vista.
- b) **No Impact:** California State Assembly Bill 899 designates State Route (SR) 128 as a route in the state scenic highway system. To date, this is the only road within Mendocino County designated as such. The project site lies 8.5± miles from the nearest segment of SR 128. The project site cannot be seen from SR 128, and SR 128 cannot be seen from the project site. As such, the project would not interfere with public enjoyment of scenic resources.
- c) **Less Than Significant Impact:** The existing project site is heavily forested. Removal of 2.9 acres of trees and other vegetation could impact the existing visual character or quality of the site if it is interpreted that the existing trees and vegetation were integral to such a character or quality. However, the project surroundings include areas developed with single-family residences which were constructed on land that was previously not forested or also involved some manner of vegetation removal. As such, the proposed project would be in keeping with the surrounding visual characteristics. In addition, the proposed area of tree removal is located in an area of the lot shielded from the view of the only publicly maintained road with access to the site, Gurley Lane (CR 407Z). This view is shielded by existing trees and vegetation. The reasonably foreseeable future single-family development of the site would also match the surrounding visual character of the location, and would also be shielded by existing vegetation. As such, interference with public enjoyment of the site’s visual resources would be minimal.

- d) **Less Than Significant Impact.** The proposed project involves the removal of approximately 2.9 acres of trees and other vegetation. Tree removal activities would not occur at night, and therefore would not require a substantial source of light. Tree removal activities during the day are not expected to generate any substantial source of light. However, the reasonably foreseeable future development of the site with a single-family residence could include outdoor lighting. The proposal to construct a single-family residence was approved with conditions via Categorical Exclusion Order Number E-91-2 and reported to the California Coastal Commission on June 15, 2021. Categorical Exclusion Order Number E-91-2 identifies coastal areas in Mendocino County that are excluded from the requirement to obtain a Coastal Development Permit for the development of a single-family residence. In order to be excluded from Coastal Development Permit requirements, a project must conform to the Certified Local Coastal Program. Mendocino County’s Certified Local Coastal Program is also known as the Mendocino County Coastal Element. Mendocino County Coastal Element Policy 3.5-15 states that *“no lights shall be installed so that they distract motorists and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.”* The reasonably foreseeable future development of a single-family residence would therefore not create a new source of substantial light or glare.

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on agriculture and forestry resources if it would 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 uses; conflict with existing zoning for agricultural use or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use.

- a) **No Impact:** The project site is mapped as Grazing Land according to the Farmland Mapping and Monitoring Program. As this is not Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there would be no impact.
- b) **No Impact:** The project site is designated as a Rural Residential zone. The proposed project would not involve any use of the land that is in conflict with agricultural uses permitted within the Rural Residential zone. The project site is not part of a Williamson Act contract.
- c-d) **Less Than Significant Impact:** The project would convert 2.9 acres of timberland to residential use. The project parcel has a zoning designation of Rural Residential, which is intended primarily for residential use rather than forest or timber uses. The conversion to residential use would have a less than significant impact because the project conforms to the requirements of California Code of Regulations Section 1104.1 and is exempt from a Conversion permit or timber harvesting plan from the Department of Forestry and Fire Protection. A conversion of 3 acres or greater would be considered a significant conversion of forest land to non-forest use.
- e) **No Impact.** The project includes reasonably foreseeable future construction and operation of a single-family residence within the area designated for tree removal. The construction and operation of the single-family residence would not occur beyond the area of tree removal identified for the project. Therefore, there would be no additional conversion of forest land beyond what has been discussed in the above response to question (c) and (d).

III. AIR QUALITY.				
Where available, the significance criteria established by the applicable air quality management 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 Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of any applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people.

- a) **Less Than Significant Impact:** Applicable air quality plans include the State and Federal Clean Air Acts as well as local air quality regulations. These acts and regulations are enforced by the Mendocino Air Quality Management District (MCAQMD), who publishes District Rules and Regulations. The project can be

considered in two phases. The first phase involves construction whereby trees and vegetation are removed and a single-family residence is constructed along with a detached shop, driveway improvements, and a septic system. The second phase involves normal operation of the single-family residence. Removal of trees and other vegetation and operation of a single-family residence is not expected to significantly increase regional vehicle miles traveled (VMT). The majority of pollutant emissions would occur only during the construction phase and would be temporary in nature. No new long-term point source of emissions would be created. The disposal of vegetative matter grown on a property is excluded from MCAQMD Open Outdoor Burning Procedures pursuant to Rule 2-130(a)(1). The proposed project is consistent with other MCAQMD Rules and Regulations. Residential use is a principally permitted use within the Rural Residential district. As such, air quality impacts related to residential use of the site have been considered during environmental review for the adoption of the Mendocino County General Plan in 2009. Therefore, the impact is less than significant.

b-c) **Less Than Significant Impact:** As of October 2020, Mendocino County is in attainment for all State criteria air pollutants except for Particulate Matter less than 10 microns in size (PM₁₀). The County is unclassified in regard to the criteria pollutants Hydrogen Sulfide and Visibility Reducing Particles. As of October 2018, the County is in attainment for all Federal criteria pollutants except for PM₁₀, for which the County is unclassified. The MCAQMD Rule 1-430(b) states that “the following airborne dust control measures shall be required during all construction operations, the grading of roads, or the clearing of land;

- (1) All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions
- (2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour.
- (3) Earth or other material that has been transported by truck or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
- (4) Asphalt, oil, water or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise to airborne dusts.
- (5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour.
- (6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during work hours.
- (7) The operator shall keep a daily log of activities to control fugitive dust.”

