

Section I	Description Of Project.
<p>DATE: April 12, 2022 CASE#: CDP_2020-0020 DATE FILED: 7/1/2020 OWNER/APPLICANT: BARBARA & LAURENCE HUTCHINSON AGENT: SCHLOSSER NEWBERGER ARCHITECTS/TODD NEWBERGER REQUEST: Standard Coastal Development Permit to construct a 912 SF barn and equestrian rescue ranch and a residence with an attached pool house and garage, fenced generator enclosure, fenced trash enclosure, underground water storage tanks, underground propane tank, concrete retaining wall, guest cottage, associated well, pump house, septic and leach fields and undergrounding overhead utilities in a location mapped as a Highly Scenic Area and adjacent to shore bluffs. ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration LOCATION: In the Coastal Zone, 3± miles north of Elk and contiguous with the Peg and John Frankel Trail, on the west side of State Route 1, located at 2900 S. Hwy 1, Elk; APN: 127-040-13. STAFF PLANNER: JULIANA CHERRY</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"/> Energy
<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"/> Wildfire	<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.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 – c) **No impact:** A scenic vista is defined as a location that offers a high quality, harmonious, and visually interesting view. Although there are scenic resources throughout Mendocino County that are visible from roads, and highways; only one roadway in Mendocino County, State Route 128, has been designated as a State Scenic Highway by California State Assembly Bill 998, approved on July 12, 2019.¹ The site of the proposed project is near, but not adjacent to nor takes access from, a major “visually interesting” roadway of State Route 1. State Route 1 is part of the California Freeway and Expressway System, and traverses through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett. It is part of the National Highway System, a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. State Route 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a “scenic highway”, meaning that there are substantial sections of highway passing through a “memorable landscape” with no “visual intrusions”.

The subject parcel lies west of State Route 1 and the Peg and John Frankel Trail north of Elk. The subject parcel is located along the coast line and in an agricultural area where homes are interspersed between trees and other natural vegetation. The property is located within a designed Highly Scenic Area that is characterized by shore bluffs, creeks, terraces and slopes. The proposed project will be in character with the surrounding environment, and nestled such that natural vegetation will remain around it. While the addition of any development will change the current visual character of the site, the addition of a residence that is similar in size and scale to those on adjacent properties is not an impact to the visual character of the area.

The following conditions are recommended to assure compliance with MCC Chapter 20.504 requirements (See also Staff Report **Conditions 21 – 25**):

Condition No. 21. In accordance with **MCC Section 20.504.015(C)(3)**, new development be subordinate to the natural setting, minimize reflective surfaces, and utilize building materials, including siding and roof materials, that blend in hue and brightness with their surroundings; therefore, the project shall utilize the proposed building materials and color palette as follows:

¹ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB998

- a. Roof material shall be CertainTeed composition shingles color Atlantic Blue (or similar material that is non-reflective and similar in hue and color). Metal materials shall blend in hue and brightness with their surroundings. Clear coat galvanized steel or other metallic finish are not permitted. Roof mounted solar panels shall not be a source of glare; non-reflective surfaces are encouraged.
- b. Exterior finishes applied to the residence and guest cottage shall be as follows: siding and soffit painted Benjamin Moore 'Thunderbird Grey' (e.g. 2124-40); trim, gutters and downspouts painted Benjamin Moore 'Wolf Gray' (e.g. 2127-40); and entry doors clear oil finish Clear Redwood. Similar colors and finishes that blend in hue and brightness with their surroundings may be substituted.
- c. The barn shall be finished with weathered Redwood or similar material sharing hue, color, and texture.
- d. Window frames, light fixtures, and sliding glass door finish-color shall be dark-bronze or similar material, hue, and color. The windows shall be dual glaze and non-glare glass.
- e. Stone veneer shall be 'Tehama Fieldstone,' a stone material from Sonoma County, or similar material sharing hue, color, texture, and representative of locally sourced stone.

Condition No. 22. In accordance with **MCC Section 20.504.015(C)(10)** and to maintain a visual buffer of the residence from public vantage points, vegetation maintenance and planting is required:

- a. The existing Coyote Brush Scrub (*Baccharis pilularis*) located between the retaining wall and the Peg and John Frankel Trail on the west side of State Route 1 shall be maintained; and
- b. Prior to final building inspection for the residence and as shown on the Landscape Plan, Coyote Brush Scrub, a Silk Tassel (*Garrya elliptica*), California Coffee Berry (*Frangula Californiana*), Wavy Leafed Ceanothus (*Ceanothus foliosus*), Pygmy Manzanita *Arctostaphylos nummularia* ssp. *Mendocino*, and California Wax Myrtle (*Morella Californica*) shall be planted and maintained.

Condition No. 23. In accordance with **MCC Section 20.504.015(C)(11)**, power transmission lines shall be located along established corridors and in locations where the corridors are not visually intrusive. The property owner may defer undergrounding overhead transmission lines.

Condition No. 24. In accordance with **MCC Section 20.504.015(C)(12)**, the property owner shall underground overhead power distribution lines.

