

PUBLIC DRAFT
INITIAL STUDY and ENVIRONMENTAL CHECKLIST

FOR

*AT&T MOBILITY
MANCHESTER FAUX WATER TANK*

April 18, 2022

**Lead Agency:
County of Mendocino**

Lead Agency Contact:
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Section I Description Of Project/Project Summary

DATE: APRIL 12, 2022

PROJECT TITLE: U_2017-0036 (AT&T – MANCHESTER FAUX WATER TANK TOWER)

DATE FILED: DECEMBER 22, 2017

OWNER: AT&T CORP

APPLICANT: AT&T MOBILITY

PROJECT COORDINATOR: JULIA KROG, DIRECTOR

REQUEST: Coastal Development Use Permit to authorize construction and operation of a wireless communication facility consisting of a 76 foot tall faux water tank with various appurtenant equipment and ground equipment including a generator and equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching of power and fiber to the site location. The proposed faux water tank will be located within a 1,050 square-foot fenced compound (Note that staff incorrectly noted the compound as 1,800 square-feet in size in the Notice of Intent and Notice of Availability). Fencing is proposed to be 6 foot tall redwood fencing.

ENVIRONMENTAL DETERMINATION: Based on the attached Initial Study, the proposed Wireless Communications Facility would not have a substantial adverse impact on the environment with mitigation incorporated, and a Mitigated Negative Declaration is recommended.

LOCATION: In the Coastal Zone, 1± miles north of the community of Manchester, on the north side of Kinney Road (CR 512), 1± miles west of its intersection with Highway 1, at 44601 Kinney Road (APN 133-010-04).

Section II Project Description

INTRODUCTION: The proposal is construction and operation of a wireless communication facility consisting of a 76-foot tall faux water tank designed tower with various appurtenant equipment and ground equipment including a generator and equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching of power and fiber to the site location. The proposed faux water tank will be located within a 1,050 square-foot fenced compound. Fencing is proposed to be 6-foot tall redwood fencing.

PROJECT OBJECTIVES: The Applicant is requesting construction of a 76-foot tall wireless communications tower disguised as a faux water tank with various appurtenant equipment and ground equipment including a generator and equipment cabinet. Co-location opportunities will be available to other carriers. Eight antennas would be placed upon the tower along with one GPS unit, along with thirteen RRUs (eight to be installed immediately and the other five for future use). The tower will be a faux water tank design. This type of tower is best for camouflage at this site because the area is in a highly visible coastal area where other designs would not appropriately camouflage the tower. Water tanks are a typical feature within Mendocino County and would not be considered out of character. Associated improvements to the subject parcel include a 15 foot wide easement for access to the wireless communications tower facility and a 6 foot wide easement for power and fiber. The proposed tower will be located within a 1,050 square foot fenced compound.

The facility will operate 24 hours a day 7 days a week. Maintenance workers will visit the site approximately once a month. A 15 foot wide access route will be created directly from Kinney Road. There will be minimal noise from the standby generator, turning on once a week for 15 minutes for maintenance purposes limited to Monday through Friday between 8:30am and 4:30pm and during emergency power outages. AT&T's objective for the Manchester site is to provide wireless high-speed broadband internet to nearby residences and secondarily to provide and enhance AT&T's cellular services to underserved areas. The tower will be built to provide co-location opportunities for future carriers or public safety entities.

SETTING AND LOCATION: The subject property is located in the Coastal Zone, 1± miles north of the community of Manchester, on the north side of Kinney Road (CR 512), 1± miles west of its intersection with Highway 1, at 44601 Kinney Road (APN 133-010-04). The project site is surrounded to the north, east and west by Manchester State Park. Agricultural lands and additional State Park lands are located to the south of the project site. The site contains an existing AT&T facility, which is the cable landing station for several trans-pacific cables. The site is designated as a Highly Scenic Area and adjacent lands contain Federal listed endangered species. The site is

designated by the Mendocino County Coastal Groundwater Study as an area containing Sufficient Water Resources. Prime agricultural land and land under Williamson Act contract is located directly south of the project site. Existing public access is adjacent to the project site along Kinney Road (CR 512) and at the adjacent State Park.

BASELINE CONDITIONS: Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline set of physical characteristics. For this project, the baseline conditions include an existing AT&T facility, which is the cable landing station for several trans-pacific cables. The project site is surrounded to the north, east and west by Manchester State Park. Agricultural lands and additional State Park lands are located to the south of the project site.

Section III Environmental Checklist.

“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).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.

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 checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" 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 and Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input checked="" 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	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input checked="" type="checkbox"/> Mandatory Findings of Significance

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

<u>I. AESTHETICS</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>I. AESTHETICS</u> Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: As noted in Chapter 4 (Resource Management Element) of the Mendocino County General Plan (August 2009), the County of Mendocino (County) is a predominately rural county, with most of the land in forest or agricultural production, both of which are considered open spaces that add to the quality of life of the County's residents and attract tourists. Chapter 3.5 of the Coastal Element provides that the *Mendocino's coast includes beaches, dunes, high bluffs, seastacks, jutting headlands, wetlands, heavily wooded gulches, grassy upland terraces, pygmy forests, serene river estuaries and rocky streams. Several 19th century villages, each with a distinct character, complement the natural landscape. The beauty and accessibility of the Mendocino coast have made it a heavily used tourist and recreational area. The Mendocino coast attracts people to sightsee. Scenic resources are the basis of the coast's tourist and retirement economies as well as a source of continuing pleasure for residents.*

A scenic vista is defined as a location that offers a high quality, harmonious, and visually interesting view. One roadway in Mendocino County, State Route (SR) 128, was officially added to the eligibility list of State Scenic Highways by California State Assembly Bill 998 on July 12, 2019. According to the California Department of Transportation (CalTrans), SR 1 and SR 20 are "eligible" for designation as scenic highways, but have not been officially designated as such.

SR 1 is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, 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. SR 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."

Additionally, the County has two roadway segments designated as "heritage corridors" by California Public Resources Code Section 5077.5. The North Coast Heritage Corridor includes the entire segment of SR 1 in the county, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It includes the entire segment of SR 20 within the county and the segment of US 101 from the SR 20 junction north of Calpella to the SR 20 highway exit just south of Willits and the project site. Mendocino County's General Plan Resource Management Goal RM-14's (Visual Character) objective is: *Protection of the visual quality of the county's*

natural and rural landscapes, scenic resources, and areas of significant natural beauty. Chapter 3.5 of the Coastal Element of the General Plan provides that *“In rural areas, outside the coastal villages, the most critical concerns are preservation of coastal views and assuring the compatibility of new development with the natural landscape. The primary views to be considered are those seen from public areas.”*

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting off of structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. Two elements of light pollution may affect county residents: sky glow (a result of light fixtures that emit a portion of their light directly upward in the sky), and light trespass (poorly shielded or poorly aimed fixtures which cast light into unwanted areas, such as neighboring properties and homes). Different lighting standards are set by classifying areas by lighting zones (LZ). The 2000 Census classified the majority of Mendocino County as LZ2 (rural), which requires stricter lighting standards in order to protect these areas from new sources of light pollution and light trespass. Mendocino County’s General Plan Resource Management Goal RM-15’s (Dark Sky) objective is: *Protection of the qualities of the county’s nighttime sky and reduced energy use.*

Policy 3.5-15 of the Coastal Element of the Mendocino County General Plan provides in part that *“Security lighting and floodlighting for occasional and/or emergency use shall be permitted in all areas. Minor additions to existing nightlighting for safety purposes shall be exempt from a coastal permit. In any event no lights shall be installed so that they distract motorists and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.”*

- a, c) **Less than Significant Impact with Mitigation Incorporated:** The location is a highly visible area of the coast with Manchester State Park bordering the site to the east, west and north and agricultural lands to the south. The entire area west of State Route 1 in this area of the coast is designated as a Highly Scenic Area and as such is subject to Highly Scenic Area policies. Pertinent policies from the Coastal Element of the General Plan for Highly Scenic Areas include Policy 3.5-1 and 3.5-3 (provided below).

