



# County of Mendocino

## Planning and Building Services

860 North Bush Street, Ukiah, CA. 95482

General: 707-234-6650

[www.mendocinocounty.org/government/planning-building-services](http://www.mendocinocounty.org/government/planning-building-services)

## CEQA Initial Study for MS\_2022-0003 (Rorick) Mitigated Negative Declaration November 28, 2022

Lead Agency:  
Mendocino County

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**1.0 INTRODUCTION**

**1.1 Purpose of the Initial Study Checklist**

The purpose of this Initial Study (IS) is to determine the environmental impacts associated with the proposed project and to determine if the project will have a significant adverse effect on the environment. As such, only one alternative—the proposed project—need be evaluated. If the IS reveals that the project will have a significant adverse effect on the environment, an Environmental Impact Report (EIR) will be required. This will necessitate the consideration of a range of reasonable alternatives that would achieve most of the basic objectives of the project but would also avoid or substantially lessen any of the significant effects of the project.

**1.2 Initial Study Checklist Document**

This document in its entirety is an Initial Study Checklist prepared in accordance with the California Environmental Quality Act (CEQA), including all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

The following list identifies the environmental issues that, pursuant to the findings of this Initial Study Checklist, have been determined to pose no potentially significant environmental impacts.

**1.3 Environmental Effects Not Found to be Potentially Significant**

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services Recreation
- Wildfire
- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Geology and Soils (Paleontological Resources)
- Greenhouse Gas Emission
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The analysis presented in this Initial Study Checklist indicates that the Project does not result in or cause potentially significant effects related to the above-mentioned sections.

#### **1.4 Potentially Significant Environmental Effects**

- **None**

Consistent with the conclusion and findings of this Initial Study Checklist, an EIR will not be prepared for the Project. At a minimum, this Initial Study will evaluate the Project's potential environmental impacts under the topical areas identified above. Additional issues or concerns that may be raised pursuant to the Initial Study's Notice of Preparation (NOP) process and/or scoping meeting(s) conducted for the Project will also be evaluated and addressed in the Staff Report that will be prepared for this project.

#### **2.0 PROJECT BACKGROUND**

##### **2.1 Project Location**

6.5± miles north of Redwood Valley, on the west side of Tomki Road (CR 237D) 4.5± miles north of its intersection with East Road (CR 230) and West Road (CR 237), located at 16250 and 17000 Tomki Road, Redwood Valley (APN's: 107-056-04, 107-040-21, 105-290-16). (Refer to Exhibit 1).

The Project site includes the following Assessor Parcel Numbers (APNs):

- 107-056-04
- 107-040-21
- 105-290-16

##### **2.2 Project Description**

Minor Subdivision of an existing 214± acre parcel into two (2) parcels and one (1) remainder parcel. Parcel 1 would be 56.77± acres, Parcel 2 would be 40± acres, and the Remainder Parcel would be 118.44± acres. Two potential building sites and septic areas are proposed as part of the subdivision, one (1) on Lot 1 and one (1) on Lot 2.

The Project's application materials are on file with the Mendocino County Department of Planning and Building Services, located at 860 North Bush Street, Ukiah, CA 95482 and are hereby incorporated by reference.

##### **2.3 Existing Site Conditions/Environmental Setting**

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "...the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced..." (CEQA Guidelines §15125[a]).

In the case of the proposed Project, with using the Initial Study Checklist, it has been determined that a Mitigated Negative Declaration (MND) is the appropriate form of CEQA compliance document, which

requires mitigation measures to be imposed to ensure appropriate compliance is carried out.

**i. Table 1. Existing and Surrounding Land Uses**

<b>Location</b>	<b>Existing Use</b>
Site	Vacant
North	Vacant
South	Residential/Vacant
East	Residential/Civic
West	Residential

*Source: Mapping*

**ii. Table 2. Existing General Plan Designations and Zoning Classifications**

<b>Location</b>	<b>General Plan Designation</b>	<b>Zoning Classification</b>
Site	Remote Residential 40-acre minimum (RMR:40)	Upland Residential (UR-40)
North	RMR:40	UR-40
South	RMR:40	UR-40
East	Rangeland 160-acre minimum (RL:160)	Rangeland (RL-160)
West	RMR:40	UR-40