Operation of a single-family residence would not create an on-site stationary source of emissions beyond what has been addressed in environmental review of the County General Plan, which anticipates residential development in the project parcel's zoning district. The majority of emissions would be limited to construction activities related to tree removal and the residential structure. These activities include exhaust emissions from vehicles, use of heavy equipment, dust emissions from vehicle travel, and emissions related to chipping and burning wood from removed trees within the conversion area. Exhaust emissions during tree removal would vary daily as activities change. The use of equipment would create localized emissions in the limited conversion area. The project and associated activities could result in fugitive dust emissions, which contributes to PM₁₀ nonattainment. However, short-term emissions from grading and construction were considered during environmental review of the Mendocino County General Plan. The Mendocino County General Plan EIR proposed policies and action items that would provide mitigation for such impact which were considered significant and unavoidable. These policies and action items were adopted as part of the Resource Management Element of the General Plan. Approval of this Coastal Development Permit would require findings of consistency and possible conditions of approval related to General Plan policies, which would ensure that the project does not contribute substantially to nonattainment and would not surpass thresholds set by MCAQMD. Therefore, the impact is less than significant.

d) **Less Than Significant Impact:** Examples of land uses which can contain sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential neighborhoods. The project site is surrounded by existing single-family homes, and as such has the potential to expose sensitive receptors to pollutants. However, as discussed in response “b-c)” above, consistency with General

Plan policy would ensure that the project would not surpass air quality emissions thresholds. Impacts to sensitive receptors would be less than significant if the emissions do not surpass such thresholds.

- e) **Less Than Significant Impact:** On-site disposal of trees, including burning, may create objectionable odors. In addition, the project site is adjacent to several residences. However, the short-term nature of the project and limited area of conversion indicate that these potential odors would have a less than significant impact. Operation of the single-family residence is not expected to create any objectionable odors.

<p><u>IV. BIOLOGICAL RESOURCES.</u> Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant with Mitigation Incorporated</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>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?</p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>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 US Fish and Wildlife Service?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>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?</p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>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?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>

Thresholds of Significance: The project would have a significant impact on biological resources if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or 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; or have a substantially adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or 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; or conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan.

Discussion: Mendocino County Coastal Element Policy 3.1-2 states that *“Development proposals in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource.”*

Mendocino County General Plan Biology and Ecology Resources Policy RM-28 states that *“all discretionary public and private projects that identify special-status species in a biological resources evaluation (where natural conditions of the site suggest the potential presence of special-status species) shall avoid impacts to special-status species and their habitat to the maximum extent feasible. Where impacts cannot be avoided, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction.”*

The California Natural Diversity Database (CNDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, other agencies, and conservation organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes, and provide baseline data helpful in recovering endangered species and for research projects. Currently, the CNDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened to Threatened to Endangered.

Many species of plants and animals within the State of California have low populations, limited distributions, or both. Such species may be considered “rare” and are vulnerable to local extinction as the state’s human population grows and the habitats these species occupy are converted to agricultural and urban uses. A sizable number of native species and animals have been formally designated as threatened or endangered under State and Federal endangered species legislation. Others have been designated as “Candidates” for listing and the California Department of Fish and Wildlife (CDFW) has designated others as “Species of Special Concern.” The California Native Plant Society (CNPS) has developed its own lists of native plants considered rare, threatened, or endangered. Collectively, these plants and animals are referred to as “special status species.”

Section 404 of the Clean Water Act defines wetlands as *“those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstance do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bog and similar areas.”*

Mendocino County currently has once active Habitat Conservation Plan (HCP) with the California Department of Fish and Wildlife which provides protections for the Point Arena Mountain Beaver. The Fisher Family HCP (Permit #TE170629-0) covers 24 acres of coastal scrub and was adopted December 3, 2007 for a period of 50 years. The Fisher Family HCP applies to parcel APN: 027-211-02 located at 43400 Hathaway Crossing, Point Arena. Additionally, since 2003, the Mendocino Redwood Company (MRC) has managed the County’s only Natural Community Conservation Plan which covers all lands owned by the MRC to preserve regionally important habitat.