Policy 3.5-1 *State Highway 1 in rural areas of the Mendocino County coastal zone shall remain a scenic two-lane road. The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.*

Policy 3.5-3 *The visual resource areas listed below are those which have been identified on the land use maps and shall be designated as “highly scenic areas,” within which new development shall be subordinate to the character of its setting. Any development permitted in these areas shall provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes... In addition to other visual policy requirements, new development west of Highway One in designated “highly scenic areas” is limited to one-story (above natural grade) unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures... New development should be subordinate to natural setting and minimize reflective surfaces...*

In addition to the Policies provided above, Mendocino County Code Section 20.504.015 (C) provides development criteria for projects located within designated Highly Scenic Areas. Coastal views are highly protected especially from public vantage areas including roads, coastal trails and parks and given that there is State Park bordering three sides of the parcel any additional development is potentially impactful upon the visual character of the area. The applicant revised the design of the tower from the original monopine design to a faux water tank after consulting with County and Coastal Commission Staff. The revised design of a faux water tank is more appropriate for this visible area of the coast as water towers are a typical feature seen on the Mendocino Coast and is more subordinate to the setting than the original monopine design, given that there were no pine trees in proximity to the tower location. Water towers are a well-known feature of the coast, particularly in the Town of Mendocino, but also are present on several other residential and agricultural parcels within the County. Staff has reviewed the proposed project for consistency with

Highly Scenic Area policies and Chapter 20.504 of Mendocino County Code and concluded that the faux water tower design is consistent with the Local Coastal Program policies protecting visual resources. Absent mitigations including height, color and design of the tower, impacts to scenic vistas would be potentially significant. As such, the impact on any scenic vistas would be less than significant with mitigation incorporated.

The project does have the potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings if mitigation is not incorporated. The proposed tower will be visible from Manchester State Park from several vantage points, as shown in the Photo Simulations dated September 19, 2019 (cover page dated July 25, 2019). On the same property as the proposed tower is an existing AT&T facility consisting of a cable landing station. This facility has a much lower profile than the proposed tower and as such is minimally visible from the public vantage points (excluding Kinney Road). The proposed tower is unable to be smaller in height due to the type of project it is, as a more reduced tower height would provide less coverage than is already provided. The primary public views from this area are primarily views looking west towards the ocean. Individuals utilizing Manchester State Park will initially see the tower to the south from the parking area and if they look eastward from the beach. Absent mitigations including height, color and design of the tower, impacts to the existing visual quality of the area would be potentially significant. Any development of a tower on this property will have an impact on the existing visual quality of the area, but as previously stated, water towers are not an unusual feature to see along the Mendocino Coast and with appropriate mitigations these impacts can be reduced to less than significant levels. As such, the impact on the visual character or quality of public views would be less than significant with mitigation incorporated.

Mitigation Measure AES-1: The total height of faux water tank tower including antennas shall not exceed 76 feet in height above ground level. Within sixty (60) days of completion of the installation of the facility, the applicant shall confirm that the height is no greater than approved, and shall submit a written certification to the County of the actual height.

Mitigation Measure AES-2: No antennas shall be mounted outside of the faux water tank. All antennas shall be adequately shielded and placed within the interior of the faux water tank.

Mitigation Measure AES-3: If use of any portion of the proposed facility is discontinued for more than one year, all parts of the facility not in use, above grade, shall be completely removed from the site, and the site shall be restored to a natural-appearing condition.

Mitigation Measure AES-4: Prior to issuance of a building permit, the applicant shall provide an irrevocable letter of credit, bond, certificate of deposit, or other reasonable form of security satisfactory to County Counsel, sufficient to fund the removal of the facility and restoration of the site in the event that the applicant abandons operations or fails to comply with requirements for removal of facilities and restoration of the site.

Mitigation Measure AES-5: Exterior surfaces of structures and equipment shall have subdued colors and non-reflective materials selected to blend with their surroundings. Color samples shall be submitted to the Department of Planning and Building for approval.

Mitigation Measure AES-6: An evaluation of the facility's stealth capability shall be submitted for review and approval by the Department of Planning and Building Services after the initial construction, one year following construction and every five years thereafter. The report shall assess surrounding vegetation growth, including height and density in the vicinity, and a color assessment to assess fading of material. Replacement or remediation of the wireless facility shall be performed by the applicant if required by the Department of Planning and Building Services.

- b) **No Impact:** State Route 1, which is the nearest State Highway to the project location, is not designated as a state scenic highway, but it is listed as an eligible roadway. The project site is located approximately 1 mile west of State Route 1. The tower will be minimally visible from State Route 1. As such, there will be no impact on scenic resources within a state scenic highway as a result of the project.
- d) **Less than Significant Impact:** Two lights are proposed for the equipment cabinet. Lighting restrictions are applicable per the Tower Avian Avoidance Plan (August 2021) and are provided as a Mitigation Measure

in the Biological Resources section (Mitigation Measure BIO-2). The Mitigation Measure is not required to reduce aesthetic related concerns, it is required in order to reduce potential impacts associated with the project on sensitive resources. Per the Tower Avian Avoidance Plan, no lights are permitted on the Tower. If lighting on the tower is required in the future, an amendment to this permit shall be required. The at-grade facility compound is required to have a manual light switch with a timer set for 15 minutes maximum or less. Motion activated lights are not permissible. AT&T is required to direct any ground equipment lighting away from Manchester Beach.

The faux water tank tower is proposed to be a Fiberglass Reinforced Plastic (FRP) tank that will be painted to blend with the surrounding environment. As shown in the visual simulations, a brown color is the proposed coloring. With the already proposed shielded and down cast lighting and the painted faux water tank, the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact. Therefore, impact will be a less than significant.

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.

Discussion: The State of California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) which produces maps and statistical data used for analyzing impacts on California’s agricultural resources. The FMMP mapping survey covers roughly 98% of privately owned land in the state and updates each map approximately every two years to provide an archive of land use change over time. Agricultural land is rated

according to soil quality and irrigation status; the best quality land is called “Prime Farmland,” with other critical designations including “Unique Farmland,” or “Farmland of Statewide Importance.”

The Williamson Act (officially the California Land Conservation Act of 1965) is a California law that provides relief of property tax to owners of farmland and open-space land in exchange for a ten year agreement that the land will not be developed or otherwise converted to another use. The intent of the Williamson Act is to preserve a maximum amount of a limited supply of prime agricultural land to discourage premature and unnecessary conversion of prime agricultural land to urban uses.

The Timberland Production Zone (TPZ) was established in 1976 in the California Government Code as a designation for lands for which the Assessor’s records as of 1976 demonstrated that the “highest and best use” would be timber production and accessory uses. Public improvements and urban services are prohibited on TPZ lands except where necessary and compatible with ongoing timber production. The original purpose of TPZ Zoning District was to preserve and protect timberland from conversion to other more profitable uses and ensure that timber producing areas not be subject to use conflicts with neighboring lands.

a-e) **No Impact:** The proposed project will take place on land that is not designated as Prime or Unique Farmland. According to the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation, Division of Land Resource Protection, the site is designated as Non-agricultural and Natural Vegetation (2018 data) and previously Grazing Land (2012 data). This designation covers heavily wooded, rocky or barren areas, riparian and wetland areas, grassland areas which do not qualify for Grazing Land due to their size or land management restrictions, and small water bodies. Constructed wetlands are also included in this category. Therefore, there will be no impact on Prime, Unique or Farmland of Statewide Importance as a result of the project.

The Project site is not encumbered by a Williamson Act contract; however, the property to the south of the project site is under Williamson Act contract. There is an existing cable landing station at the project site, which is located directly adjacent to the Williamson Act contracted lands. The proposed tower will be located further away from the contracted lands than existing development. As a result, the proposed project will not conflict with the adjacent Williamson Act contract.

The project site is zoned Public Facilities and as such is not zoned for agricultural use. As a result, the project will not conflict with zoning for agricultural use.