*Sources: Mendocino County General Plan Land Use Plan and Zoning Maps*

EXHIBIT 1  
Project Location Map/Aerial Photo

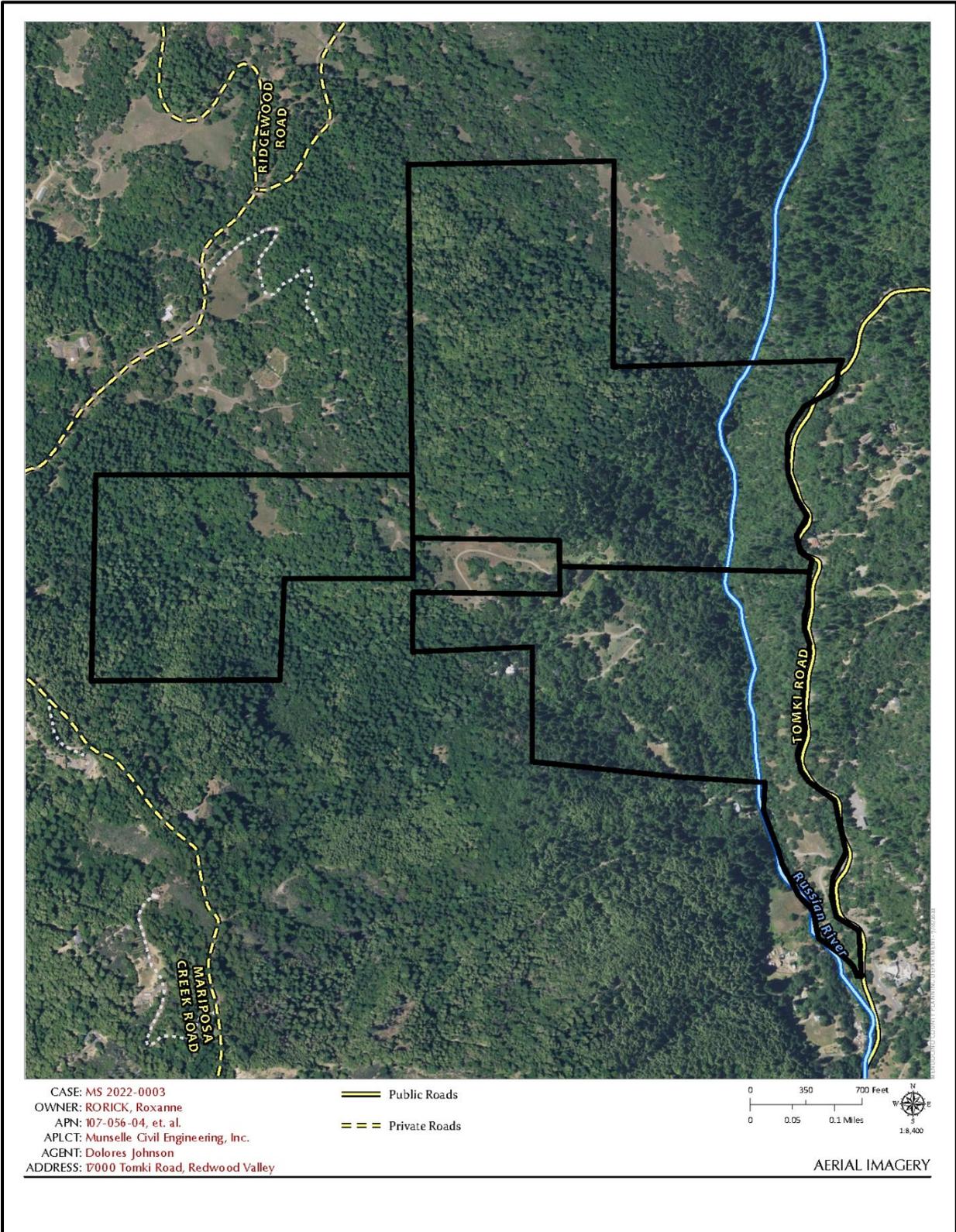
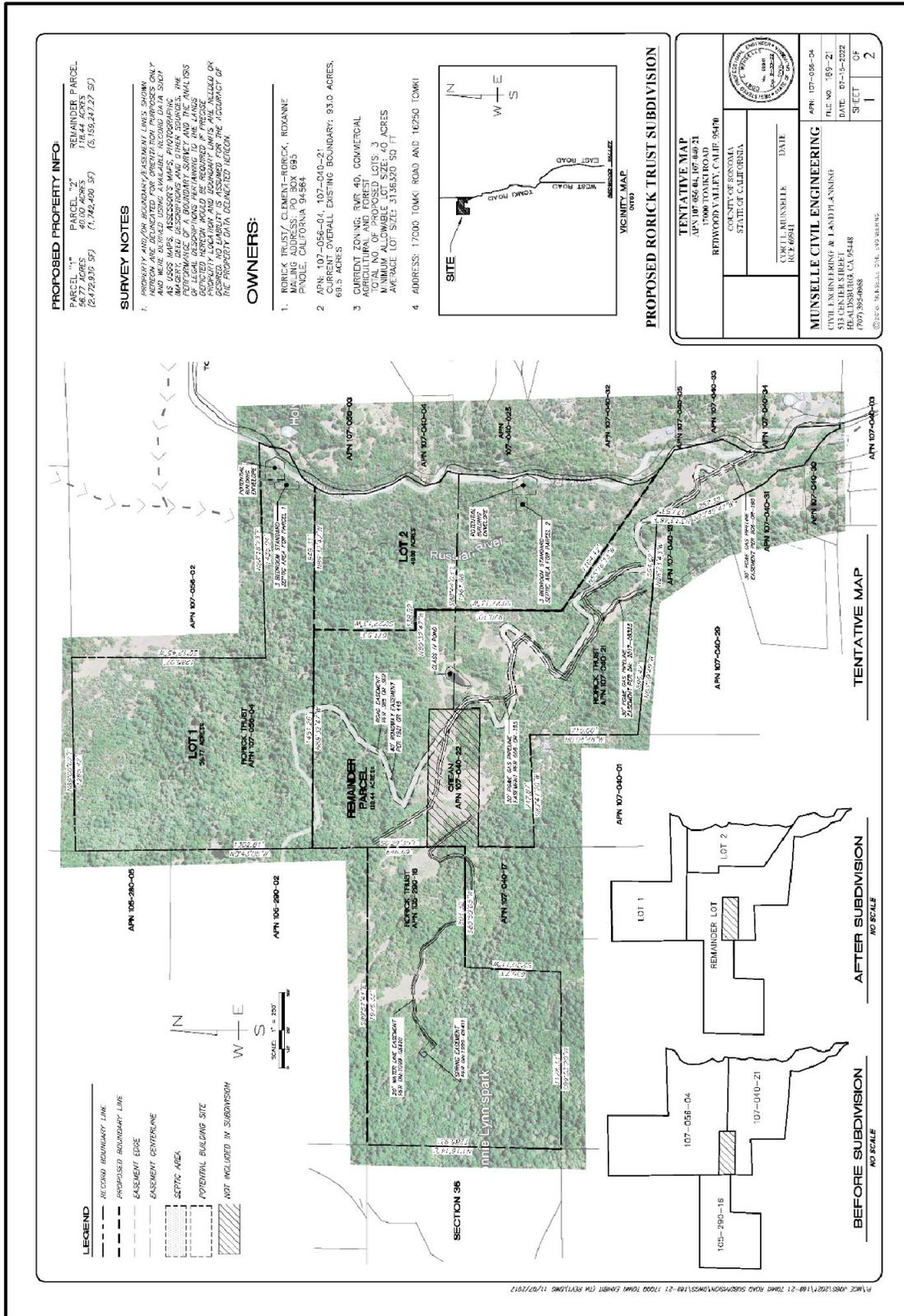