A biological scoping, wetland delineation, and botanical survey report was prepared for the project by Wynn Coastal Planning & Biology on December 14, 2021. The report includes information from floristic and Environmentally Sensitive Habitat Area (ESHA) surveys conducted on June 9th & 10th and July 25th of 2019 and April 21st of 2020. Biologists also conducted surveys on September 20th and 30th of 2021. The report includes survey results for locating potential ESHAs, special status plants and communities, wetlands and riparian areas, and special status animals and/or their habitats. The report also includes recommended mitigation measures for any potential impacts from the proposed project.

a, d, e) **Less Than Significant Impacts With Mitigation Incorporated:** No special status plant species were observed during floristic surveys of the site. No special status wildlife species were observed during the field biological surveys of the site. However, suitable habitat for special status wildlife species was identified. Potential impacts to nesting birds, bats, special status amphibians, and the Sonoma Tree Vole were identified within the biological report prepared for the project. Vegetation removal has the potential to impact special status bat species because bats are vulnerable when roosting for reproduction when young are not yet able to fly, and during hibernation, because they can die of cold or malnutrition if hibernation is disturbed. Vegetation removal activities would also involve walking across areas where amphibians may be traveling. Staging of materials and removal of debris could also disturb special status amphibians that may be hiding

underneath these materials. Vegetation removal would involve cutting trees that could be food and shelter for Sonoma tree voles if they are present. Removal of trees can change the local microclimate of the forest canopy adjacent to the tree removed by changing the amount of sunlight, humidity, and wind exposure, which has the potential to change the suitability of trees in the adjacent canopy for tree voles. The project would not conflict with any tree preservation policy or ordinance. The following mitigation measures would reduce these impacts to less than significant levels. These mitigation measures are included as recommended conditions of approval in the staff report prepared for this project. Specifically, Condition 9 and 10 require that the applicant incorporate these measures in order to avoid possible impacts to special status species.

Mitigation Measure BIO-1: If development is to occur during the breeding season for nesting birds (February to August), a pre-vegetation removal survey shall be conducted within 14 days of the onset of vegetation removal to ensure that no nesting birds will be disturbed during this process.

Mitigation Measure BIO-2: If active special status bird nests are observed, no vegetation removal activities shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

Mitigation Measure BIO-3: Vegetation removal shall occur during daylight hours to limit disturbing noise and minimize artificial lights.

Mitigation Measure BIO-4: If tree removal will occur between November 1 and August 31, pre-construction surveys for bat roost sites shall be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-vegetation removal bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

Mitigation Measure BIO-5: If active bat roosts are observed, no vegetation removal activities shall occur within a minimum 50-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

Mitigation Measure BIO-6: Within two weeks prior to vegetation removal activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special status amphibians are observed during construction.

Mitigation Measure BIO-7: During vegetation removal crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

Mitigation Measure BIO-8: During vegetation removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

Mitigation Measure BIO-9: If a rain event occurs during the vegetation removal, all vegetation removal activities with the potential to impact amphibians will cease for a period of 48 hours, starting after the rain stops. Prior to resuming vegetation removal activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found during inspections, vegetation removal activities may resume. If a special status amphibian is detected, vegetation removal crews will stop all vegetation removal work with the potential to negatively impact amphibians and will contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW will then be needed prior to reinitiating work. CDFW will need to be consulted and will need to be in agreement with protective measures needed for any potential special status amphibians.

Mitigation Measure BIO-10: Within 14 days prior to the commencement of vegetation removal/logging activities, a qualified biologist will conduct protocol level Sonoma Tree Vole (STV) surveys within the area where trees will be removed and within areas with tree canopy microclimate that could be affected by the tree removal. If STV nests are detected the biologist will consult with CDFW for further guidance and no tree removal will occur within 100 feet of the STV nests unless and until approved by CDFW.

- b) **No Impact:** No aquatic habitat capable of supporting fish was observed within the biological scoping survey study area.
- c) **No Impact:** For the wetland delineation survey prepared for the project, protocol level sample points were conducted in areas that both showed potential for being wetland and occurred in locations with the potential to affect the project proposal. No hydric soil, hydrology, or hydrophytic vegetation indicators were observed.
- f) **No Impact:** The project parcel is not within the boundary of any Habitat Conservation Plan, Natural Community Conservation Plan, or any other habitat conservation plan.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on cultural resources if the project would cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations § 15064.5; or cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or directly or indirectly destroy a unique paleontological resources or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries.

Discussion: Archaeological resources are governed by Mendocino County Code (MCC) Section 22.12.090 which echoes state law regarding discovery of artifacts and states, in part, *“it shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archaeological site without complying with the provisions of this section.”* MCC Section 22.12.090 governs discovery and treatment of archaeological resources, while Section 22.12.100 codifies the procedures by which discovery of human remains shall be handled. Pursuant to California Code of Regulations Title 14, Chapter 3, Sub Section 15064.5(c)(4), *“if an archaeological resource is neither a unique archaeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.”*

- a-d) **No Impact:** The project was referred to the Northwest Information Center at Sonoma State University, who responded with comments on December 16, 2021. The Center recommended that an archival and field study of the project site be conducted to identify possible cultural resources. The project was then heard by the Mendocino County Archaeological Commission on January 12, 2022, who determined that an archeological survey is required for the project site. The project was also referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As yet, these tribes have not commented on the project. On February 24, 2022, the applicant provided an Archaeological Survey Report prepared by Alta Archaeological Consulting. This report notes that on January 31, 2022 fieldwork was conducted to identify any archaeological, cultural, or

historical resources on the project site. 21.7 acres of the parcel were surveyed with transects no greater than 20-meter intervals. A total of 22 shovel pits were conducted in low visibility areas throughout the site, and soils were inspected for evidence of cultural materials. No cultural resources were identified as a result of the archaeological survey. Therefore, the project, as designed, is not anticipated to have an adverse effect on historical, archaeological, or cultural resources.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on geology and soils if it would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure (including liquefaction), or landslides. The project would also have a significant impact if it would result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or 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.