The project will not conflict with existing zoning for, or cause the rezoning of, forest land or timberland zoned Timber Production, as the project site is neither within, nor adjacent, to lands designated as forest land or timber production. The site is primarily comprised of Coastal prairie and ruderal vegetation and as such will not cause the loss of forest land or conversion of forest land to non-forest use.

The proposed project does not involve any 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. Therefore, there will be no impact.

<p align="center">III. AIR QUALITY.</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.</p> <p>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) Conflict with or obstruct implementation of any applicable air quality plan?</p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Discussion: Mendocino County is located within the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. Additionally, the Mendocino County Air Quality Management District (MCAQMD) is responsible for enforcing the state 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.

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 State 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.

Receptors include sensitive receptors and worker receptors. Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses where sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (these sensitive land uses may also be referred to as sensitive receptors). Worker receptors refer to employees and locations where people work.

- a) **Less than Significant Impact:** Mendocino County Air Quality Management District is the regulatory agency tasked with developing and maintaining air quality standards within the county. The Particulate Matter (PM) Attainment Plan describes the methodology by which developments are assessed for compliance. The current proposal is not anticipated to exceed generation of particulate matter, such that it would interfere with adopted attainment plans, including prohibited implementation.
- b) **Less than Significant Impact:** Coastal Mendocino County has a mild Mediterranean climate with abundant rainfall. AQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM10 attainment plan was finalized in 2005 that provides regulations for construction and grading activities and unpaved roads. The proposed project has the potential to increase PM10 in the immediate vicinity of the site during access road construction. The proposed construction and use of internal access roads is not expected to contribute substantially to PM10 levels such that a significant impact would result. Local impacts to the area during construction would be less than significant using standard dust control measures.
- c-d) **No Impact:** Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The project is located within a primarily low density residential area and

is surrounded by Manchester State Park on three sides. Other nearby uses include a KOA campground facility. The project will not result in substantial pollutant concentrations and will not generate objectionable odors that would affect a substantial number of people. Therefore, there will be no impact.

<u>IV. BIOLOGICAL RESOURCES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Chapter 3.1 of the Coastal Element of the General Plan provides Policies regarding Habitats and Natural Resources. Coastal Element Policy 3.1-2 requires that *Development proposal in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plan or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource.*

Environmentally Sensitive Habitat Areas are defined in Chapter 3.1 of the Coastal Element of the General Plan as *Any areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.* In Mendocino County, environmentally sensitive habitat areas include: anadromous fish streams, sand dunes, rookeries and marine mammal haulout areas, wetlands, riparian areas, pygmy vegetation containing species of rare or endangered plants, and habitats of rare and endangered plants and animals. In addition, several state agencies and private environmental groups and Local Citizens Advisory Committees have identified certain resource areas which require protection. These resource areas include State Parks and Reserves, Underwater Parks and Reserves, Areas of Special Biological Significance, Natural Areas, Special Treatment Areas (designated by California Division of Forestry), Fishing Access Points, Areas of Special Biological Importance, Significant California Ecosystems, and Coastal Marine Ecosystems.

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

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

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

Initially the applicant had submitted a Biological Resource Assessment prepared by Geist Engineering and Environmental Group, Inc and Synthesis Planning dated September 2018. It was noted in the Biological Resource Assessment that surveys were conducted outside of the blooming window for 15 special-status plants and therefore the survey preparers could not confirm presence or absence of the 15 special-status plants that have the potential to occur within the project area. Staff could not, at that time, make findings related to protection of environmentally sensitive habitat areas as the provided Assessment was not conducted during the appropriate season and future studies were recommended.

Subsequent to an initial Planning Commission hearing on May 16, 2019, where Planning and Building Services was recommending denial of the project based upon lack of appropriate surveys, the applicant provided numerous additional biological and botanical studies by Geist Engineering and Environmental Group, Inc, as follows:

1. *Updated Biological Resource Assessment & 2019 Botanical Survey*, dated August 31, 2019
2. *Additional Information Regarding the Biological Resource Assessment Proposed AT&T New Site Build-New Tower & Ground Improvements Faux Water Tank Design –Improvements Shifted East Towards Existing Road*, dated February 25, 2020.
3. *Additional Information Regarding the Biological Resource Assessment Proposed AT&T New Site Build-New Tower & Ground Improvements Faux Water Tank Design –Improvements Shifted East Towards Existing Road*, dated April 22, 2020.

4. *Tower Avian Avoidance Plan*, dated September 29, 2020.
5. *Tower Avian Avoidance Plan (Updated)*, dated August 31, 2021.

a, d) **Less than Significant Impact with Mitigation Incorporated:** Based on the initial assessment in September of 2018 and the additional assessment survey in May of 2019, an evaluation for the potential for occurrence of special-status plant species and special-status wildlife species was completed. As part of this Biological Resource Assessment, the consultants evaluated the potential for occurrence of special-status plant species and special-status wildlife species with the initial September 2018 and May 2019 surveys. Two (2) vegetative community types were observed within the study area. Where appropriate vegetation community types are described using The Manual of California Vegetation Online Website (CNPS 2019). Vegetation types observed were: 1) *Festuca rubra* Herbaceous Alliance and 2) ruderal-disturbed vegetation. No targeted special status plant species were identified in the study area during the two botanical surveys. Common plant species were observed during field surveys. The botanical surveys were conducted during the appropriate flowering season for all identified sensitive plant species.

In 1993, the population of western snowy plovers was listed as threatened by the U.S. Fish & Wildlife Service (USFWS) under the federal Endangered Species Act. The western snowy plover is listed as a "species of special concern" by the State of California. A [Recovery Plan for the Pacific Coast Population of the Western Snowy Plover](#) was prepared by the US Fish and Wildlife Service in 2007. The proposed project site lies directly east of federally-designated critical habitat for the Western snowy plover. No Western snowy plovers were identified within the proposed project site or buffer area during biological surveys. This species is likely to be present feeding and nesting on Manchester State Beach approximately 700-feet west of the proposed project site based on historical survey data. No habitat for this species is present within the proposed project site. This species has not been documented within the boundaries of or in proximity to the proposed project site.

As noted in the submitted studies and comments received by the California Coastal Commission and California Department of Fish and Wildlife, the faux water tank tower has the potential to provide perching habitat for birds of prey (Raptors), including but not limited to Peregrine Falcons and or Merlin Falcons. These birds of prey could potentially prey on Western Snowy Plovers and other special status bird species (including Bank Swallows) that may be present on or near Manchester State Beach. While the tower will be more than 700-feet away from potential nesting and foraging habitat, the tower without anti-predator controls could potentially allow the tower to be used as a predator perch. This impact would be considered significant. To reduce this potential significant impact to less than significant levels, a Mitigation Measure is required to have AT&T install bird deterrence devices on the proposed telecommunications tower to discourage birds of prey from landing and/or nesting.

A Tower Avian Avoidance Plan (Updated in August 2021) will be implemented and compliance with the prepared Plan is a required Mitigation Measure to prevent birds of prey from using the new tower facility as a predator perch. The Tower Avian Avoidance Plan will be implemented during construction and remain in effect until the tower is deemed to be no longer required and the tower is physically removed from service. Tower anti-perch engineering control devices are required to be installed at the time of construction and maintained yearly or as needed. The Tower Avian Avoidance Plan was reviewed by US Fish and Wildlife Service, California Department of Fish and Wildlife, Sonoma-Mendocino Coast District of the California Department of Parks and Recreation, and the California Coastal Commission.

Jenny Hutchinson, who is the US Fish and Wildlife Service western snowy plover lead for Del Norte, Humboldt, and Mendocino Counties (Recovery Unit 2) responded on October 27, 2021 to County Staff that "I have reviewed the design and associated measures for surveying and reporting and do not have concerns that the updated tower design will serve as a perch for western snowy plover predators."