EXHIBIT 2  
Tentative Map Page 1



**PROPOSED PROPERTY INFO:**

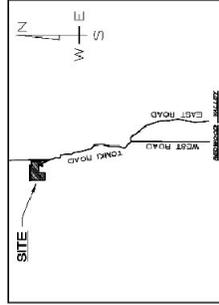
PARCEL "1" REMINDER PARCEL  
56.72 ACRES APN 107-056-03  
(1,744,406 SF) (6,189,472 SF)

**SURVEY NOTES**

1. PROPERTY AND/OR BOUNDARY/ASSUMED LINES SHOWN HEREON ARE DEVIATED FOR ORIENTAL PURPOSES ONLY AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES. ALL BOUNDARY LINES, EASEMENTS, AND OTHER RIGHTS SHOWN HEREON ARE BASED ON THE SURVEY DATA PROVIDED TO THE ENGINEER BY THE OWNER. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY OTHER RIGHTS OR INTERESTS. THE ENGINEER HAS ASSUMED THE ACCURACY OF THE PROPERTY DATA DEVIATED HEREON.

**OWNERS:**

- RORICK TRUST/ CLEMENT-RORICK, ROXANNE  
MAILING ADDRESS: PO BOX 693  
PAOLE, CALIFORNIA 94564
- APN: 107-056-04, 107-040-21  
SMALL EXISTING BOUNDARY: 93.0 ACRES,  
69.3 ACRES
- CURRENT ZONING: RUC 40, COMMERCIAL  
AGRICULTURE AND FOREST  
TOTAL NO. OF PROPOSED LOTS: 3  
MINIMUM ALLOWABLE LOT SIZE: 4.0 ACRES  
APPROX. LOT SIZE: 515,639 SQ FT
- ADDRESS: 17000 TOMKI ROAD AND 14250 TOMKI



**PROPOSED RORICK TRUST SUBDIVISION**

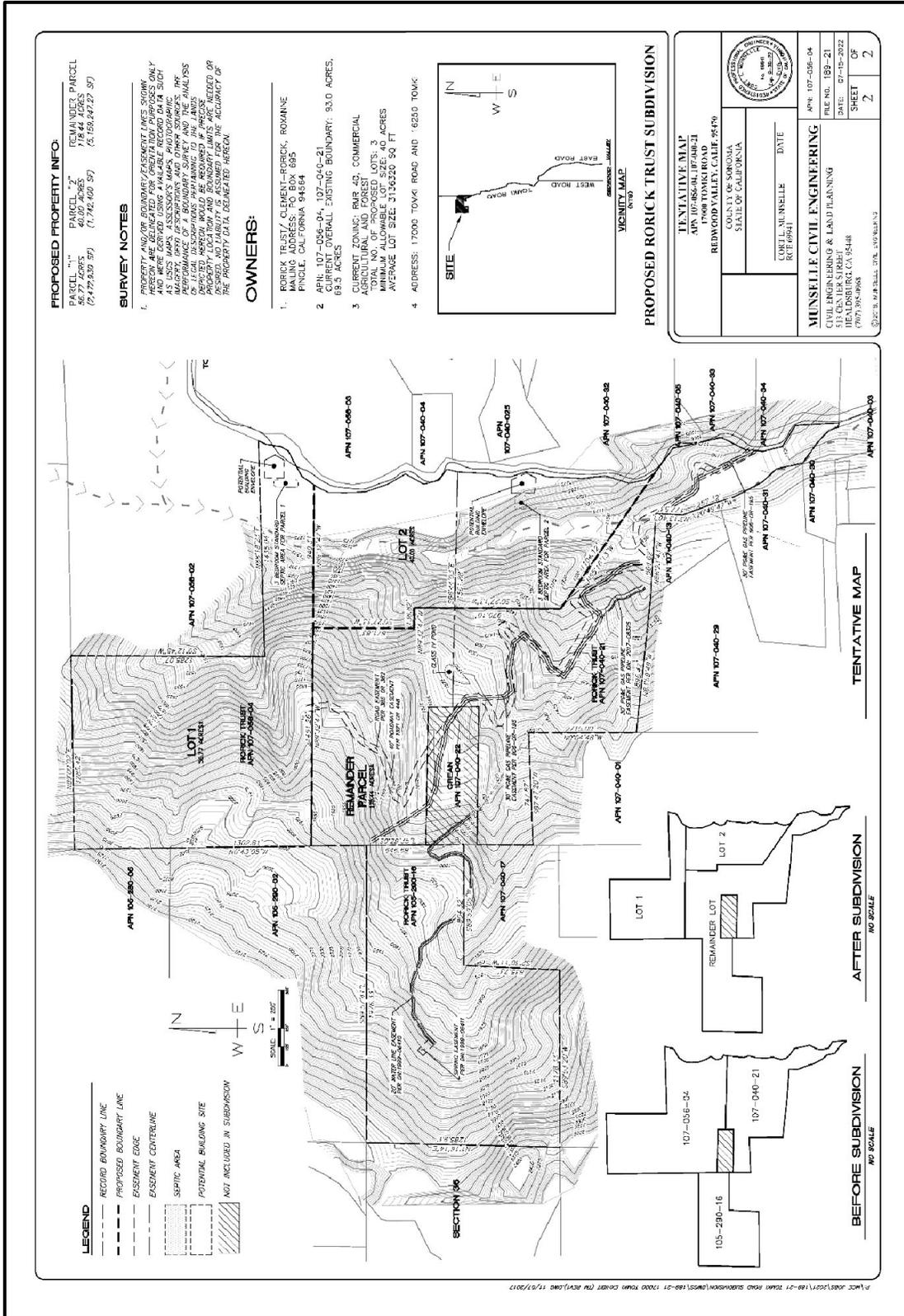
**TENTATIVE MAP**  
APN 107-056-03  
17000 TOMKI ROAD  
REDWOOD VALLEY, CALIF 95476  
COUNTY OF SONOMA  
STATE OF CALIFORNIA