Condition No. 25. In accordance with **MCC Section 20.504.015(C)(13)**, internal vehicle access routes shall be as shown on the site plan and the gravel color shall match existing conditions..

As proposed the project satisfies local visual resource goals, policies, and regulations. As proposed, the project is unlikely to affect local aesthetics and visual resources. No impact would occur.

- d) **Less than significant impact:** MCC Sections 20.504.020(C), and 20.504.035 provides exterior lighting, and finish regulations intended to protect coastal visual resources in Highly Scenic Areas, Special Treatment Areas, and Special Communities of the Coastal Zone. Exterior lighting is required to be below the maximum height limit for the district and is required to be shielded (positioned in a manner that light, and glare does not extend beyond the boundaries of the parcel). With adherence to the zoning code standards, the project will have a less than significant impact in terms of creating a new source of light or glare which could adversely affect day or nighttime views in the surrounding area.

The following condition is recommended to remind the property owner of the requirements of MCC Section 20.504.035 (See also Staff Report **Condition 26**):

Condition No. 26. Prior to issuance of a Building Permit, the property owner shall furnish exterior lighting details to the satisfaction of the Director or their designee. In compliance with **MCC Section 20.504.035**, exterior lighting shall be kept to the minimum necessary for safety and security purposes and shall be downcast and shielded, and shall be positioned in a manner that will not shine light or allow light glare to extend beyond the boundaries of the parcel.

As proposed the project satisfies local visual resource goals, policies, and regulations. As proposed, the project is unlikely to become a source of light glare. A less than significant impact would occur.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land, or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 effect on agriculture, and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter “farmland”), as shown on the maps prepared pursuant to the Farmland Mapping, and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use, or a 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 PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); Result in the loss of forest land, or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location, or nature, could result in conversion of Farmland, to non-agricultural use, or conversion of forestland to non-forest use.

a - e) **No impact:** The project site is located in an area designated as “Urban & Built-Up Land” by the State of California Department of Conservation. The parcel is zoned Range Lands, as are surrounding parcels, and while agricultural uses are allowed in the Range Lands zoning district, approval of this application would not convert any agriculturally zoned lands to non-agricultural uses. The project would not convert any land designated “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” to non-agricultural uses. The project would include a *Light Agricultural* land use: grazing and stabling of horses; this is a permitted use in the Range Lands District. No impact would occur.

<p align="center"><u>III. AIR QUALITY.</u></p> <p>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:</p>	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a - b) **No impact:** The project is located within the North Coast Air Basin consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The Project Site is located within the Mendocino County Air Quality Management District (MCAQMD) which is responsible for enforcing California and federal Clean Air Acts, as well as local air quality protection regulations. Any new emission point source is subject to an air quality permit, consistent with the District’s air quality plan, prior to project construction. The MCAQMD also enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed project does not propose any activities that would conflict with the District’s air quality plan, and the project is subject to any requirements of the MCAQMD; therefore, there will be no impact.

c) **Less than significant impact:** MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all federal criteria air pollutants, and in attainment for all California standards except Particulate Matter less than 10 microns in size (PM10). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM10 emissions, and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

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

- 7) The operator shall keep a daily log of activities to control fugitive dust. In December of 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards, and use of wood burning appliances to reduce particulate emissions. These regulations are applied to wood heating appliances, installed both indoors, and outdoors for residential, and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites, and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM), and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading, or road development must be registered in the Air Resources Board DOORS program, and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets, and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous, and solid material which contributes to PM2.5. All stationary, and portable diesel engines over 50 horse power need a permit through the MCAQMD.

While the project will not include a new point source, it may contribute to area source emissions by generating wood smoke from residential stoves or fireplaces. The County’s building permit plan check process ensures that this, and similar combustion source requirements are fulfilled before construction is permitted to begin, which is consistent with the current air quality plan. Therefore, the County’s building permit approval process will help to ensure new development, including this project, is consistent with and will not obstruct the implementation of the Air Quality Plan.

The generation of dust during grading activities, another type of area-source emission, will be limited by the County’s standard grading, and erosion control requirements contained in MCC Chapter 20.492. These policies limit ground disturbance, and require immediate revegetation after the disturbance. These existing County requirements will help to ensure PM10 generated by the project will not be significant, and that the project will not conflict with nor obstruct attainment of the Air Quality Plan PM10 reduction goals.

The project will establish a single-family residence and barn in a low-density residential coastal setting where residential development exists on adjacent parcels. Residential uses are consistent with the County’s land use plan. Approval of this project will not permit large-scale development that may result in a cumulatively considerable net increase in air pollution, including PM10. A less than significant impact would occur.

- d - e) **No impact:** There are no sensitive receptors located within the vicinity of the project, nor will the project generate substantial pollutant concentrations as the project proposes residential development in a residential neighborhood. There are no short-term or long-term activities, or processes associated with the single-family residence and barn, that will create objectionable odors. Nor are there any uses in the surrounding area that are commonly associated with a substantial number of people (i.e., churches, schools, etc.) that could be affected by any odor generated by the project. Therefore, the project will have no impact in terms of exposure of sensitive receptors to pollutant concentrations, or creation of objectionable odors affecting a substantial number of people.