The Behren's silverspot butterfly inhabits coastal terrace prairie habitat in southern Mendocino. Potential habitat for this species occurs in the project site and buffer area. The Behren's Silverspot Butterfly (*Speyeria zerene behrensi*) was listed as an endangered species in 1997. A [Recovery Plan for the Behren's Silverspot Butterfly](#) was prepared by the US Fish and Wildlife Service, with the most recent in 2016. The primary food plant of this species (blue violet) was not observed within the proposed project site or buffer area during biological surveys. No individuals of this species were observed during surveys. No federally-designated critical habitat is documented in the proposed project area for this species. As a result, no

impacts to this species are expected as a result of the project. The project was referred to US Fish and Wildlife Service regarding potential Behren's silverspot butterfly impacts; however, no comments expressing potential concern were received in response.

Point Arena Mountain Beaver (*Aplodontia rufa nigra*) are the only extant member of the family Aplodontidae, and are considered the most primitive living rodents. They were listed as a federally endangered species in 1991. It is also listed as a mammalian species of special concern by the State of California. A [Recovery Plan for the Point Arena Mountain Beaver](#) was prepared by the US Fish and Wildlife Service in 1998. No Point Arena Mountain Beaver individuals, populations, or tunnel/burrow systems were identified within the proposed project site of buffer area during biological surveys. However, the potential exists that this species could become established in the proposed project site or buffer area prior to project implementation.

In email correspondence dated October 19, 2021 to County Staff, Gregory Schmidt, Fish and Wildlife Biologist with US Fish and Wildlife Service, commented that he surveyed the entire Biological survey area in 2019 and resurveyed the area two additional times since that time. No Point Arena Mountain Beaver burrow entrances were observed by him anywhere on the AT&T parcel or adjacent state land that was located within the Biological survey area. Mr. Schmidt concluded that take of Point Arena Mountain Beaver due to tower installation and maintenance is unlikely.

Remaining wildlife species found in the project area are locally and regionally common, potential impacts to these resources are considered less than significant.

Mitigation Measure BIO-1: Compliance with the Updated Tower Avian Avoidance Plan prepared by Geist Engineering and Environmental Group, Inc. dated August 31, 2021 shall be required at all times. AT&T shall retain a qualified consultant to visually document the condition of the anti-predator control devices each year by February 15. The consultant shall prepare a report of findings on the condition of the anti-predator control devices and if required make appropriate recommendation for repairs, additions, or replacement. AT&T shall provide a copy of this report to Mendocino County Planning and Building Services and US Fish and Wildlife Service as well as keep the yearly inspection reports on-file.

Mitigation Measure BIO-2: Lighting Restrictions per the Tower Avian Avoidance Plan are as follows:

- a. No lights are permitted on the Tower. Per the Federal Aviation Administration (FAA) lighting on the upper portions of the tower is not required. If lighting on the tower is required in the future, an amendment to this permit shall be required.
- b. The at-grade facility compound shall have a manual light switch with a timer set for 15 minutes maximum or less.
- c. Motion activated lights are not permissible.
- d. AT&T shall direct any ground equipment lighting away from Manchester Beach.

Mitigation Measure BIO-3: If ground disturbing activities occur during the breeding season of migratory avian or raptor species (February through mid-September), surveys for active nests will be conducted by a qualified biologist no more than 10 days prior to start of activities. Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Pre-construction biological surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys will follow required CDFW and USFWS protocols, where applicable. A qualified biologist will survey suitable habitat for the presence of these species. If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area will be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline. If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged and are no longer reliant upon the nest or parental care for survival.

- Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds;
- Minimum no disturbance of 500 feet around active nest of non-listed raptor species;

- 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
- Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.

Mitigation Measure BIO-4: A pre-construction Point Arena Mountain Beaver survey will be conducted for the proposed project. If any populations or burrow/tunnel systems for this species are discovered, these burrow/tunnel systems and populations will be protected by establishing at a minimum a 100-foot buffer to them. If these populations or burrow/tunnel systems are located less than 100 feet of or within the project construction zone, proposed project components will be adjusted if feasible. In the case that this is not possible, then AT&T will enter into consultations with the USFWS and CDFW to determine next actions prior to construction of the proposed project.

- b) **Less than Significant Impact with Mitigation Incorporated:** As part of this Biological Resource Assessment, we also evaluated the potential for occurrence of special-status plant species and special-status wildlife species with the initial September 2018 and May 2019 surveys. Two (2) vegetative community types were observed within the study area. Where appropriate vegetation community types are described using The Manual of California Vegetation Online Website (CNPS 2019). Vegetation types observed were: 1) Festuca rubra Herbaceous Alliance and 2) ruderal-disturbed vegetation. No targeted special status plant species were identified in the study area during the two botanical surveys. Common plant species were observed during field surveys. The botanical surveys were conducted during the appropriate flowering season for all identified sensitive plant species.

California Department of Fish and Wildlife (CDFW) staff, Daniel Harrington, initially expressed concerns regarding the Festuca rubra Herbaceous Alliance presence on the property and suggested it should be considered an Environmentally Sensitive Habitat Area (ESHA). A site visit was conducted by California Coastal Commission staff in 2020 which determined that “the site appears to be non-native upland grassland and not any type of grassland ESHA. As far as the development footprint is concerned, it appears to be sited to avoid rare plant/rare natural community ESHA and to be set back appropriately from those sensitive areas.” CDFW provided further comment on the project on October 15, 2021 and stated that “it appears that concerns that were raised appear to have been addressed. Specifically, the concerns of Daniel Harrington appear to have been addressed in subsequent biological survey site visits of 2019 and 2020.”

Mitigation Measures are recommended to ensure that impacts to any potential sensitive natural community are less than significant.

Mitigation Measure BIO-5: Vegetation removal shall be limited to the footprint of the proposed tower and associated structures. High-visibility construction fencing shall be erected and maintained delineating the boundary between selected vegetation removal/ground disturbance and non-removal areas throughout the construction period. Removal of vegetation at the site shall be avoided and minimized to the maximum extent feasible.

Mitigation Measure BIO-6: Construction areas shall not extend beyond the area necessary to complete the project and shall not encroach into ESHA buffer beyond that described in the biological assessment report. During construction, construction materials shall be stored in non-ESHA areas, and shall be clearly designated by high-visibility construction fencing or other signage. Spill prevention devices shall be utilized for all toxic liquids, including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. All spills of toxic liquids shall be immediately cleaned up.

Mitigation Measure BIO-7: Temporarily impacted areas shall be restored to pre-construction contours and shall be revegetated upon completion of the project. In order to stabilize areas of loosened soil and establish temporary erosion controls, impacted areas shall be reseeded and/or replanted with fast-growing, locally native herbaceous species.

Mitigation Measure BIO-8: Standard erosion control Best Management Practices (BMPs) shall be implemented to prevent erosion, such as straw wattles, silt fencing, coir mats, etc. No monofilament netting, which may entrap sensitive herpetoflora, shall be utilized.

Mitigation Measure BIO-9: A qualified botanist will conduct pre-construction field surveys to identify any populations of special-status plant species within the proposed project site that will be disturbed during project activities. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special-status plant species with the potential to occur in the project area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance areas, the project proponent shall implement the following measures to avoid impacts to these species:

- a. If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by project proponent will clearly delineate the location of the plant population, and install protective fencing between the disturbance zone and the plant population to ensure that the plant population is adequately protected.
- b. If a special-status plant population is identified within the proposed disturbance zone, the project proponent will consult with CDFW and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. The project proponent will adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, the project proponent will implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved mitigation bank at a ratio approved by CDFW, USFWS, and the project proponent.
- c. The biologist will install protective fencing and install signage around the two (2) populations to protect them. As a part of the environmental training program for the project, the biologist will discuss the *C.p. saxicola* populations and methods to protect them during the construction process.