CIVIL ENGINEER: DAIR  
CIVIL ENGINEER: DAIR  
CIVIL ENGINEER: DAIR  
CIVIL ENGINEER: DAIR

**MUNSELL CIVIL ENGINEERING**  
CIVIL ENGINEERING & LAND PLANNING  
10000 RIVERVIEW DRIVE  
HEALDSBURG, CA 95428  
(707) 394-0888

APN: 107-056-04  
FILE NO: 189-2  
DATE: 07-15-2022  
SHEET OF 2

EXHIBIT 3  
Tentative Map Page 2



**PROPOSED PROPERTY INFO:**

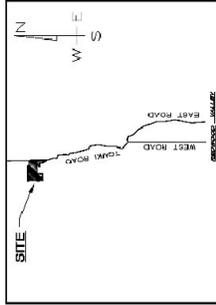
PARCEL "1" REMANDED PARCEL  
46.77 ACRES 178.44 ACRES  
(2,472,509 SF) (1,742,600 SF)

**SURVEY NOTES**

1. PROPERTY AND/OR BOUNDARY/EASEMENT LINES SHOWN HEREON ARE DELINEATED FOR ORIENTATIONAL PURPOSES ONLY AND WERE DERIVED USING AVAILABLE RECORD DATA SUCH AS METERS, DEED DESCRIPTIONS AND OTHER SOURCES. THE DATA WAS OBTAINED FROM THE PUBLIC RECORDS AND ANALYSIS OF THE RECORDS. THE DATA WAS NOT FIELD VERIFIED. THE PROPERTY OWNER IS ADVISED THAT THE DATA IS ASSUMED TO BE ACCURATE AND NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE PROPERTY DATA DELINEATED HEREON.

**OWNERS:**

1. RORICK TRUST, CLEMENT-RORICK, ROMANIE  
MAILING ADDRESS: PO BOX 695  
PINGLE, CALIFORNIA 94664
2. APN: 107-056-04, 107-040-21  
18.5 ACRES
3. CLEMENT TOWN, BUS 42, COMMERCIAL  
AGRICULTURAL AND FOREST  
TOTAL NO. OF PROPOSED LOTS: 3  
MINIMUM ALLOWABLE LOT SIZE: 40 ACRES  
AVERAGE LOT SIZE: 3166240 SQ FT
4. ADDRESS: 17000 TOMKA ROAD AND 16250 TOMK



**PROPOSED RORICK TRUST SUBDIVISION**

**TENTATIVE MAP**  
APN 107-056-04  
17000 TOMKA ROAD  
REDWOOD VALLEY, CALIF. 95470  
COUNTY OF SUTTER  
STATE OF CALIFORNIA

CORIN L. MUNSIELE DATE \_\_\_\_\_  
RCE169841

**MUNSIELE CIVIL ENGINEERING**  
CIVIL ENGINEERING & LAND PLANNING  
10000 HEALDSBURG CA 95448  
(707) 305-9988

APN 107-056-04  
FILE NO. 159-21  
DATE: 07-19-2022  
SHEET OF 2

### 3.0 INITIAL STUDY/ENVIRONMENTAL CHECKLIST

This Initial Study Checklist has been prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. The Project is evaluated based on its potential effect on twenty (20) environmental factors categorized as follows, as well as Mandatory Findings of Significance:

- |                                     |  |
|-------------------------------------|--|
| 1. Aesthetics                       | 11. Land Use & Planning                |
| 2. Agriculture & Forestry Resources | 12. Mineral Resources                  |
| 3. Air Quality                      | 13. Noise                              |
| 4. Biological Resources             | 14. Population & Housing               |
| 5. Cultural Resources               | 15. Public Services                    |
| 6. Energy                           | 16. Recreation                         |
| 7. Geology & Soils                  | 17. Transportation                     |
| 8. Greenhouse Gas Emissions         | 18. Tribal Cultural Resources          |
| 9. Hazards & Hazardous Materials    | 19. Utilities and Service Systems      |
| 10. Hydrology & Water Quality       | 20. Wildfire                           |
|                                     | 21. Mandatory Findings of Significance |

Each factor is analyzed by responding to a series of questions pertaining to the impact of the Project on the factor. This Initial Study Checklist provides a manner to analyze the impacts of the Project on each factor to determine the severity of the impact and determine if mitigation measures can be implemented to reduce the impact to a Less Than Significant level.

CEQA also requires Lead Agencies to evaluate potential environmental effects, based to the extent possible on scientific and factual data (CEQA Guidelines §15064[b]). A determination of whether or not a particular environmental impact will be significant shall be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064f[5]).

The effects of the Project are then placed in the following four categories, which are each followed by an explanation to substantiate why the Project will not have a significant impact on the environmental factor with or without mitigation. If “Potentially Significant Impacts” are found that cannot be mitigated to Less Than Significant levels, then the Project does not qualify for a Mitigated Negative Declaration and an Environmental Impact Report must be prepared:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

**No Impact:** No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

**Less than Significant Impact:** No “significant” impact(s) identified or anticipated. Therefore, no mitigation is necessary, and no mitigation measures are required.