- a) **Less Than Significant Impact:** The San Andreas Fault is the closest known active fault to the project site. Its closest point to the project is approximately 20 miles south of the site where it continues offshore near Manchester. The San Andreas Fault is capable of generating very strong earthquakes. The last major event

along this portion of the fault occurred in 1906 in San Francisco, with a magnitude (M) of 7.9. This event caused severe shaking in Mendocino County and extensive structural damage. Since the 1906 earthquake, little seismic activity has been recorded along the fault north of San Francisco. The project site is not mapped as a liquefaction zone by the California Geological Survey Earthquake Zones of Required Investigation. Vegetation removal can contribute to landslides, particularly in areas underlain by the Franciscan Formation, which is known to have poor slope stability characteristics. The proposed area of tree removal occurs on soil that has been identified as Ferncreek sandy loam 2 to 9 percent slopes (141) and Caspar-Quinliven-Ferncreek complex 9 to 30 percent slopes (124) per the 2002 Soil Survey of Mendocino County, Wester Part. Ferncreek sandy loam surface runoff is slow or medium, and the hazard of water erosion is slight or moderate if the surface is left bare. The Caspar-Quinliven-Ferncreek complex includes 35 percent Caspar sandy loam, 35 percent Quinliven sandy loam, and 15 percent Ferncreek sandy loam. Surface runoff on the Caspar and Quinliven soil is medium or rapid with a moderate hazard of water erosion if left bare. The majority of the tree removal area occurs on the Ferncreek soil. Low to moderate water erosion indicates a less than significant impact regarding landslides. In addition, the distance from the nearest active fault suggests that there will be no impact regarding exposure to seismic activity.

- b) **Less Than Significant Impact:** The soils present on site exhibit a slight to moderate hazard of water erosion when left bare. The primary forms of erosion resulting from timber harvesting include sheet and rill erosion. However, the project does not propose to remove existing live ground cover on the site, and as such bare soil is not expected to be exposed as a result of tree removal. As such, impacts due to sheet or rill erosion would not be significant.
- c-d) **Less Than Significant Impacts:** As discussed above in response to question (a) and (b), erosion hazards are slight to moderate for soils on the majority of the project site. Additional limitations affecting timber harvesting on these soils include seasonal wetness, sheet, and rill erosion. Other limitations include low bearing strength when soils are saturated, compaction and damage to roots produced by wheeled and tracked equipment, and soft, slippery, or sometimes unpassable roads during rainy periods. Despite this, the project site is located on soils that are not considered unstable, and other geologic hazards are not expected to occur as a result of the project. The project site is not mapped in an area of expansive soils.
- e) **Less Than Significant Impact:** The identified Ferncreek, Caspar, and Quinliven soils can become seasonally saturated and have restricted permeability in the subsoil. This can increase the possibility of failure of septic tank absorption fields. However, the project site has the opportunity to make use of alternative septic systems such as those in which leach lines are placed in a mound above the soil surface. The reasonably foreseeable future development of a single-family residence would likely include a septic tank. Construction of septic tanks are regulated by the Mendocino County Department of Environmental Health. Environmental Health permitting requirements for septic tanks would reduce possible failure of a future septic tank, indicating that any impacts would be less than significant.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, 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"/>

Thresholds of Significance: The project would have a significant impact on greenhouse gas emissions (GHGs) if it would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Mendocino County Air Quality Management District (MCAQMD) has issued a recommendation that agencies use the CEQA thresholds of significance for criteria air pollutants and GHGs that have been adopted by the Bay Area Air Quality Management District (BAAQMD). These guidelines include no construction related thresholds. Operational thresholds for stationary sources are 10,000 Metric Tons of CO₂e per

year (Carbon Dioxide equivalent), while operational thresholds for projects other than stationary sources are 1,100 Metric Tons of CO₂e per year. In addition, Mendocino County building regulations require new construction to include energy efficient materials and fixtures.

a-b) **Less Than Significant Impacts:** The proposed project is not expected to conflict with any regulations aimed at reducing greenhouse gas emissions. The proposed use as a single-family residence is principally permitted within the Rural Residential zoning district, the environmental impacts of which have been considered under the Mendocino County General Plan EIR. The majority of greenhouse gas emissions would occur during the construction phase of the project, for which MCAQMD does not include emissions thresholds. The removal of trees would occur during the construction phase, and would produce temporary emissions primarily through the use of heavy equipment and vehicular exhaust. No long term impacts are expected to result from the construction phase of the project, and as such the impacts are less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant impact in regards to hazards and hazardous materials if it were to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably

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

- a-c) **No Impact:** California Health and Safety Code (HCC) Section 25501(n)(1) defines a “hazardous material” as a material “that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.” HCC Section 25501(n)(2) lists various hazardous materials. The project proposal does not include the use of any hazardous materials. Therefore, the transport, use, disposal, or accidental release or emission of hazardous materials is not considered a concern with regard to this project.
- d) **No Impact:** The California Department of Toxic Substances Control EnviroStor database includes a Hazardous Waste and Substances Site List (Cortese List) pursuant to Government Code Section 65962.5. There are three (3) sites within Mendocino County which appear on the list. The project site is not located on any of these sites, and as such there is no impact.
- e-f) **No Impact:** The Mendocino County Airport Comprehensive Land Use Plan, adopted in 1993, identifies several geographic areas of concern within the County where there may be significant airport impacts. The closest airport identified in the plan is the Little River Airport. The closest mapped airport zone for this airport is 2.75± miles from the project site. The project site is not in the vicinity of any private airstrips. This indicates no impact related to airports.
- g) **Less Than Significant Impact:** The Mendocino County General Plan states that the Mendocino County Office of Emergency Services is responsible for administering the Mendocino County Emergency Operations Plan (EOP). Currently, the County of Mendocino has not prepared or adopted an EOP. The Mendocino County General Plan also contains several policies related to emergency response. Policy DE-208 and Policy DE-210 are relevant to this project. Policy DE-208 states that “*land uses, densities and intensities shall be designed to reduce human risk and exposure to hazardous conditions and events.*” The Rural Residential zoning district, which implements the Mendocino County General Plan regarding land uses, densities, and intensities, provides for single-family residential development as a principally permitted use. Thus, the proposed project conforms to this policy. Policy DE-210 states that “*development shall not hinder the maintenance and use of routes and sites critical to evacuation, emergency operations and recovery.*” The proposed tree removal and single-family residence would not be located within any such routes. The project does contain plans to improve an existing driveway on the site, which would require an Encroachment Permit from the Mendocino County Department of Transportation for any work being done within the County right of way (Gurley Lane). This would be the only work done within the County right of way, and as such any impact to emergency or evacuation routes would be temporary and minimal.
- h) **Less Than Significant Impact:** The proposed project would be located within an area CalFire considers to be of high fire hazard. However, the removal of trees would create an area of defensible space surrounding the proposed single-family residence. In addition, the project parcel is located within the jurisdiction of both the Mendocino Fire Protection District and the CalFire State Responsibility Area, who will provide service to the new single-family residence. New residential development must conform to CalFire State Fire Safe Regulations.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater

recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Discussion: Regulatory agencies include the State Water Resources Control Board (SWRCB) and the North Coast Regional Water Quality Control Board. The State Water Resources Control Board is responsible for implementing water quality standards in California. Water Code Section 13050(d) defines “waste” as “*sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.*” Typical activities and uses that affect water quality include, but are not limited to, discharge of process wastewater from factories, confined animal facilities, construction sites, sewage treatment facilities, and material handling areas which drain into storm drains.

Water Code Section 1005.1 defines “groundwater” as “*water beneath the surface of the ground, whether or not flowing through known and definite channels.*” Outside of the Ukiah Valley in Mendocino County, groundwater is the main source for municipal and individual domestic water systems. Groundwater also contributes significantly to irrigation in Mendocino County. Groundwater wells are the primary source of water for a vast array of land uses within Mendocino County for which there is not municipal water service. The County’s groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Inland valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, and irrigation. Specific information regarding recharge areas for Mendocino County’s groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification, such as paving, building, and gravel removal, it is anticipated that continued recharge will resupply groundwater aquifers.

- a-b) **Less Than Significant Impacts:** The project includes a proposed water well, which would make use of groundwater and could potentially interfere with groundwater recharge. The Coastal Groundwater Resource Area map produced by Mendocino County identifies the site within a Critical Water Area. This information indicates that the proposed project could have a significant impact on groundwater resources. The proposed well was approved by Categorical Exclusion CE_2021-0026, which indicated that a well permit would be required from the division of Environmental Health prior to operation. The issuance of a well permit from Environmental Health would ensure that potential impacts to groundwater would not be significant. No other known water quality standards or waste discharge requirements would be violated by the proposed project. The removal of trees and other vegetation would not involve the extraction of any groundwater and would only interfere with groundwater recharge inasmuch as it would leave small amounts of bare soil directly exposed to precipitation. This would not be considered a significant impact.
- c-f) **Less Than Significant Impacts:** The proposal to remove trees would leave bare soil on the project site, which could alter the existing drainage pattern primarily through sheet and rill erosion. The removal of 2.9 acres of trees and other vegetation may also increase the rate of surface runoff on the site. The topography of the project site indicates that surface runoff flows into a small wetland approximately 500 feet to the north of the northern subject parcel boundary. Activities that decrease the permeability of soils on site would further increase the speed of surface runoff which may impact the nearby wetland. The only proposed activities that could decrease permeability on the site include construction of the single-family residence and improvements to the existing driveway. The removal of trees and vegetation is not expected to

significantly alter the existing drainage pattern or increase surface runoff to the extent that it would alter the nearby wetland or impact flooding.