- c) **No Impact:** A delineation of wetlands and watercourses within the project study area was conducted by Synthesis Planning wetland ecologists during the September 2, 2019 site visit. The California Coastal Commission has a one (1) parameter method of defining the boundary of a wetland. Unlike that of the U.S. Army Corps of Engineers and US Fish and Wildlife Service method of requiring the identification of three (3) parameters [wetland vegetation, wetland soils, and wetland hydrology], the California Coastal Commission only requires one (1) parameter. The completed delineation assessment did not identify any wetland features during their delineation.
- e) **Less than Significant Impact with Mitigation Incorporated:** The proposed project does not conflict with any local policies or ordinances protecting biological resources. The primary regulation that the project had the potential to be in conflict with was policies related to protection of Environmentally Sensitive Habitat Areas (ESHA). As stated above, California Department of Fish and Wildlife (CDFW) staff, Daniel Harrington, initially expressed concerns regarding the *Festuca rubra* Hearbaceous Alliance presence on the property and suggested it should be considered an Environmentally Sensitive Habitat Area (ESHA). A site visit was conducted by California Coastal Commission staff in 2020 which determined that “the site appears to be non-native upland grassland and not any type of grassland ESHA. As far as the development footprint is concerned, it appears to be sited to avoid rare plant/rare natural community ESHA and to be set back appropriately from those sensitive areas.” CDFW provided further comment on the project on October 15, 2021 and stated that “it appears that concerns that were raised appear to have been addressed. Specifically, the concerns of Daniel Harrington appear to have been addressed in subsequent biological survey site visits of 2019 and 2020.” The various surveys completed for the project identified no ESHA present within the project footprint that may be impacted by the proposed development. Adequate buffers are established from any identified ESHA within proximity to the project location. Protective measures are included, as noted in the proceeding sections, with some requiring additional pre-constructive surveys for possible resources (Mitigation Measures BIO-1 through BIO-9).
- f) **No Impact:** The [Fisher Family Habitat Conservation Plan](#), issued in 2007, is located in the Point Arena area of Mendocino County and applies to both the Behren’s silverspot butterfly and Point Arena Mountain Beaver on 24 acres of private land. This is a private individual Habitat Conservation Plan. The project site

is not located within any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan area; therefore, no impact will occur.

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

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

Discussion: Archeological resources are governed by MCC Sec. 22.12.090, which echoes state law regarding discovery of artifacts and states, in part, *“It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archaeological site without complying with the provisions of this section”*. MCC Section 22.12.090 governs discovery and treatment of 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. 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.”*

a - c) **No Impact:** The Mendocino County Archaeological Commission accepted the submitted Cultural Resources Investigation prepared by Archaeological Resources Technology dated September 2018 at its October 10, 2018 meeting and recommended that only the standard discovery clause condition be applied to the proposed project as no sites were identified in the Investigation. 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 will not disturb any known human remains as no remains or cemeteries have been documented on the project site.

Therefore, there will be no impact in regards to cultural resources.

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

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

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

Permanent structures constructed or rehabilitated are 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, 2018).

a – b) **Less than Significant Impact:** The proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation, nor would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As noted above, permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. It is not anticipated the proposed tower and associated ground based structures would use or waste significant amounts of energy or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

<u>VII. GEOLOGY AND SOILS.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: Of the five known faults, the San Andreas Fault is the closest active fault to the subject parcel, located approximately 750 feet north and east of the project site. According to the U.S. Department of Interior and U.S. Geological Survey, *“Literally thousands of small earthquakes occur in California each year, providing scientists with clear indications of places where faults cut the Earth’s crust. The largest historical earthquakes that occurred along the San Andreas fault were those in 1857 and 1906. The earthquake of January 9, 1857, in southern California apparently was about the same magnitude as the San Francisco earthquake of 1906. According to newspaper accounts, ground movement in both cases was roughly the same type. An account of the 1857 earthquake describes a sheep corral cut by the fault that was changed from a circle to an “S”-shape--movement clearly representative of right-lateral strike-slip. Studies of offset stream channels indicate that as much as 29 feet of movement occurred in 1857.”*¹

The soil types in the project site consist of Soil Map Unit 132-“Crispin loam, 0 to 5 percent slopes” and 138-“Duneland”. The proposed development is located in the area designated as “Crispin loam”. The Soil Survey of Mendocino County, California, Western Part, notes that Soil Map Unit 132 is well drained soil that is moderately deep to a hardpan. It is located on marine terraces. It formed in alluvium derived from mixed rock sources.²

- a) **Less than Significant Impact:** Mendocino County Coastal Element Chapter 3.4 titled Hazards Management, addresses seismic, geologic, and natural forces within the Coastal Zone. Mapping does not associate the following with the subject site: faults, bluffs, landslides, or erosion. The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake Fault Zone. The San Andreas Fault is located approximately 750 feet north and east of the project site and is the nearest active fault. The site is designated on the Mendocino County Local Coastal Program Land Capabilities and Natural Hazards Map as “Beach Deposits and Stream Alluvium and Terraces (Zone 3)” which has the potential for intermediate

¹ U.S. Department of Interior and U.S. Geological Survey, “The San Andreas Fault” by Sandra S Schulz and Robert E. Wallace, last modified November 30, 2016. <https://pubs.usgs.gov/gip/earthq3/>

² U.S. Department of Agriculture and Natural Resources Conservation Service, “Soil Survey of Mendocino County, California, Western Part”

shaking levels in terms of seismicity. This project does not conflict with any state or local seismic hazard policy or plan.

Seismic-induced ground failure, such as liquefaction, usually occurs in unconsolidated granular soils that are water saturated. During seismic-induced ground shaking, pore water pressure can increase in loose soils, causing the soils to change from a solid to a liquid state (liquefaction). Figure 3-12 of the Mendocino County General Plan shows seismic faults as well as liquefiable soils and shows potentially liquefiable soils within the vicinity of the project site. Despite being located within the vicinity of potentially liquefiable soils, the proposed project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death as the project is a cell tower that will be an unmanned facility. The facility will operate 24 hours a day 7 days a week; however, maintenance workers will only visit the site approximately once a month. Thus the risk of loss, injury or death is less than significant.

The project site is relatively flat with no hillsides in the vicinity. As such landslide potential is very low and there are no known landslides in the area that could impact the project.

- b) **Less than Significant Impact:** Potential development impacts will be kept to a minimum with the uniform application of standard construction site erosion control requirements and those regulations found in MCC Chapter 16.30 Stormwater Runoff Pollution Prevention Procedure. The applicant has provided Best Management Practices and an Erosion Control Plan in the submitted plan sets. Compliance with the submitted plan set is mandatory based upon standard conditions of approval applied to all development projects in the County. Impacts will be less than significant.
- c) **Less than Significant Impact:** The proposed project will not result in potential on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The proposed establishment of a tower on the facility will not require substantial ground disturbance such that it could potentially undermine existing soils. The site is relatively level (0-5% slope) and there is no evidence of potential landslide potential. Potential liquefaction, as discussed above, could potentially occur at the site, but these are a result of natural soil conditions and not by the development of the project.
- d) **No Impact:** The proposed site does not contain soils meeting the criteria of expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, there will be no impact as a result of the project.
- e) **No Impact:** The proposed development of a wireless communications facility does not include on-site sewage disposal.
- f) **Less than Significant Impact:** The Mendocino County Archaeological Commission accepted the submitted Cultural Resources Investigation prepared by Archaeological Resources Technology dated September 2018 at its October 10, 2018 meeting and recommended that only the standard discovery clause condition be applied to the proposed project as no sites were identified in the Investigation. 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>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: 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 state 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. Additionally, Mendocino County’s building code requires new construction to include energy efficient materials and fixtures.

- a) **Less than Significant Impact:** Mendocino County General Plan identifies climate change as an emerging issue for the County, and the emission of greenhouse gases as a primary contributing factor. On April 29, 2015 Governor’s Executive Order #B-30-15 was passed for the State of California and set a greenhouse gas emissions target for 2030 to be 40% below accepted 1990 levels.³ The primary source of potential greenhouse gas emissions from the project are the back-up generator that is proposed, which will only be turned on for extended time periods in case of a power outage or emergency situation. The generator will also be set to run for approximately 15 minutes once a month during daylight hours to ensure that it will be operational when needed during a power outage or emergency. In addition to the generator, vehicles accessing the project site during the construction phase and monthly scheduled maintenance will occur. It is expected the scheduled maintenance will require one vehicle to access the project site. These potential emissions are not considered significant.
- b) **No Impact:** There is no applicable plan or policy that this project will conflict with as the project will not result in a significant increase in greenhouse gas emissions given that there is minimal additional development proposed. The primary source of potential greenhouse gas emissions from the project is the back-up generator proposed, which will only be turned on in case of a power outage or emergency situation.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

³ California Climate Change Executive Orders; http://www.climatechange.ca.gov/state/executive_orders.html

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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"/>
g) 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 ('Cortese List') and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Discussion: California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (Health and Safety Code section (Health & Safety Code sec) 25501 (m)).