**Less than Significant Impact with Mitigation Incorporated:** Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.

**Potentially Significant Impact:** Potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.

**Environmental Factors Potentially Affected**

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

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

**DETERMINATION:** Based on this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall 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 shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	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.

<b>3.1 AESTHETICS</b> Except as provided in Public Resources Code Section 21099, <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:** 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 CalTrans, SR 1 and SR 20 are “eligible” for designation as scenic highways but have not been officially designated as such.

State Route 1 is part of the California Freeway and Expressway System, and the portion of State Route 1 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. State Route 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San

Francisco have officially been designated as a “scenic highway”, meaning that there are substantial sections of highway passing through a "memorable landscape" with no "visual intrusions."

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 south of Willits. 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.*

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting from structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” 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 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.*

#### **Would the Project:**

##### **a) Have a substantial adverse effect on a scenic vista?**

**No Impact:** The project involves a subdivision creating two parcels and one remainder parcel. Two building sites are proposed for future development. It is reasonable to assume these building sites would be developed with single-family residences and appurtenant development such as septic leach fields and accessory structures. In addition, future development on the newly created parcels may be conditioned to include construction of asphalt driveway approaches or other road improvements. Subdivision of the parcel would constitute no more than a map change without any direct physical impacts. However, indirect effects could include future physical construction that may have visual impacts. The definition of “scenic vista” leaves much up to interpretation and subjective judgement. In addition, the Mendocino County General Plan does not specifically identify any scenic vistas within the county. To narrow possibly varying interpretations, the following criteria will be used:

A scenic vista is defined as a location that offers a high quality, harmonious, and visually interesting view. For a location to be considered a scenic vista, all three of the following qualitative criteria should be met:

- High quality – most views from the location are not impaired by a significant amount of physical obstruction such as manmade structures or debris.
- Harmonious – most views from the location are consistent with the surrounding environment or adjacent views to the extent that a unified whole can be identified.
- Visually Interesting – views from the location offer unique or rare features that could draw the attention of those that occupy the site.

The project is not expected to have an impact on any on-site or off-site locations that may qualify as scenic vistas. No known scenic vistas have been identified on or near the project site. Tomki Road runs mostly parallel

to the Russian River. The parcels involved in the subdivision may contain ridgeline areas that could qualify as scenic vistas. These ridgelines are located at higher elevations and may offer views of surrounding areas of the county that could not be viewed from other locations. However, the proposed residential building sites are sited adjacent to Tomki Road near the valley floor, which is similar to residential development in the surrounding area. From Tomki Road, views consist of the valley walls to the east and west of the road, including their associated vegetation. These are not considered visually interesting views because the valley floor and walls are similar to other inland valleys located in Mendocino County. Though views from the top of ridgelines may be considered scenic vistas, their value would lie in the ability to see neighboring areas of the county, not the valley floor in which the future residential development is sited. Impacts could occur if residential development is sited on or near these ridgelines, but this is not what has been proposed. Thus, the project is not expected to have any impact on scenic vistas.

**b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

**No Impact:** Though portions of State Route 1, 20, and 128 within Mendocino County are eligible for designation as state scenic highways, none have been officially designated as such. The designated scenic highways closest to the project site include State Route 116 and 12 in Sonoma County, 50+ miles south of the project site. Subdivision and future residential development, including construction and operation of the site, are not expected to have any impact on these scenic highways.

**c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

**No Impact:** The project site and surrounding lots west of Tomki Road are within the Remote Residential General Plan classification with a minimum lot size of 40 acres. To the east of Tomki Road, most parcels are within the Rangeland classification with a minimum lot size of 160 acres. Due to the large minimum lot sizes, this is considered a non-urbanized area. In addition, the project site is not within an Urban Cluster or Urban Area as designated by the 2010 U.S. Census.<sup>1</sup> The primary public vantage point is Tomki Road. The site slopes downward from Tomki Road to the Russian River, then slopes upward steeply continuing west. Primary views of the site from Tomki Road include the valley walls to the west. Possible visual impacts include vegetation removal, grading, residential construction, and paving of a driveway approach. However, single-family residential development is common in the area, with several driveways and building sites located nearby along Tomki Road. The existing visual character of the surroundings includes residential development intermixed with natural vegetation. Future residential development would be required to comply with applicable zoning regulations, including building height and setbacks. No development is proposed on the slopes west of the Russian River, and thus the primary public views of the site and its surroundings would not be impacted. Though vegetation removal or grading may clear land that was otherwise left in a natural state, it would not have any visual impact because views of the valley walls to the west would be preserved, and the scale of vegetation removal and grading associated with the project is expected to be similar to existing development along Tomki Road.

**d) *Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. This development is not expected to include materials which would create a source of glare. Typical single-family residences do

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<sup>1</sup> U.S. Census Bureau (2010). *Urbanized Areas and Urban Clusters*. Retrieved from <https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html>.

not include highly reflective windows or other mirror-like surfaces. If future development makes use of substantial exterior lighting, it may create a significant source of light that could produce a significant indirect or cumulative impact. Mendocino County General Plan Policy RM-134 states that *“the County shall seek to protect the qualities of the nighttime sky and reduce energy use by requiring that outdoor nighttime lighting is directed downward, kept within property boundaries, and reduced both in intensity and direction to the level necessary for safety and convenience.”* Mitigation is recommended to ensure that exterior lighting associated with residential development is downcast and shielded consistent with Policy RM-134 and will not create a new source of substantial light. The identified mitigation would be sufficient to reduce potential indirect or cumulative impacts to views in the area. Lighting used during construction would be temporary in nature and is not expected to create a new source of substantial light. The project is not expected to directly or indirectly create any new sources of light off-site.

**MITIGATION MEASURES**

**AES-1:** The following note shall be placed on the Parcel Map: *“All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.”*

**FINDINGS**

The proposed project would have a **Less Than Significant Impact With Mitigation Incorporated** regarding Aesthetics.