<p align="center">IV. BIOLOGICAL RESOURCES. Would the project:</p>	<p align="center">Potentially Significant Impact</p>	<p align="center">Less Than Significant with Mitigation Incorporated</p>	<p align="center">Less Than Significant Impact</p>	<p align="center">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 align="center"><input type="checkbox"/></p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

<p>IV. BIOLOGICAL RESOURCES. 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>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 checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input 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 checked="" type="checkbox"/></p>	<p><input 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 checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>

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

a, b, d) **Less than significant impact with mitigation incorporated:** Several studies were prepared for the proposed project in order to identify sensitive resources on the parcel, and to provide recommendations to prevent potential impacts to documented sensitive resources as a result of the project:

- *Biological Scoping Survey and Botanical Survey Report for 2900 S Hwy 1, Elk APN: 127-040-13.* Wynn Coastal Planning & Biology. June 3, 2020.

- *Vegetation Rapid Assessment of Coyote Brush Scrub.* Correspondence from Wynn Coastal Planning & Biology to Laurence & Barbara Hutchinson. February 23, 2021.

- *Preliminary management, monitoring and reporting plan for Purple Checkerbloom at 2900 S Hwy 1, Elk APN: 127-040-13.* Wynn Coastal Planning & Biology. February 23, 2021.

Where the studies propose mitigation and avoidance measures to ensure that all impacts from the proposed development will have a less than significant effect on sensitive resources. These documents are kept on file with the Mendocino County Department of Planning & Building Services and the measures, as modified, are a part of the recommended conditions for project approval.

The following environmentally sensitive habitat areas are identified with the project site:

- Sitka willow thicket ESHA. Development is 100-feet or more from sensitive habitat.
- North coast bluff scrub ESHA. Development is 50-feet or more from sensitive habitat.
- Coastal silk tassel scrub ESHA. Development is 100-feet or more from sensitive habitat.
- Grand fir forest ESHA. Development is 100-feet or more from sensitive habitat.
- Coyote Brush Scrub with isolated Purple Checkerbloom. Ten Purple checkerbloom (CNPS 1b.2) plants were observed within the 50-foot bluffer.

Mendocino County Code requires that a sufficient buffer be established around all identified ESHA. A reduced buffer analysis recommends a minimum 50-foot buffer area between the ESHA and the proposed development. The submitted reports include mitigation measures to ensure the project does not have an adverse impact on the sensitive resources at the site. These measures are part of the recommended conditions. The reduced buffer analysis and all other botanical reports were distributed to California Coastal Commission and California Department of Fish and Wildlife staff for their review and comments.

The proposed project will not interfere substantially with the movement of any native resident, or migratory fish or wildlife species, or with established native resident, or migratory wildlife corridors with incorporated mitigation measures. Since the parcel is presently undeveloped it may be host to several nesting birds or bats, and act as a wildlife corridor for animals traveling to the coast. With the incorporation of mitigation measures and establishing a buffer between the proposed development and the four ESHA and Purple Checkerbloom ESHA, impacts associated with the proposed project are considered less than significant.

Recommended Conditions (See Staff Report **Conditions 12 – 16**):

- Condition No. 12. In accordance with **MCC Chapter 20.496**, sensitive habitat area buffer widths shall be as follows:
- a. Sitka Willow Thicket ESHA buffer shall be no less than 100-feet wide.
 - b. North Coast Bluff Scrub ESHA shall be no less than 100-feet wide, excepting pursuant to MCC Section 20.496.020(A)(1) a buffer reduction of 50-feet allows development under this permit to be located 50-feet or more from this sensitive habitat and as shown on Sheets A1.2 and A1.3.
 - c. Coastal Silk Tassel Scrub ESHA buffer shall be no less than 100-feet wide.
 - d. Grand Fir Forest ESHA buffer shall be no less than 100-feet wide. MCC Section 20.336.030(B) Light Agriculture, including grazing livestock, within 100 feet of the Grand Fir Forest ESHA shall be avoided.
 - e. The Purple Checkerbloom ESHA buffer shall be no less than 50-feet wide.
- Condition No. 13. **Mitigation measure 1.** A Management and Monitoring Plan shall be submitted to California Department of Fish & Wildlife (CDFW) and a CNDDDB form shall be filed with same. Evidence of submittal should be provided to the County and CDFW within six months of the initial effective date of this Permit. Within six months of the effective date of this permit:
- a. The preliminary Management and Monitoring Plan (Plan) shall be finalized and accepted. The Plan shall outline successful management of the Purple Checkerbloom population, including promoting the survival and expansion of the population. The Plan should be guided by means and methods in primary literature for restoration/enhancement activities which will protect and/or expand the population. The Plan should provide monitoring methods and identify success criteria which will promote allow for the continuance and expansion of the

population. The Plan should also identify allowable uses within the area of the population to prevent permanent impacts to the population. The Plan should be provided to CDFW for review and approval. Monitoring reports should be provided to the County, Coastal Commission, and CDFW by December 31 of monitoring years.