Mendocino County has adopted a Hazardous Waste Management Plan to guide future decisions by the County and the incorporated cities about hazardous waste management. Policies in this General Plan emphasize source reduction and recycling of hazardous wastes, and express a preference for onsite hazardous waste treatment over offsite treatment. The Hazardous Waste Management Plan proposed a number of hazardous waste programs and set forth criteria to guide the siting of new offsite hazardous waste facilities. However, to date, no facilities have been cited in the county. In 1997, the County Division of Environmental Health assumed responsibility for administering hazardous waste generation and treatment regulations. Solid Waste and Hazardous Waste and Materials Management Policy DE-203 states: *All development projects shall include plans and facilities to store and manage solid waste and hazardous materials and wastes in a safe and environmentally sound manner.*

The California Air Resources Board classifies asbestos as a known human carcinogen. Asbestos of any type is considered hazardous and may cause asbestosis and lung cancer if inhaled, becoming permanently lodged in body tissues. Exposure to asbestos has also been shown to cause stomach and other cancers. Asbestos is the general name for a group of rock-forming minerals that consist of extremely strong and durable fibers. When asbestos fibers

are disturbed, such as by grading and construction activities, they are released into the air where they remain for a long period of time. Naturally occurring asbestos is an issue of concern in Mendocino County, which contains areas where asbestos-containing rocks are found. The presence of ultramafic rocks indicates the possible existence of asbestos mineral groups. Ultramafic rocks contain 90 percent or more of dark-colored, iron-magnesium-silicate minerals. Ultramafic rocks may be partially or completely altered to a rock known as serpentinite, more commonly called serpentine.

The Mendocino County Air Quality Management District enforces state regulations to reduce the effects of development projects involving construction sites and unpaved roads in areas tested and determined by a state-registered geologist to contain naturally occurring asbestos. Serpentine and ultramafic rocks are common in the eastern belt of the Franciscan Formation in Mendocino County. Small localized areas of serpentine do occur in the coastal belt of the Franciscan Formation, but they are significantly less abundant.

Mendocino County's aviation system is composed of airports, privately owned aircraft of various types, privately operated aircraft service facilities, and publicly and privately operated airport service facilities. Most aircraft are privately owned, small single or twin-engine planes flown primarily for personal business. Six public use airports in Mendocino County provide for regional and interregional needs of commercial and general aviation. Actions involving areas around airports will continue to be evaluated for consistency with the County's Airport Comprehensive Land Use Plan and applicable federal regulations. Mendocino County's Airport Policy DE-167 states: "*Land use decisions and development should be carried out in a manner that will reduce aviation-related hazards (including hazards to aircraft, and hazards posed by aircraft)*".

The California Department of Forestry and Fire Protection (CALFIRE) designates areas of the County into fire severity zones. These maps are used to develop recommendations for local land use agencies and for general planning purposes.

- a, b) **Less than Significant Impact:** The applicant is proposing to install an emergency generator, which would be fueled by a 190 gallon diesel belly tank. The generator is to be used solely for providing emergency power during periods of energy transmission interruption and for routine testing. Fuel trucks will need to access the site to refuel and the number of trips will depend on the number and length of primary line power outages. The periodic transport of diesel fuel to the site is not expected to create a significant hazard to the public or the environment.

Materials such as oil and diesel fuel used for the generator may be subject to a Hazardous Materials Management Plan (HMMP) as approved by the County Department of Environmental Health (DEH). The plan identifies actions to be taken should a fuel or oil spill occur on site, including cleanup methods and appropriate agencies to contact in an emergency situation. Staff has included a condition of approval to ensure that an HMMP is prepared if it is in fact required by DEH.

It should be noted that the parcel upon which the tower is located was subject to a previous State Water Resources Control Board clean-up action ([GeoTracker Case #T0604500114](#)). The case (Case No. 1TMC130) related to a 10,000-gallon capacity diesel fuel tank that had been installed in 1961 for use for emergency generators on the property. The underground 10,000-gallon tank was removed in 1990 and required remediation due to potential diesel in the soil. AT&T remediated the site and the case was closed on May 22, 1996. Based upon review of the GeoTracker page, it appears the previous tank location was inside the fenced enclosure of the existing development on the property and not in the area of the proposed tower.

- c) **No Impact:** The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Additionally the site is located approximately 1.5 miles south of the town of Manchester, which is the location of the nearest school. Therefore, there will be no impact as a result of the project.
- d) **No Impact:** The project site is not listed as a hazardous materials site on any list compiled pursuant to Government Code Section 65962.5 as determined by review of the Department of Toxic Substances Control EnviroStor page; therefore, there will be no impact as a result of the project.

- e) **No Impact:** The project site is not located within an airport land use plan area or within two miles of a public airport or public use airport. As a result, the project will not result in a safety hazard for people residing or working in the project area due to proximity to an airport. Therefore, there will be no impact.
- f) **No Impact:** The proposed project will not impair the implementation nor physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project is a proposed tower with the purpose of providing both broadband and secondarily enhanced cellular service. The project is located on a property adjacent to Kinney Road and access will be taken directly off Kinney Road. The project will not physically interfere with any existing evacuation routes or be located on a property identified for use as part of an emergency response plan. The proposed development may actually assist in the case of an emergency by providing enhanced broadband and cellular coverage to allow for notifications of a potential emergency to reach affected individuals. There will be no impact.
- g) **Less than Significant Impact:** The proposed development consists of construction of a wireless communications tower and will not cause the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires than that existing at the site today. The parcel is located in an area classified with a “Moderate Fire Hazard” severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Redwood Coast Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded with no comments but the applicant is required to adhere to 4290 Regulations (CalFire #536-17). Redwood Coast Fire District did not provide any comments on the project.

The applicant is proposing to install an emergency generator, which would be fueled by a 190 gallon diesel belly tank. The generator is to be used solely for providing emergency power during periods of energy transmission interruption and for routine testing. The emergency generator is proposed to be located on a concrete pad and the entirety of the lease area is proposed to be covered in gravel. These design features that are incorporated into the proposed project ensure that potential increase of wildland fires from the generator are less than significant.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

X. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management 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 hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. The County's groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific information regarding recharge areas for Mendocino County's groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal - it is anticipated that continued recharge will re-supply groundwater reservoirs.

The basic source of all water in Mendocino County is precipitation in the form of rain or snow. Average annual rainfall in Mendocino County ranges from slightly less than 35 inches in the Ukiah area to more than 80 inches near Branscomb. Most of the precipitation falls during the winter, and substantial snowfall is limited to higher elevations. Rainfall is often from storms which move in from the northwest. Virtually no rainfall occurs during the summer months.

In the Coastal Zone of Mendocino County, the 1982 *Mendocino Coastal Groundwater Study* and associated 1989 *Coastal Groundwater Development Guidelines* provide guidance for development projects and requirements for proof of water and/or hydrological studies. Pursuant to Chapter 3.8 of the Coastal Element of the General Plan,

requirements for groundwater investigations are required for subdivisions and development of parcels. The *Mendocino Coastal Groundwater Study* designates the project site as a Sufficient Water Resources area.