- g-j) **No Impact:** There are no mapped 100-year flood hazard areas designated on the project site. As such, the proposed single-family residence and all other structures would not be placed within the boundary of a mapped 100-year flood hazard area, and would not impede or redirect flood flows or expose people or structures to significant risk due to flooding. The subject parcel is not located within any seiche, tsunami, or mudflow zone.
- k-l) **Less Than Significant Impacts:** Pollutant discharges or impacts to groundwater quality due to tree removal or construction and operation of a single-family residence are expected to be insignificant. The project is not considered a land use which would have potentially significant waste discharge affecting receiving water quality or groundwater quality.
- m) **No Impact:** As discussed in the response to questions (b) and (c) of Section IV Biological Resources of this document, no aquatic habitat or wetlands were observed in the project area. Tree removal, construction, and operation of a single-family residence is not expected to affect any other aquatic, wetland, or riparian habitat off-site.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance with regards to land use, as well as a number of more locally derived specific plans. The subject parcel is within the coastal zone and is subject to the Mendocino County Coastal Element.

Mendocino County currently has once active Habitat Conservation Plan (HCP) with the California Department of Fish and Wildlife which provides protections for the Point Arena Mountain Beaver. The Fisher Family HCP (Permit #TE170629-0) covers 24 acres of coastal scrub and was adopted December 3, 2007 for a period of 50 years. The Fisher Family HCP applies to parcel APN: 027-211-02 located at 43400 Hathaway Crossing, Point Arena. Additionally, since 2003, the Mendocino Redwood Company (MRC) has managed the County's only Natural Community Conservation Plan which covers all lands owned by the MRC to preserve regionally important habitat.

- a) **No Impact:** The project involves removal of trees and construction of a single-family residence and supporting structures. The land surrounding the subject parcel is primarily developed with single-family residences. As such, the proposed project would match surrounding land uses and would not divide an established community.

b-c) **No Impact:** There are no identified environmental impact mitigation plans with which the proposed project would conflict. The project parcel is not within the boundary of any Habitat Conservation Plan, Natural Community Conservation Plan, or any other habitat conservation plan.

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

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

Discussion: The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. SMARA also encourages the production, conservation, and protection of the state’s mineral resources. SMARA requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources.

The predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. Three sources of aggregate materials are present in Mendocino County: quarries, instream gravel, and terrace gravel deposits. The demand for aggregate is typically related to the size of the population and construction activities, with demand fluctuating from year to year in response to major construction projects, large development activity, and overall economic conditions.

a-b) **No Impact:** There are no known mineral resources located near the subject parcel, thus there is no loss of availability of regional or locally important mineral resources.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from a lower background or ambient noise level to temporary increases caused by traffic or other sources. State and Federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment. Mendocino County relies principally on standards in its Noise Element, its Zoning Ordinance, and other County ordinances, and the Mendocino County Airport Comprehensive Land Use Plan to evaluate noise-related impacts of development. Land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential land use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise-sensitive.

a-d) **Less Than Significant Impacts:** The proposed project involves the removal of trees and eventual construction and operation of a single-family residence. Construction of the single-family residence and the removal of trees are expected to generate temporary increases in ambient noise levels and ground vibration. The use of equipment, machinery, and large vehicles during construction and tree removal are examples of activities that would generate temporary noise. The subject parcel is surrounded by several other single-family residences, which are considered sensitive receptors to excessive noise. However, the removal of trees and construction of a single-family residence is not expected to generate temporary noise that is substantially greater than existing levels or in excess of Mendocino County Exterior Noise Limit Standards. The long term residential use of the land is expected to have minimal noise impacts.

e-f) **No Impact:** The project parcel is not within an airport land use plan area or in the vicinity of any known private airstrip.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on population and housing if it would induce substantial population growth in an area, either directly or indirectly; or displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Discussion: Mendocino County’s Housing Element is designed to facilitate the development of housing adequate to meet the needs of all County residents. The Mendocino Council of Governments (MCOG) 2018 Regional Housing Needs Plan prepared a Regional Housing Needs Assessment which calls for an additional 1,845 housing units to be provided between 2019 and 2027. Goals and policies within the 2019-2027 update of the Housing Element were established in order to facilitate the development of these housing units at a range of sizes and types to address this need.

- a) **No Impact:** The proposed tree removal would clear space for the construction of a single-family residence. The single-family residence would only induce population growth related to a single household. According to the U.S. Census Bureau American Community Survey 5-year estimate for 2015-2019, the average number of persons per household in Mendocino County is 2.47. An increase of two (2) to three (3) persons is not considered to be inducing population growth in the area.
- b) **No Impact:** No residential structures currently exist on the site. The proposal to remove trees in anticipation of the construction of a single-family residence would thus increase housing units without displacing any peoples or housing units.