- b. A CNDDDB form should be filled out and submitted to CNDDDB to document the occurrence of Purple Checkerbloom within six months of approval of the CDP.

Condition No. 14. **Mitigation Measure 2.** If unanticipated impacts occur, then a Habitat Mitigation and Monitoring Plan (HMMP) shall outline the means and methods for restoration/enhancement efforts to impacted Sensitive Natural Communities.

Condition No. 15. **Mitigation measure 3.** The perimeter of Grand fir forest ESHA should be fenced with wildlife friendly fencing to prohibit entry by any domestic grazing animals. (To provide for forest expansion over time, a buffer from the edge of the forest may be included within the fenced area to expand.) Grazing within 100-feet of the Grand Fir Forest ESHA is prohibited (See Landscape plan sheet L1.1 Note 4). Within 100-feet of the Grand Fir Forest ESHA, low-stature fencing could direct grazing to areas outside of this ESHA and its buffer.

Condition No. 16. In accordance with **MCC Chapter 20.496** and as recommended in Biological Scoping Survey and Botanical Survey Report for 2900 S Hwy 1, Elk APN: 127-040-13. Wynn Coastal Planning & Biology. June 3, 2020, the measures identified therein shall be implemented to avoid and protect rare plant communities and rare plant ESHAs, including:

- a. Bird avoidance measures: Season avoidance of birds (report section 7.1.1); bird nest avoidance measures (report section 7.1.2), and construction activities restricted to daylight hours (report section 7.1.3).
- b. Bat avoidance measures: Pre-construction surveys for bats (report section 7.2.1); and limiting light and noise disturbance, erosion of sediment and debris, and ground disturbance (report sections 7.2.2 and 7.3.2).
- c. Amphibian avoidance measures: Reduce footprint of impact (report section 7.3.1); and limit ground disturbing construction to dry season (report section 7.3.3).
- d. Soil and vegetation avoidance measures: Staging area plan (report section 7.4.1); Orange construction fencing (report section 7.4.2); and Purple checkerbloom management (report section 7.4.3).
- e. Special status amphibians avoidance measures: Contractor education (report section 7.5.1); pre-construction search (report section 7.5.2); careful debris removal (report section 7.5.3); and no construction during rain even (report section 7.5.4).

With CDFW recommended mitigation measures 1-3 incorporated (see Conditions No. 13, 14, and 15), a less than significant impact would occur. These measures include reporting and monitoring site conditions, and installing fencing to limit grazing in areas suited to such use.

<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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource, or site a unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a - d) **Less Than Significant Impact:** Archeological resources are governed by MCC Sec. 22.12.090, which echoes California 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”.*

Pursuant to California Code of Regulations, Title 14, Chapter 3, Sub Section 15064.5(c)(4), *“If an archeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.”* No cultural resources have been identified as being directly or indirectly impacted as a result of the proposed project. Identification of any unique resources or features with the potential to be affected would trigger the application of California Code of Regulations, Title 14, Division 6, Chapter 3; California Environmental Quality Act Section 21083.2; and Mendocino County Code, Division IV, governing discovery, or identification of potential resources, or features.

No component of the proposed intends to allow for, or facilitate disturbance of sites that contain human remains, or internment locations. MCC Section 22.12.090 governs discovery, and treatment of archeological resources, while Section 22.12.100 speaks directly to the discovery of human remains, and codifies the procedures by which said discovery shall be handled. The proposed project was referred to California Historical Resource Information Center (CHRIS); and on October 29, 2020, CHRIS Staff responded. On November 18, 2020, Mendocino County Archaeological Commission accepted a cultural survey report prepared by Max Neri of NCRM and dated April 27, 2006. The Archaeological Commission recommends including a discovery clause as a condition of project approval (See recommended Condition #8). As conditioned, the proposed project would be consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

(On October 20, 2020, the proposed project was also referred to the following local tribes: Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. No response has been received.)

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

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

a - b) **No impact:** On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency, and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings, and demand reductions in electricity, and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help California achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

Permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The 2019 Building Energy Efficiency Standards are designed to reduce wasteful, uneconomic, inefficient, or unnecessary consumption of energy, and enhance outdoor and indoor environmental quality. It is estimated that single-family homes built with the 2019 standards will use about 7 percent less energy due to energy efficiency measures versus those built under the 2016 standards (CEC, 2016).

The proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction, or operation, nor would the project conflict with, or obstruct a California or local plan for renewable energy, or energy efficiency. As noted above, permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The proposed project is not anticipated to use or waste significant amounts of energy, or conflict with or obstruct a California or local plan for renewable energy or energy efficiency. No impact is expected and no mitigation is required.