- a) **No Impact:** The proposed project will not violate any water quality standards or waste discharge requirements. The project application was referred to pertinent agencies for comment and no response was received expressing concerns with violation of water quality or waste discharge requirements. The proposed project will also not degrade existing surface or ground water quality, as the site does not require the use of water infrastructure. There are no surface waters on the property. Therefore, there will be no impact as a result of the project.
- b) **Less than Significant Impact:** The proposed project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. The lease area (1,050 square-feet) will be graveled with portions of the site containing concrete pads, such as for the generator and equipment cabinet. The small lease area will not cause a substantial disruption of groundwater recharge. The project does not include the use of any water infrastructure. No concerns have been expressed by the Mendocino County Division of Environmental Health in regards to concerns about groundwater supplies or groundwater recharge. As a result, impacts are considered to be less than significant.
- c) **Less than Significant Impact:** There are no established natural surface drainage sites within the Project site. The Project site will not create impervious surfaces in excess of 2,250 square feet, which would not significantly increase the amount of surface runoff. The applicant has provided Best Management Practices and an Erosion Control Plan in the submitted plan sets. Compliance with the submitted plan set is mandatory based upon standard conditions of approval applied to all development projects in the County.

The proposed project will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. There are no existing or planned storm drainage systems that the proposed project would impact. Runoff from the site will not be significantly increased or polluted as there are minimal areas of impervious surface coverage or development proposed under the project.

The proposed project would not result in any degradation of water quality within the vicinity of the project. No stream or river alteration will result from the project, as none exist on the project site or within close proximity, nor will the project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site.

The project site is not mapped within a Flood Hazard zone and as does not propose any housing such there would be no impact from the project in terms of placement of housing or other structures within a Flood Hazard zone.

There is no levee or dam within proximity to the project site; therefore, the proposed project will not expose people or structures to any hazard associated with the failure of a levee or dam.

Therefore, there will be a less than significant impact.

- d) **Less than Significant Impact:** The site is not mapped to be located within a flood hazard, seiche, or mudflow hazard area. The parcel upon which the tower is located has portions of it that are mapped within a state mapped tsunami inundation zone. The location of the tower itself appears to be just outside of the mapped tsunami inundation zone, as shown in Figure 1 below. The project will not create a significant risk of pollutants within the tsunami inundation zone. The only potential source of pollutants at the site would be the 190 gallon diesel tank. This tank and the associated generator are located at the furthest corner of the enclosure from the mapped tsunami inundation zone. In addition, the fuel tank is fully enclosed and both the generator and fuel tank will be anchored to the proposed concrete pad.



Figure 1. State Mapped Tsunami Inundation Zone⁴

- e) **No Impact:** The proposed project will not conflict with nor obstruct implementation of a water quality control plan or sustainable groundwater management plan. The application was referred to the Mendocino County Division of Environmental Health and no concerns were identified with potential impacts to any applicable groundwater management plan. The facility does not propose the use of any water resources and there is no water quality control plan applicable to the project area; therefore, there will be no impact.

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

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

Discussion: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, with regards to land use, as well as a number of more locally derived specific plans, such as the Gualala Town Plan, or Ukiah Valley Area Plan. The project site is located within the Coastal Zone and is therefore subject to the Coastal Element of the General Plan.

- a) **No Impact:** The proposed development will be located on an existing parcel in a low density residential area, and is located on a parcel that already contains an existing AT&T cable landing station. There is no aspect of the project that would physically divide an established community.
- b) **Less than Significant with Mitigation Incorporated:** The parcel is classified as Public and Semipublic Facilities (PF) by the Mendocino County General Plan. The intent of the PF classification is to designate existing major public and community serving uses that should not be converted to other uses unless a plan

⁴ [Land Constraints \(mendocinocounty.org\)](http://mendocinocounty.org), accessed April 15, 2022.

amendment is approved. The site is already developed with an existing facility that is the landing station for the trans-pacific cable.

The project site is located within a Public and Semipublic Facilities Zoning District (PF), which is intended to be used to designate existing major public and community serving uses that should not be converted to other uses unless a plan amendment is approved. The site is already developed with an existing facility that is the landing station for the trans-pacific cable. The proposed wireless communication facility is permissible in the zoning district with the granting of a Coastal Development Use Permit. The proposed development is in conformance with development standards, yard setbacks, etc. for the zoning district.

The Aesthetics section of this initial study addresses potential impacts to visual resources associated with the project. As noted within the Aesthetics discussion, the parcel is located within a Highly Scenic Area of the County; however, it has been found that the development is consistent with Mendocino County policies regulating such a location with the implementation of Mitigation Measures.

As discussed in the Biological Resources section of this initial study, there are sensitive resources within proximity to the project area; however, no conflict with Mendocino County policies regulating potential impacts to the identified resources exist with regards to the proposed development provided Mitigation Measures are implemented.

Mitigation Measures are provided in both the Aesthetics and Biological Resources section of this initial study to reduce any potential impacts to less than significant levels.

<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.

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

The most predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. Three sources of aggregate materials are present in Mendocino County: quarries, instream gravel, and terrace gravel deposits. The demand for aggregate is typically related to the size of the population, and construction activities, with demand fluctuating from year to year in response to major construction projects, large development activity, and overall economic conditions. After the completion of U.S. 101 in the late 1960s, the bulk of aggregate production and use shifted primarily to residential and related construction. However, since 1990, use has begun to shift back toward highway construction.

a, b) **No Impact:** The County is the administrator of the California Surface Mining and Reclamation Act (SMARA). Therefore, all activities undertaken regarding this essentially non-renewable resource are subject to review and approval from the local jurisdiction. Mendocino County has many aggregate mineral

resources, the demand for which varies. However, any negative impacts to either active mining activities or mining reclamation efforts would be required to be reviewed and approved by the County. There are no known mineral resources with the project area, nor are there delineated locally-important mineral resources within the project boundaries. Therefore, there will be no loss of availability of a known mineral resource or loss in locally-important mineral resource recovery sites.

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

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

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

a, b) **Less than Significant Impact:** Per the County General Plan, “Noise policies are intended to protect county communities from excessive noise generation from stationary and non-stationary sources. Land uses would be controlled to reduce potential for incompatible uses relative to noise. Residential and urban uses will be restricted near agriculture lands to prevent incompatible uses being placed near inherently noisy agricultural operations. Noise-sensitive environments, including schools, hospitals, and passive recreational use areas, would be protected from noise-generating uses. Structural development would be required to include noise insulation and other methods of construction to reduce the extent of excessive noise.”⁵ The proposed wireless communications facility and associated generator, vehicular traffic, and grading proposed to accommodate the improvements may expose people to intermittent and temporary noises. Any noise or ground-borne vibration resulting from the project would not violate a local general plan or noise ordinance as all development within the Mendocino County Coastal Zone is subject to Exterior Noise Limit Standards specified in Appendix B of Title 20, Division II of Mendocino County Code. Therefore, potential impacts will be less than significant.

⁵ Mendocino County General Plan, Page 3-10

- c) **No Impact:** The project Site is not located within an airport land use plan area, nor any known private airstrips; therefore, no person residing or working within the project area will be impacted.

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 unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: The most recent census for Mendocino County was in 2020, with an estimated population of 87,497. The county has undergone cycles of population boom followed by periods of slower growth. For example, the county population increased by approximately 25 percent between 1950 and 1960, but barely grew from 1960 to 1970. Between 1990 and 2000, the population of Mendocino County increased 7.4 percent, a much slower rate of growth than the 20 percent increase from 1980 to 1990. Population growth slowed further from 2000 to 2007, increasing only 4.6 percent.

- a) **No Impact:** The proposed project consists of construction of a wireless communications facility and associated internal access roads and related equipment. The proposed project will not induce substantial population growth as the project is not residential or commercial in nature nor does it extend major infrastructure that would induce population growth. Therefore, there will be no impact.
- b) **No Impact:** The proposed project does not displace any existing housing. The project does not displace any people and therefore would not necessitate construction of replacement housing elsewhere. Therefore, there will be no impact.

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

Thresholds of Significance: The project would have a significant 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.

Discussion: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is serviced by the Point Arena Unified School District, California Department of Forestry and Fire Protection, Redwood Coast Fire District, and Mendocino County Sheriff’s Office.

- a) **No Impact:** The proposed project will not result in adverse impacts associated with provision of governmental facilities or need for new or physically altered governmental facilities that may result in environmental impacts in order to maintain acceptable service ratios and response times for public services. The tower will be built to provide co-location opportunities for future carriers and/or public safety entities. As such, the project will benefit public services in the area.