<b>3.2 AGRICULTURE AND FORESTRY RESOURCES.</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" 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 PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

f. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. 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?***

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. According to the Farmland Mapping

and Monitoring Program, the project site is listed as Grazing Land. Therefore, future residential development would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

**b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact:** The parcel involved in the project is not part of a Williamson Act Contract. The parcel involved in the project is within the Upland Residential (UR) zoning district. According to Mendocino County Code (MCC) Section 20.056.005, the intent of this district is to “create and enhance farming and low-density agricultural/residential uses. Typically the UR District would be applied to nonprime production lands which have constraints to commercial agriculture, timber production or grazing but which are absent of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource lands. The proposed subdivision would maintain the minimum lot size of this zoning district, ensuring that the potential for agricultural use of the resulting lots remains. In addition, future development would be limited to the density and use requirements of the UR District. Therefore, the project would not conflict with existing zoning for agricultural use.

**c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

**No Impact:** As stated in section (b) above, the parcel involved in this project is within the UR zoning district. This zoning district allows for some uses involving forest lands and timberlands. The parcel is not zoned Timber Production. Native tree species likely cover more than 10 percent of the existing lot and could support uses that would classify as forest land. The site appears to consist of mostly native oak and conifer species. It is unclear whether these species could be used for commercial production of lumber. The project would not conflict with zoning for forest land or timberland because the amount of proposed residential development is small in relation to the total size of the resulting parcels. In addition, the proposed remainder parcel does not include any proposals for development and would therefore preserve existing forest land. As such, there is substantial land available to be used or maintained as forest land or timberland. Residential development would not hinder other portions of the lot from being used for forest land or timberland use. The project would not rezone any parcels.

**d. Result in the loss of forest land or conversion of forest land to non-forest use?**

**Less Than Significant Impact:** According to 14 CCR §1104.1, timber operations are exempt from Conversion Permit and timber harvesting Plan requirements under certain conditions. §1104.1(a) states that the conversion exemption is “*applicable to conversion of Timberland to a non-timber use only, of less than three acres in one contiguous ownership...*” From this exemption, it can be inferred that conversions which conform to the standards of §1104.1 and which are less than three acres are inconsequential and not significant to Timberlands. Though this exemption is applied to Timberland, it is reasonable to assume that a similar conversion of forest land would likewise be less than significant. Therefore, a significant impact would occur if the project would result in the loss or conversion of more than three acres of forest land to non-forest use. The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. As stated in section (c) above, the parcel involved in this project contains land that could be classified as forest land as defined in California Public Resources Code §12220(g). Some of this forest land may occupy the proposed building locations. Therefore, future development could

convert forest land to residential use. However, the amount of forest land that can reasonably be assumed to be converted would be less than significant. According to the submitted application, the total square footage of proposed structures would be 3,600 square feet. This amounts to approximately 0.08± acres of potential conversion. Therefore, indirect impacts are less than significant. No off-site timber harvesting or conversion is expected to occur because of the project.

**e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?**

**No Impact:** No other changes are expected beyond those discussed in question (a) through (e) above. As noted, future development of single-family residences or roadway improvements may include vegetation removal which would convert land that may be considered forestland. No off-site conversion of agricultural land or forestland would occur. Future vegetation removal is not considered cumulatively significant because areas of past vegetation removal nearby are not physically connected to the site, and potential future vegetation removal is not expected to convert a significant amount of forestland in the area to the extent that the remaining land could not continue as forest uses.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

<b>3.3 AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:  <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: 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 has recommended that agencies use adopted Bay Area CEQA thresholds for projects in Mendocino County.

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 (PM<sub>10</sub>). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM<sub>10</sub> emissions, and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

- 1) All visibly-dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust. In December, 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty

diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM<sub>2.5</sub>. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

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. Conflict with or obstruct implementation of the applicable air quality plan?**

**No Impact:** The most applicable air quality plan for the proposed project is the MCAQMD Rules and Regulations. The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future residential development and roadway improvements could produce emissions both during construction and operation of the development. However, future activities may fall under the jurisdiction of MCAQMD and any necessary permits must be obtained. Therefore, no conflict with MCAQMD or obstruction of their rules and regulations is expected.

**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?**

**Less Than Significant Impact:** Mendocino County is currently in State non-attainment for Particulate Matter with a diameter of 10 microns or less (PM<sub>10</sub>). The primary sources of PM<sub>10</sub> are wood combustion emissions, fugitive dust from construction projects, automobile emissions and industrial activities. The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future residential development may emit PM<sub>10</sub> during the construction or operational phase from vehicle emissions, dust stirred from driving on unpaved roads, and construction of the residences or roadway improvements. As such, the project may produce an incremental increase of PM<sub>10</sub> emissions. MCAQMD has adopted the Bay Area Air Quality Management District's (BAAQMD) threshold of significance for construction-related and operational emission of PM<sub>10</sub>. A project may result in a cumulatively considerable net increase in PM<sub>10</sub> if it would emit an average of eighty-two (82) pounds of PM<sub>10</sub> per day during construction or indirectly during operation, or a maximum of fifteen (15) tons per year for stationary sources during operation. The California Emissions Estimator Model (CalEEMod) was used to estimate the PM<sub>10</sub> emissions resulting from the project.<sup>2</sup> As a result of the model, no PM<sub>10</sub> emissions would occur during the operational phase. During construction, emission of an average of eight one-hundredths (0.08) pounds of PM<sub>10</sub> are expected. This is below the threshold of eighty-two (82) pounds per day. Therefore, the impact would be less than significant.