<p align="center"><u>VII. GEOLOGY AND SOILS.</u> Would the project:</p>	<p align="center">Potentially Significant Impact</p>	<p align="center">Less Than Significant with Mitigation Incorporated</p>	<p align="center">Less Than Significant Impact</p>	<p align="center">No Impact</p>
<p>a) Expose people, or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>ii) Strong seismic ground shaking?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iii) Seismic-related ground failure, including liquefaction?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iv) Landslides?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Result in substantial soil erosion, or the loss of topsoil?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p align="center">VII. GEOLOGY AND SOILS. Would the project:</p>	<p align="center">Potentially Significant Impact</p>	<p align="center">Less Than Significant with Mitigation Incorporated</p>	<p align="center">Less Than Significant Impact</p>	<p align="center">No Impact</p>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) Directly or indirectly destroy a unique paleontological resource, or site for unique geological feature?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- a, c) **No Impact:** The proposed project will not expose people or structures to substantial adverse effects including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides. The nearest active fault is the San Andreas Fault which is located approximately 4 miles off shore and southwest of the project site. As with all parcels within Mendocino County, the site would experience some seismic ground shaking as a result of an earthquake occurring. The Local Coastal Plan Map for Land Capabilities and Natural Hazards designates the site as “Beach Deposits and Stream Alluvium and Terraces (Zone 3) – Intermediate Shaking”. The subject parcel is not mapped as an area with potential liquefaction. The soil unit upon which the parcel is located is not known to have a potential of liquefaction. Mapping does not show any landslides within close proximity to the project site. Additionally, the project site is relatively level therefore concerns regarding landslide potential are minimal. Due to the fact that the project site could experience some risk involving earthquake hazards, but not significant risks. No impact would occur.
- b) **Less Than Significant Impact:** As with any development within Mendocino County, the proposed project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures. This is to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas. And would be required to stabilize disturbed soils, and vegetate bare soil created by the construction phase of the project with native vegetation, and/or native seed mixes for soil stabilization as soon as feasible. As a result, the proposed project would not result in substantial soil erosion, or the loss of topsoil, and a less than significant impact would occur.
- d) **Less Than Significant Impact:** The subsurface soils at the property are mapped as soil units 106 – Biaggi Loam. This series consists of soils and unweathered bedrock along a marine terrace. The water table depth is about 80 inches. These soils are somewhat poorly drained, with very slow through rapid runoff, and moderately slow permeability. Recommendations include to deepen foundations below the weak soil zone.
- e) **No Impact:** The proposed project does include a leach field reviewed and approved by the Division of Environmental Health. No impact is expected and no mitigation is required.
- f) **Less Than Significant Impact:** The potential exists for unique paleontological resources, or site for unique geological features to be encountered within the project area, as ground-disturbing construction activities, including grading, and excavation, would be required for the proposed project. However, in the event that any archaeological or paleontological resources are discovered during site preparation, grading or construction activities, notification would be required, pursuant to County Code Chapter 22.12 – Archaeological Resources. As such, a less than significant impact would occur.

<u>VIII. GREENHOUSE GAS EMISSIONS.</u> 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a - b) **No Impact:** Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. AB32 established a California goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission, which includes criteria air pollutants (regional), and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants, and GHGs, and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project’s individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those, which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO₂e (CO₂ equivalent) of operation emission on an annual basis. This project as proposed, creating one additional single-family residence and barn, will have no impact and be below the threshold for project significance of 1,100 metric tons CO₂e.

Additionally, Mendocino County’s building code requires new construction to include energy efficient materials and fixtures. Given the limited scale of the new house, the GHG generated by the project will not have a significant impact on the environment.

<u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public, or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public, or the environment through reasonably foreseeable upset, and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions, or handle hazardous, or acutely hazardous materials, substances, or waste within one-quarter mile of an existing, or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public, or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

<u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 effect on hazards, and hazardous materials if it were to create a significant hazard to the public, or the environment through reasonably foreseeable upset, and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions, or handle hazardous, or acutely hazardous materials, substances, or waste within one-quarter mile of an existing, or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, would create a significant hazard to the public, or the environment; resulting 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 - b) **Less Than Significant Impact:** The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. Storage of these materials in the open may result in contaminated storm water runoff being discharged into nearby water bodies, including the Pacific Ocean.

This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site, and then disposed at an approved collection facility such as the nearby South Coast Transfer Station. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities. Consequently, potential impacts involving the transport, use, or disposal of hazardous materials is less than significant.

c) **No Impact:** The proposed project will not emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school to the project site is several miles away. Due to the project location, and residential nature, there will be no impact.

d) **No Impact:** The proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the development of a single-family residence and associated improvements on the subject parcel would not create a significant hazard to the public, or the environment.

e - f) **No Impact:** The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. As a result of the project's location outside of any airport influence area, or private airstrip, there will be no impact in terms of safety hazards for people residing or working in the project area.

g) **No Impact:** The project will not result in any physical change to the existing roadway that would impair its use as an evacuation route. Staff is not aware of an adopted emergency response or emergency evacuation plan for the area. Evacuation from this residential neighborhood would likely be via the existing County roads which the project will not interfere with. Therefore, there will be no impact as a result of the project.