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

Thresholds of Significance: The project would have a significant impact on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, medical services, schools, parks, or other public facilities.

Discussion: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is located within the jurisdiction of the Mendocino Fire Protection District and the California Department of Forestry and Fire Protection (CALFIRE) State Responsibility Area (SRA). The Mendocino Fire Protection District is the governing agency for the Mendocino Volunteer Fire Department, which is often the first to respond to incidents in the area. However, CALFIRE is the primary provider for wildland fire protection service in this area. The Mendocino County Sheriff’s Office is the primary police protection provider for the unincorporated areas of the County. The project is located within the jurisdiction of the Mendocino

Unified School District. The closest medical services are located at the Mendocino Coast District Hospital and Adventist Health Mendocino Coast. Both of these facilities are located in the City of Fort Bragg, approximately 10 miles from the project site by automobile. The project parcel is in the vicinity of numerous public parks and open space, primarily located in the nearby Town of Mendocino and as park of Russian Gulch State Park.

- a) **No Impact:** The proposed project does not include the provision of new or physically altered governmental facilities, and would not create the need for new or physically altered governmental facilities. Existing public services are sufficient to meet the needs of the proposed project. The project location is within an existing residential area with access from a publicly maintained road. The addition of a single-family residence to the general vicinity is not expected to interfere with service ratios or response times for the area. As such, no environmental impacts would occur in association with these services.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: The County of Mendocino manages a variety of public recreation areas including Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion’s Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of state parks, reserves, and other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The project parcel is located approximately 2 miles east of Mendocino Headlands State Park and 3.5 miles southeast of Russian Gulch State Park by car.

- a-b) **No Impact:** The proposed tree removal would clear space for a single-family residence. The occupation of the single-family residence by a household would increase the population of the area. These new residents could visit nearby recreational areas. However, the impacts to these recreational areas would be minimal. The addition of a single household would not substantially accelerate the deterioration of recreational facilities, nor strain the capacity of such facilities to the extent that new facilities would need to be constructed or expanded. Single-family residential use of the site is principally permitted in the zoning district, and impacts of such a use on recreational facilities were considered when land use classifications were assigned as part of adoption of the General Plan.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: The unincorporated areas of Mendocino County are served by state highways, county roads, and private roads. State highways that pass through or are within Mendocino County include U.S. Highway 101 and State Routes (SR) 1, 20, 128, 162, 175, 222, 253, and 271. The County-maintained road system is primarily a network of two-lane roads for vehicular movement of goods and people and to provide facilities for non-motorized traffic. Roads in the County road system include prescriptive rights or property offered to the County for public road purposes. Not all public roads are in the County-maintained road system. An extensive private road network serves a wide variety of uses within the County, including areas that are not served by a publicly-maintained system. Development has increased traffic on roads with uncoordinated improvements and maintenance, and limited circulation patterns. Conflicting road names, ambiguous or unmapped road locations, and excessive grades hamper emergency services in some areas.

The Mendocino Transit Authority (MTA) provides public transportation services to residents of Mendocino County, both within unincorporated areas and cities. As of 2007, the MTA operated 12 fixed routes serving areas along SR 128 from SR 1 to Ukiah, the Ukiah Valley area, the U.S. 101 corridor between Hopland and Laytonville, and along SR 1 between SR 128 and Fort Bragg, as well as limited connections on the South Coast from SR 128 to Gualala. Other routes extend from SR 1 and U.S. 101 to Bodega Bay and Santa Rosa in Sonoma County.

The Mendocino County General Plan Development Element contains policies related to transportation, road systems, pedestrian and bicycle systems, and transit systems. The Mendocino County Department of Transportation is responsible for the maintenance and operation of County maintained transportation infrastructure. Title 15 of the Mendocino County Code (MCC) regulates vehicles and traffic.

a, c, d) **No Impacts:** The project site is accessed via Gurley Lane, a publicly maintained road (County Road 407Z). A private driveway currently exists on the project site. No comments were provided by the Mendocino County Department of Transportation, CalFire, or the Mendocino Fire Protection District regarding any emergency access issues. The proposed project would not conflict with any County plans related to public transit, pedestrian and bicycle infrastructure, or congestion management standards. The proposed project does not include hazardous transportation design features or incompatible uses.

b) **Less Than Significant Impacts:** The project site is located on a publicly maintained road in an existing residential area. In addition, the project site is located approximately 1± mile from the intersection of Little Lake Road and State Route 1. The project site is approximately 1.2± miles from Mendocino town center, which is a destination of vehicle trips from the surrounding area. The 2018 Governor’s Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA states that projects that generate fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.¹ Per table 2A of the Mendocino Council of Government (MCOG) Travel Demand Forecasting Model, a single-family residence in the Central Coast (Mendocino) area would generate 9.79 trips per day.² As such, the project is not expected to generate significant impacts to vehicle miles travels.

¹ State of California. Governor’s Office of Planning and Research. (2018). *Technical Advisory on Evaluating Transportation Impacts in CEQA*.

² Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*.

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on tribal and cultural resources if it would 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 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 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 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.

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

a-b) **No Impact:** The project was referred to the Northwest Information Center at Sonoma State University, who responded with comments on December 16, 2021. The Center recommended that an archival and field study of the project site be conducted to identify possible cultural resources. The project was then heard by the Mendocino County Archaeological Commission on January 12, 2022, who determined that an archeological survey is required for the project site. The project was also referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As yet, these tribes have not commented on the project. On February 24, 2022, the applicant provided an Archaeological Survey Report prepared by Alta Archaeological Consulting. This report notes that on January 31, 2022 fieldwork was conducted on to identify any archaeological, cultural, or historical resources on the project site. 21.7 acres of the parcel were surveyed with transects no greater than 20-meter intervals. A total of 22 shovel pits were conducted in low visibility areas throughout the site, and soils were inspected for evidence of cultural materials. No cultural resources were identified as a result of the archaeological survey. Therefore, the projects, as designed, is not anticipated to have an adverse effect on historical, archaeological, or cultural resources.

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on utilities and service systems if it would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or have insufficient water supplies available to serve the project from existing entitlements and resources, to the extent that new or expanded entitlements would be needed; or result in a determination by the wastewater treatment provider which serves or may serve the project that is has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; or fail to comply with federal, state, and local statutes and regulations related to solid waste.

Discussion: Public sewer systems in Mendocino County area provided by cities, special districts, and some private water purveyors. There are 13 major wastewater systems in the county, four of which primarily serve the incorporated cities, but also serve some unincorporated areas. Sewage collected by the Brooktrails Township Community Services District and Meadowbrook Manor Sanitation District is treated at the City of Willits Wastewater Treatment Plant. The City of Ukiah Wastewater Treatment Plant also processes wastewater collected by the Ukiah Valley Sanitation District. Sewage disposal in the remainder of the county is generally handled by private onsite facilities, primarily septic tank and leach field systems, although alternative engineered wastewater systems may be used.

The Development Element of the Mendocino County General Plan (2009) notes there are no remaining operating landfills in Mendocino County. As a result, solid waste generated within the County is exported for disposal to the Potrero Hills Landfill in Solano County. 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.

Mendocino County Development Goal DE-21 (Solid Waste) states: *Reduce solid waste sent to landfills by reducing waste, reusing materials, and recycling waste.* Solid Waste and Hazardous Waste and Material Management Policy DE-201 states the County’s waste management plan *shall include programs to increase recycling and reuse of materials to reduce landfilled waste.* Mendocino County’s Environmental Health Division regulates and inspects more than 50 solid waste facilities in Mendocino County, including: 5 closed/inactive municipal landfills, 3 wood-waste disposal sites, 2 composting facilities, and 11 transfer stations.

a-g) **No Impact:** The subject parcel is not served by a wastewater treatment provider. Wastewater for the project will be treated through a septic system and leach field. In addition, the proposed project would be supplied water by an onsite well. The Department of Environmental Health imposes conditions on the construction of septic systems, leach fields, and wells in order to maintain compliance with water provision and wastewater disposal standards. The solid waste facility nearest to the project site is the Caspar Transfer Station, located approximately 1.2± miles north of the site. Transfer of solid waste from project site to the Caspar Transfer Station, and subsequently to the Potrero Hills Landfill, is adequate. The Potrero Hills Landfill is estimated to remain in operation until February 2048, and the solid waste generated by an additional single-family residence would not significantly impact remaining capacity.

<u>XVIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Thresholds of Significance: The project would have a significant impact on mandatory findings of significance if it would 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, 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; or have impacts that are individually limited, but cumulatively considerable, meaning the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects; or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Discussion: Mandatory findings of significance must be made to comply with CEQA Guidelines Section 15065. The proposed project has been analyzed and it has been determined that, with mitigation measures incorporated, it would not:

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

Potential environmental impacts from the approval of vegetation removal and construction of a single-family residence has been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to less than significant levels.

- a) **Less Than Significant Impact With Mitigation Incorporated:** The proposed project, including the removal of trees and other vegetation, has the potential to impact several listed species and/or their habitat. Mitigation measures have been included in this document that would reduce these impacts to less than significant levels.
- b) **Less Than Significant Impacts:** The proposed project includes construction of a single-family residence, which could increase the population of the area. The resulting increase in demand for resources and services brought on by the population increase could create cumulative impacts. In addition, the removal of trees could contribute cumulatively to the removal of trees throughout Mendocino County. However, when assessed at a regional scale, the cumulative impacts of the project would be minimal. The removal of trees and construction of a single-family residence is expected within the Rural Residential land use classification of the parcel as outlined by the Mendocino County General Plan (2009). When considered with past, present, and future projects, the proposed project would not contribute substantially to cumulative environmental impacts.
- c) **No Impact:** The proposed project does not have any component that would impact human beings.

DETERMINATION: On the basis of this initial evaluation:

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

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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and 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.

3/30/22

DATE



LIAM CROWLEY
PLANNER I