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<sup>2</sup> California Air Pollution Control Officers Association. (2022). *CalEEMod* (Version 2022.1). <https://www.caleemod.com/>

In addition, MCAQMD regulations require new development to implement fugitive dust control measures and Particulate Emissions Reduction Measures. Specifically, MCAQMD Rule 1-430(b) establishes dust control measures as noted in the "Discussion" section above. MCAQMD Rule 4.1-300 requires that regulations for wood burning appliances be documented prior to issuance of a Certificate of Occupancy or approval of a final building inspection. Compliance with these regulations ensures that indirect PM<sub>10</sub> emissions are reduced. These reduced emissions are not considered cumulatively considerable when viewed in relation to past, present, or future projects. MCAQMD is tasked with ensuring that the federal and state ambient air quality standards are attained and maintained in the region. In addition to the current project, past, present, and future activities could fall within the jurisdiction of MCAQMD, and thus may be required to comply with MCAQMD regulations concerning particulate emissions. Compliance with MCAQMD regulations therefore ensures that emissions resulting from the project do not contribute significantly to PM<sub>10</sub> non-attainment as addressed in the MCAQMD Particulate Matter Attainment Plan.

**c. *Expose sensitive receptors to substantial pollutant concentrations?***

**Less Than Significant Impact:** Populations which may be sensitive to pollutants include children, the elderly, and those with respiratory disease. Therefore, sensitive receptors may include schools, residences, or hospitals. The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Construction and operation of these residential uses is not expected to produce any substantial pollutant concentrations. CalEEMod was used to estimate emissions of various criteria air pollutants, including Reactive Organic Gases (ROG), Nitrogen Oxides (NO<sub>x</sub>), Carbon Monoxide (CO), Sulfur Dioxide (SO<sub>2</sub>), and Particulate Matter 2.5 microns or less (PM<sub>2.5</sub>). The results of the model indicated that all criteria pollutant emissions would be below MCAQMD/BAAQMD thresholds during construction and operation. Therefore, indirect impacts would be less than significant.

**d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

**Less Than Significant Impact:** Other emissions that may lead to odors include diesel exhaust associated with construction equipment. These emissions may occur during construction of residences on the resulting parcels. However, the temporary nature of these emissions would limit exposure to a substantial number of people. Surrounding uses contain mostly low-density residential development. The Abhayagiri Buddhist Monastery is located adjacent the site to the east. Approximately 19 people reside at the monastery. Odors during construction may travel to the monastery site, though the impacts are expected to be minimal because the monastery's structures are located approximately 300-500 feet east of Tomki Road. Due to setback requirements, future residential development on the project site would be located at least 50 feet from the eastern property boundary bordering Tomki Road. The distance between structures indicates that diesel exhaust odors would likely dissipate before reaching the monastery and thus would not have a significant impact on the residents. In addition, MCAQMD Rule 1-400 states:

*"A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or that endanger the comfort, repose, health or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property."*

Though the residential development is not expected to result in significant odors, if public complaints are sufficient to cause an odor source to be considered a public nuisance, MCAQMD can require the identified source to incorporate mitigation measures to correct the nuisance conditions.

Other emissions that may occur as a result of the project include Naturally Occurring Asbestos (NOA). Planning & Building Services uses a map derived from the CA Bureau of Mines & Geology maps and the USDA Natural Resource Conservation Service soil maps to identify areas likely to have asbestos containing geologic features. The proposed site of future residential structures is located within this mapped area. MCAQMD requires an evaluation and report by a State registered geologist to determine that any observed NOA is below levels of regulatory concern in areas being disturbed. If it is determined that NOA is present at levels above regulatory concern, or the applicant chooses not to have the testing and evaluation conducted, MCAQMD requires that certain mitigation measures be followed in accordance with 17 CCR §93105. The existing regulatory structure and requirements of MCAQMD indicate that potential indirect impacts due to NOA would be less than significant.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

<b>3.4 BIOLOGICAL RESOURCES</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
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.*

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.”*

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

**a. *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?***

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Conversion of previously undisturbed habitat to residential use, including impacts from construction activities, vegetation removal, and occupancy of the residences could have an impact if special status species are known to occur in the project area. According to CNDDDB mapping, no special status species have been observed in the project area. The application was referred to the California Department of Fish and Wildlife (CDFW) on July 28, 2022. At this time, CDFW has not responded to the request for comment. Thus, staff concludes that no impact is expected to occur.

**b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. When considering cumulative and indirect impacts, future conversion of undisturbed land to residential use may occur as identified on the tentative map. According to the U.S. Fish and Wildlife (USFW) National Wetlands Inventory, a wetland occurs along the eastern portion of the site. The wetland is shown on the tentative map as

“Russian River”. This wetland may house riparian habitat. However, the potential septic areas and building envelopes identified on the tentative map are located more than 100 feet from the wetland, thus impacts to riparian habitat due to residential development are expected to be minimal. Based on CNDDDB records and available vegetation mapping<sup>3</sup>, no sensitive natural communities are known to occur on the project site. The application was referred to the California Department of Fish and Wildlife (CDFW) on July 28, 2022. At this time, CDFW has not responded to the request for comment.

**c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact:** As stated in question (b) above, the USFW National Wetlands Inventory and the tentative map identifies a wetland along the eastern portion of the site. No direct impact to state or federally protected wetlands would occur because the subdivision would not include any physical development. However, future residential development of either lot may have an indirect impact on the identified wetland from erosion or sedimentation because of construction activities. These impacts would be sufficiently mitigated by siting structures and construction activities at least 100 feet away from the mapped wetland, in addition to implementation of Best Management Practices (BMPs) during construction to avoid impacts to the nearby wetland and associated drainages. Because the proposed location of structures identified on the tentative map is located further than 100 feet from the center of the mapped wetland, no impact would occur.