h) **Less Than Significant Impact:** The proposed project will not increase any existing wildland fire hazard in the area. Residential development is located on surrounding properties, and the addition of one new single-family residence and barn will not substantially increase the existing hazard in the area. The site is rated a moderate fire hazard area and is located within the Elk Community Services District. Coastal Element Policy 3.4-13 states, "All new development shall meet the requirements for fire protection and fire prevention as recommended by responsible fire agencies." Elk Community Services District (Elk CSD) provided comments on December 16 and 17, 2020, stating that they support the proposed residence, guest cottage and barn; and requested a condition requiring field-inspections to verify the location of hydrants and turnout minimum radius. Condition #20 is included at the request of Elk CSD Ben MacMillan. On October 23, 2020, CalFire staff recommend conditional approval of the project; and previously CalFire provided preliminary clearance with requirements to establish fire safe conditions and standards (See CDFW File No. 176-20). As proposed the project is consistent with MCC Section 20.500.025 Fire Hazard Development Standards and Policy 3.4-13. As the proposal is responsive to local regulations intended to improve fire safety, a less than significant impact would occur.

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

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

a) **Less Than Significant Impact:** The proposed project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. The permanent structures proposed would be constructed in accordance with the most recent standards set by

all regulatory agencies, including but not limited to the County, state, and local water quality control boards [State Water Resources Control Board (SWRCB), and the North Coast Regional Quality Control Board (NCRWQCB)]. Since the majority of the site would remain undeveloped, stormwater runoff would continue to flow naturally and infiltrate into the soil. In addition, the preservation of existing vegetation, to the extent feasible, will help to filter potential pollutants from stormwater flows. As a result, the proposed project would have a less than significant impact.

- b) **Less Than Significant Impact:** The project site is located within a mapped “Critical Water Resource” area by the Mendocino County Coastal Groundwater Study. The proposed project would not substantially deplete groundwater supplies, or interfere substantially with groundwater recharge, as significant water use is not anticipated under the project. Additionally, since the majority of the site would remain undeveloped, stormwater would continue to infiltrate the ground. Under the project, potable water would be provided by a proposed on-site well as the property is not located within a water district. The proposed water system will be permitted through the Mendocino County Division of Environmental Health (DEH). The new well will be required to be constructed in accordance with DEH Standards and will comply with all relevant local and California regulations. DEH reviewed the project and commented on the proposed development. A less than significant impact would occur.
- c) **Less Than Significant Impact:** Although the existing drainage patterns of the site may be slightly altered through the addition of impervious surfaces associated with the permanent structures proposed on the site, the project would not result in substantial erosion or siltation on- or off-site as the project would be subject to Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et seq.). MCC Chapter 16.30 require any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris, or contaminants from construction materials, tools, and equipment from entering the storm drainage system (off-site). In addition, due to the small development footprint of the project, infiltration into the site’s soils would continue, reducing the potential for increased peak runoff flow and removing potential pollutants from stormwater flow. As a result, the introduction of limited impervious surfaces, and the slight modification to existing topography resulting from the development and driveway, construction would not result in substantial erosion or siltation, and a less than significant would occur.

The project would not substantially increase the rate, or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Storm drainage infrastructure within the vicinity of the site is limited. Although development is proposed on-site, due to the proposed development footprint, site drainage would continue follow a natural flow pattern and infiltrate into the ground. A less than significant impact would occur.

The building footprint is not located in a mapped flood zone area by FEMA. As a result, the project would not impede of redirect flood flows, and no impact would occur.

- d) **No Impact:** While portions of the land are subject to tsunamis, the proposed area for development is atop a coastal bluff. The property bluffs are approximately 240 to 280 feet in vertical height. Impact or inundation from a severe storm surge or tsunami event is not considered a risk for the site (Brunsing, page 8).
- e) **Less Than Significant Impact:** As discussed above, the project would be required to comply with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et seq), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris, or contaminants from construction materials, tools, and equipment from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and California levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. A less than significant impact would occur.

<u>XI. 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 checked="" type="checkbox"/>	<input 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.

- a) **No Impact:** The project site is situated in a long established agricultural area and proposed adjacent to existing residential development. The low-density development will be consistent with the established community. Therefore, there will no division of an established community as a result of the project.
- b) **Less Than Significant Impact:** The proposed project is consistent with all policies of the Local Coastal Program of the General Plan, including Coastal Element Chapter 4.10. The findings included in the Staff Report address the analysis of alternatives, the mitigation measures proposed to offset impacts, and other analysis of the proposed development. See recommended findings included in the Staff Report.
- c) **No Impact:** The proposed development is not located in an area subject to a habitat conservation plan or natural community conservation plan. Therefore, there will be no impact as a result of the project.

<u>XII. 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 effect on mineral resources if it would result in the loss of availability of a known mineral resource that would be of value to the region, and the residents of the state, or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

- a - b) **No Impact:** The project is not located in an area of known mineral resources. No impact is expected and no mitigation is required.

<u>XIII. 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"/>

<p align="center">XIII. NOISE. Would the project result in:</p>	<p align="center">Potentially Significant Impact</p>	<p align="center">Less Than Significant with Mitigation Incorporated</p>	<p align="center">Less Than Significant Impact</p>	<p align="center">No Impact</p>
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) A substantial temporary, or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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 expose people residing, or working in the project area to excessive noise levels?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a - d) **Less Than Significant Impact:** Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from the lowest background, or ambient noise level to temporary increases caused by traffic or other sources. California 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.