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

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

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

- a, b) **No Impact:** There is not a potential for increased usage of existing neighborhood parks and recreational facilities as a result of the proposed project as it is only proposing a wireless communication facility; not any residential uses. Therefore, there will be no increase in the use of existing neighborhood and regional parks and recreational facilities as a result of the project, and no recreational facilities are required that may adversely affect the environment.

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

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

Discussion: 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, 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, the Site is located 'within a half-mile of an existing high quality transit corridor' (Highway 1) as required by CEQA Guidelines section 15064.3, subdivision (b). The proposed wireless communication facility is not 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. No impact would occur.

- a-c) **No impact:** The project Site is an existing developed property with access directly from Kinney Road (a County Road). The Mendocino County Department of Transportation provided no comment on the proposed project. The project does not conflict with or propose to be inconsistent with CEQA guidelines and does not alter vehicle miles traveled. The project does not propose to increase hazards or establish incompatible uses with the existing area and transportation routes.
- d) **Less than Significant Impact:** The parcel is located in an area classified with a “Moderate Fire Hazard” severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Redwood Coast Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded with no comments but the applicant is required to adhere to 4290 Regulations (CalFire #536-17). Redwood Coast Fire District did not provide any comments on the project. Compliance with CalFire standards is a standard requirement for County projects, as a result impacts are less than significant.

<u>XVIII. 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 §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: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 or cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1.

Discussion: Public Resources Code §21074 defines Tribal cultural resources as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources, or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be tribal cultural resources if they meet these criteria.

According to 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.

a, b) **No Impact:** The Mendocino County Archaeological Commission accepted the submitted Cultural Resources Investigation prepared by Archaeological Resources Technology dated September 2018 at its October 10, 2018 meeting and recommended that only the standard discovery clause condition be applied to the proposed project as no sites were identified in the Investigation.

Additionally, the project application was referred to various tribes that requested consultation on planning projects under Assembly Bill (AB) 52 and no additional comments or concerns were expressed by the tribes receiving the referral.

<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,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: The Mendocino County Board of Supervisors passed a Drought Declaration on April 20, 2021 due to worsening drought conditions across the region. The drought declaration requests all local water suppliers to implement their local water shortage contingency plans and urges all residents to voluntarily reduce their water usage by 20%.

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

Solid waste management in Mendocino County has undergone a significant transformation from waste disposal in landfills supplemented by transfer stations to a focus on transfer stations and waste stream diversion. These changes have responded to rigorous water quality and environmental laws, particularly the California Integrated Waste Management Act of 1989 (AB 939). The Act required each city and county to divert 50 percent of its waste stream from landfill disposal by the year 2000 through source reduction, recycling, composting, and other programs. Chapter 3 (Development Element) of the Mendocino County General Plan (2009) notes 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. The Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day and a remaining capacity of 13.872 million cubic yards, and is estimated to remain in operation until February 2048.

Mendocino County's Development Goal DE-21 (Solid Waste) states: *Reduce solid waste sent to landfills by reducing waste, reusing materials, and recycling waste.* Solid Waste and Hazardous Waste and Material Management Policy DE-201 states the County's waste management plan *shall include programs to increase*

recycling and reuse of materials to reduce landfilled waste. Mendocino County’s Environmental Health Division regulates and inspects more than 50 solid waste facilities in Mendocino County, including: 5 closed/inactive municipal landfills, 3 wood-waste disposal sites, 2 composting facilities, and 11 transfer stations.

- a, b) **No Impact:** The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, as no wastewater will be generated from the proposed project. Additionally, the project will not require the construction of new or expanded water or wastewater treatment facilities, as there are no centralized systems that serve the site and the project does not require water or wastewater service.
- c) **No Impact:** Storm water drainage is handled on-site and is generally just natural drainage of the site without improved storm water facilities. No new or expanded storm water drainage facilities are required as a result of the project that could cause a significant environmental effect.
- d) **No Impact:** No water supply is necessary for the proposed project; therefore, water supplies are found to be sufficient and no new or expanded entitlements are needed.
- e) **No Impact:** The project site is not served by a wastewater treatment provider and there is no district nearby that would feasibly be extending service to the parcel in the future. Additionally, no septic infrastructure is necessary to accommodate the proposed development. No projected long-term increase in solid waste generation is anticipated as a result of the project, but there will be short-term increases associated with construction materials during construction of the proposed new development. Construction debris will be properly disposed of after completion of the proposed development. There will be no impact to capacity as a result of the project and the proposed project is in compliance with federal, state, and local statutes for solid waste disposal.

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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

- a) **Less than Significant Impact:** There are no components of the project that would impair an adopted emergency response plan or emergency evaluation plan, including the adopted County EOP. The Site is located within the SRA and a “Moderate Fire Hazard” severity zone. All project components would be required to be designed in accordance to state and local standards, including safety and emergency access requirements and CalFire’s Fire Safe Regulations. No comments of concern were received.
- b, c) **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. There are no “occupants” on the project site as it is an unmanned wireless communications facility. The parcel is located in an area classified with a “Moderate Fire Hazard” severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Redwood Coast Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded with no comments but the applicant is required to adhere to 4290 Regulations (CalFire #536-17). Redwood Coast Fire District did not provide any comments on the project.

The proposed project will not 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.

The applicant is proposing to install an emergency generator, which would be fueled by a 190 gallon diesel belly tank. The generator is to be used solely for providing emergency power during periods of energy transmission interruption and for routine testing. The emergency generator is proposed to be located on a concrete pad and the entirety of the lease area is proposed to be covered in gravel. These design features that are incorporated into the proposed project ensure that potential increase of wildland fires from the generator are less than significant.

- d) **No Impact:** The proposed project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges. The site is not located within a flood zone, is relatively level with 0-5% slopes, there is no projected runoff, slope instability or drainage challenges associated with the project or site. As a result there will be no impacts.

<u>XVIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

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

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

a) **Less than Significant with Mitigation Incorporated:** Based on the discussion in Section I Aesthetics and throughout the report, there is some potential for impacts to visual resources; however, these impacts are less than significant with Mitigation incorporated. Based on the discussion in Section IV Biological Resources and throughout the report, there is some potential that the project could affect sensitive resources including populations of endangered species; however, these impacts are less than significant with Mitigation Incorporated. Based on discussion in Section V Cultural Resources and throughout the report, there is no evidence to support a finding that the project would have the potential to eliminate important examples of the major periods of California history or prehistory.

b) **No Impact:** There are no impacts associated with the current project that become significant when considered in conjunction with other existing or planned facilities in the vicinity. The project site is located within a Public and Semipublic Facilities Zoning District (PF), which is intended to be used to designate existing major public and community serving uses that should not be converted to other uses unless a plan amendment is approved. The site is already developed with an existing facility that is the landing station for the trans-pacific cable. The proposed wireless communication facility is permissible in the zoning district with the granting of a Coastal Development Use Permit. There are no other facilities in close proximity to the project site that would result in cumulative impacts.

- c) **Less than Significant Impact:** Staff is aware of public concerns regarding potential health effects based on environmental effects of radio frequency emissions from these types of wireless telecommunication facilities. The Federal Communications Commission (FCC) has set maximum permissible exposure limits for radio frequency transmitters, and the Telecommunications Act of 1996 prohibits local governments from regulating wireless service facilities based on environmental effects of radio frequency emissions as long as the facilities comply with FCC regulations for emissions. Additionally, the Applicant's Electromagnetic Emissions Compliance Report states the site is fully compliant with all Federal regulations. At all locations on the ground, the maximum predicted power density level is less than one (1) percent of the FCC General Population Limits.

The wireless communications facility will be within a compound that is surrounded by a redwood fence and is not in a location likely to be accessed by anyone other than maintenance personnel. Appropriate signage will be posted disclosing that the facility is not to be accessed by anyone other than maintenance personnel.

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.

4/18/2022

DATE

Julia Krog

JULIA KROG
DIRECTOR