Generally speaking, land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential land use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise-sensitive. With the exception of short-term construction related noise, the proposed development will not create a new source of noise that will impact the community. Noise created by the single-family residence and barn is not anticipated to be significant, and no mitigation is required. The permanent residence proposed under the project, and associated improvements, are similar to and compatible with the uses that already exist in the area.

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

Upon build-out of the project, operational noise would be associated with use of the site for agricultural and residential purposes. Due to the location of the project in the Range Lands district, the proposed land uses are allowed, it is determined that a less than significant impact would occur.

e - f) **No Impact:** The proposed project is not located within an airport zone or within the vicinity of a private

airstrip; therefore, there is no possible exposure of people to excessive noise due to project location.

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

a - c) **No Impact:** The project would permit a new single-family residence and barn in a zoning district and General Plan land use designation intended for residential and agricultural development. The project would not trigger the need for new public roads or other infrastructure that may indirectly trigger population growth. Consequently, the project would not generate unanticipated population growth in the local area. The project will not require the displacement of any person living or working the area. No impacts are expected and no mitigation is required.

XV. PUBLIC SERVICES. Would the project:	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 checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) **Less Than Significant Impact:** There are no elements of the proposed project that would impact the ability of the County, or other local services providers, to provide public services to the site or local community.

The site is located within the State Responsibility Area (SRA) and is served by the California Department of Forestry and Fire Protection (CalFire). The site is mapped as located within a “Moderate” fire hazard severity zone (Mendocino County Maps - Fire Hazard Severity Map, 2007). CalFire has submitted

recommended conditions of approval (CDF 176-20) for address standards, driveway standards, and defensible space standards. Compliance with CalFire conditions would ensure a less than significant impact would occur.

Police protection services within the unincorporated area of the County, including the site, are provided by the Mendocino County Sheriff's Office. Due to the fact that the parcel is already served by Mendocino County Sheriff's Office and the additional population anticipated to be served as a result of the project is not significant, a less than significant impact would occur.

Since the proposed project is solely for a single-family residence and barn, the project is not anticipated to substantially increase the usage of local schools, local parks, or recreational facilities such that new facilities would be needed. In addition, the usage of other public facilities, such as regional hospitals, or libraries, would also not be anticipated to substantially increase. A less than significant impact would occur.

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

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

a - b) **No Impact:** The project will not result in any impact to recreation in the area as the proposed project includes the establishment of one additional parcel. This small increase in residential parcels will not increase use of recreational facilities such that substantial physical deterioration nor required expansion of recreational facilities will be a result, and therefore no impact will occur.

<u>XVII. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit, and non-motorized travel, and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian, and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards, and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>XVII. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels, or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance, or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a - b) **Less Than Significant Impact:** The State Route 1 Corridor Study Update provides traffic volume data for State Route 1 (SR 1). The subject property is located west of State Route 1 (SR 1). The nearest data breakpoint in the study is located approximately one mile south of the property at the intersection of Philo-Greenwood Road and State Route 1. The existing level of service at peak hour conditions at this location is Level of Service A.

Since the site is currently undeveloped, there will be an increase in traffic to and from the site under both construction, and operation of the project. It is expected that construction of the project will result in a slight increase in traffic to and from the site, as construction workers arrive, and leave the site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the site. Once construction is complete, these workers would no longer be required at the site. While the project would contribute incrementally to traffic volumes on local, and regional roadways, such incremental increases were considered when the LCP land use designations were assigned to the site. The development proposed on-site is not be expected to significantly impact the capacity of the street system, level of service standards established by the County, or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as a substantial increase in traffic trips, or use of alternative transportation facilities is not anticipated. A less than significant impact would occur.

- c) **No Impact:** The proposed project is for a single-family residence and barn with no tall structures that could potentially result in a change in air traffic patterns, including either an increase in traffic levels, or a change in location that results in substantial safety risks. No airport is located in close proximity to the proposed project; therefore, there will be no impact.
- d) **No Impact:** The proposed project is for a single-family residence and barn, and does not propose any activities, or development that would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections), or incompatible uses (e.g., farm equipment). Therefore, there will be no impact.
- e) **Less Than Significant Impact:** CalFire has submitted recommended conditions of approval (CDF 53-19) for address standards, driveway standards, and defensible space standards. With adherence to the CalFire recommendations the project will have a less than significant impact in terms of emergency access.

- f) **No Impact:** The proposed project will not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Access to the parcel is provided via existing County roads. There is no adopted policy, or plan applicable to the project site that would be violated. Therefore, there will be no impact.

<u>VIII. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

As discussed under Section V (Cultural Resources) above, the project was reviewed by the Mendocino County Archaeological Commission on November 18, 2020. The Commission accepted a survey report prepared by Max Neri of NCRM and recommended including a discovery clause as a condition of project

approval. On October 20, 2020, the proposed project was also referred to the following local tribes: Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. No response has been received. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

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

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

- a) **Less Than Significant Impact:** The infrastructure necessary for electrical, telecommunications, on-site water supply, and wastewater collection connections will be installed as part of the proposed project; however, in order to ensure significant environmental effects would not occur, the respective utility providers and installers would implement applicable Best Management Practices (BMPs) to reduce the potential for impacts, including, but not limited to, erosion during construction to occur. A less than significant impact would occur.
- b) **Less Than Significant Impact:** Under the project, potable water would be provided by a proposed on-site well. The proposed water system will be permitted through the Mendocino County Division of Environmental Health (DEH). The new well will be required to be constructed in accordance with DEH Standards, and will comply with all relevant local and State regulations. A less than significant impact would occur.
- c) **No Impact:** The proposed project would be served by on-site septic and leach field. The Division of Environmental Health has reviewed and commented on the project, and is prepared to issue a permit as the on-site sewage disposal system satisfies local requirements. No impact is anticipated.
- d - e) **Less Than Significant Impact:** A significant amount of solid waste is not anticipated under the project, and all solid waste generated under the project would be disposed of in accordance to all federal, State, and local statutes and regulations related to solid waste including waste diversion requirements. A local service provider for solid waste service, which will likely consist of curbside pick-up, will serve the proposed

project. As noted in Chapter 3 (Development Element) of the Mendocino County General Plan (2009), there are no remaining operating landfills in Mendocino County, and as a result, solid waste generated within the County is exported for disposal to the Potrero Hills Landfill in Solano County. Based on information provided on CalRecycle’s website, the Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day and a remaining capacity of 13.872 million cubic yards, and is estimated to remain in operation until February 2048 (2019). As such, the proposed would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A less than significant impact would occur.

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

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

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

As discussed under Section IX, Hazards and Hazardous Materials, above, there are no components of the project that would impair an adopted emergency response plan or emergency evaluation plan, including the adopted County EOP. CalFire conditioned the project to require the applicant to provide adequate driveway and roadway width for emergency response vehicles and maintain defensible space for fire protection purposes in order to ensure State Fire Safe Regulations are met. As a result, a less than significant impact would occur.

b) **Less Than Significant Impact:** Under the proposed project, it is not anticipated that wildfire risks would be exacerbated due to slope, prevailing winds, and other factors. The site includes a road, access to two creeks, riparian and Grand Fir Forest vegetation. The project would require compliance with CalFire’s Fire Safe Regulations to ensure adequate fire protection measures and access. As a result, a less than significant impact would occur.

- c) **Less Than Significant Impact:** The proposed project would require the installation and maintenance of associated infrastructure including internal access roads, and utility line (electricity, water, and on-site septic tank) installation and connections. However, the developed footprint is not significant in size, and during infrastructure installation and associated maintenance, appropriate Best Management Practices (BMPs) would be implemented. A less than significant impact would occur.
- d) **Less Than Significant Impact:** The proposed project would not expose people or structures to significant risks including downslope or downstream flooding, landslides, as a result of runoff, post-fire slope instability, or drainage challenges. While the site is not level, the project includes measures to reduce the potential for water runoff. Appropriate Best Management Practices are required as a condition of project approval (See recommended **Condition 11**). A less than significant impact would occur.

Condition No. 11. In accordance with **MCC Chapter 20.492**, all grading specifications and techniques shall follow the recommendations cited in the California Building Code; the geotechnical engineer’s report (e.g., Brunsing Associates June 6, 2018 Engineering and Geologic Reconnaissance, Bluff-top Property, A. P. No. 127-040-13, 2900 South Highway 1, Elk, Mendocino County, California); and satisfy regulations stated MCC Chapters 20.492 Grading, Erosion, and Runoff and 20.500 Hazard Areas.

<u>XXI. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- a) **Less than Significant with Mitigation Incorporated:** Certain mandatory findings of significance must be made to comply with CEQA Guidelines §15065. The proposed project has been analyzed, and it has been determined that it would not:
 - Substantially degrade environmental quality;
 - Substantially reduce fish or wildlife habitat;
 - Cause a fish or wildlife population to fall below self-sustaining levels;

- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Convert agricultural lands to a non-agricultural use;
- 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 a Coastal Development Permit to construct a residence, and associated improvements, have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

Primary concerns center around the fact that the project may result in impacts associated with biological resources that would be significant if left unmitigated. However, implementation of mitigation measures, and conditions recommended by Staff, and consulting agencies would fully mitigate all potential impacts on these resources to levels that are less than significant.

- b) **Less Than Significant Impact:** No cumulative impacts have been identified as a result of the proposed project. Individual impacts from the project would not significantly contribute to cumulative impacts in the area. A less than significant impact would occur.
- c) **Less than Significant with Mitigation Incorporated:** Based on the findings in this Initial Study, and as mitigated and conditioned, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings either directly or indirectly when mitigation is incorporated. Potential environmental impacts associated with approval of the project have been analyzed, and as mitigated, all potential impacts can be reduced to a less-than-significant level.

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.

12 April 2022

DATE


JULIANA CHERRY
PLANNER III