**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?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. According to the National Wetlands Inventory, the on-site wetland’s water regime is classified as “Temporary Flooded.” This means that “surface water is present for brief periods (a few days to a few weeks) during the growing season, but the water table usually lies well below the ground surface for most of the season.”<sup>4</sup> Given the water regime identified by the National Wetlands inventory, the on-site wetland is not expected to contain habitat for migratory fish species. In addition, a 100-foot buffer between the building site and wetland as discussed in section (c) above would minimize indirect impacts. The proposed building sites are not otherwise known as established wildlife corridors or nursery sites.

**e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less Than Significant Impact:** Mendocino County General Plan Action Item RM-28.1 states, in part:

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<sup>3</sup> VegCAMP (Vegetation Classification and Mapping Program). (2021, Jan. 11). *Vegetation (MCV / NVCS) Mapping Projects – California [ds515]*. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System (BIOS). Retrieved November 17, 2022 from <http://bios.dfg.ca.gov>

VegCAMP (Vegetation Classification and Mapping Program). (2018, Dec. 2). *Vegetation – Mendocino Cypress and Related Vegetation [ds2805]*. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System (BIOS). Retrieved November 17, 2022 from <http://bios.dfg.ca.gov>

<sup>4</sup> Federal Geographic Data Committee. 2013. *Classification of wetlands and deepwater habitats of the United States*. FGDC-STD-004-2013. Second Edition. Wetlands Subcommittee, Federal Geographic Data Committee and U.S. Fish and Wildlife Service, Washington, DC.

*“The County shall develop CEQA standards that require disclosure of impacts to all sensitive biotic communities during review of discretionary projects. These standards shall require the following mitigation:*

- *Oak Woodland – Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity and wildlife habitat through the following measures:*
  - *Preserve, to the maximum extent possible, oak trees and other vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.*
  - *Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.*
  - *Provide appropriate replacement of lost oak woodlands or preservation at a 2:1 ratio for habitat loss.”*

Currently, no tree preservation ordinance, oak woodlands ordinance, or specific CEQA standard for oak woodlands have been adopted by Mendocino County. No direct impact would occur in relation to Action Item RM-28.1 because no physical development is proposed. Vegetation removal performed in association with future residential development of the site may occur, and this vegetation removal may include removal of native oak individuals. Almost the entirety of the site is presumed to be forested with Douglas-fir, madrone, tan oak, and other oaks interspersed. However, this vegetation removal is not expected to result in a significant environmental impact. The individual oak species that may be present on the site do not represent a substantial portion of the canopy, and consequently are not expected to constitute an “oak woodland”. In addition, the size of the potential building sites (identified on the tentative map) in relation to the total parcel size (including the remainder parcel) indicates that the number of oak trees that may be removed is minimal and is not expected to have much impact on the long-term health of the forested area. Therefore, future development is not expected to conflict with Action Item RM-28.1.

**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?**

**No Impact:** The project is not within or adjacent to the boundaries of the Fisher Family HCP, Mendocino Redwood Company Natural Community Conservation Plan, or any other known habitat conservation plan. Therefore, the project is not expected to conflict with either of these plans or any other habitat conservation plan.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **Less Than Significant Impact** on Biological Resources.

3.5 CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the Project:</i>				

a. Cause a substantial adverse change in the significance of a historical resource pursuant to §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. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future residential development of the resulting lots could cause an indirect impact if historical resources are identified within the building envelope. The project application was referred to the Northwest Information Center as Sonoma State University (NWIC) to determine if the project could adversely affect cultural resources. NWIC responded on August 11, 2022, noting that two previous studies were conducted on approximately 5% of the proposed project area, which identified no cultural resources. NWIC further noted that the project area has a moderate to high potential for unrecorded Native American resources in the proposed project area. NWIC therefore recommended that a study of the unsurveyed portions of the proposed area be conducted, local Native American tribes be contacted, and that a qualified professional conduct a formal CEQA evaluation to determine if any historic buildings or structures exist on the site. Based on this recommendation, the project was presented and discussed at the September 14, 2022 Mendocino County Archaeological Commission meeting. The Archaeological Commission determined that an archaeological survey would be required for the project. A cultural resource study of the two building envelopes identified on the tentative map was prepared on September 23, 2022. The study involved contacting Native American individuals and groups, archival research, and a field survey. The study found that there were no archaeological site indicators on the property, and that the study area has a very low potential for buried archaeological site indicators. The study also found no buildings or structures within the study area. On November

11, 2022 the study was presented at the Archaeological Commission meeting. The Archaeological Commission voted to accept the study. Based on this information, no impact to historical resources is expected.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. As described in section (a) above, no impacts to archaeological resources are expected because the field study found no archaeological resources within the proposed building envelopes.

**c. Disturb any human remains, including those interred outside of formal cemeteries?**

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. As described in section (a) above, no impacts to human remains are expected because the field study found no evidence of human remains within the proposed building envelopes.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

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

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 on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The 2019 Building Energy Efficiency Standards are designed to reduce wasteful, uneconomic, inefficient or unnecessary consumption of energy, and enhance outdoor and indoor environmental quality. It is estimated that single-family homes built with the 2019 standards will use about 7 percent less energy due to energy efficiency measures versus those built under the 2016 standards (CEC, 2018).

**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?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Construction activity in relation to residential development of the resulting lots could use fossil fuels, electricity, and natural gas. The energy consumed during construction would be temporary and typical of similar construction activity in other areas of the county. Based on the size of the proposed building envelopes, significantly wasteful, inefficient, or unnecessary consumption of energy is not expected during construction activities. If single-family residential development were to occur on the resulting parcels, the structures would likely be subject to the California Building Code 2019 Building Energy Efficiency Standards. Specifically, the Mandatory Features and Devices for Low-Rise Residential Buildings within the California Energy Code would ensure that operation of the residences does not result in any significant energy efficiency impacts.

**b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future residential development would be required to be designed to comply with relevant state and local codes, including the California Energy Code and Green Building Standards Code through the building permit process. Mendocino County has not adopted a local plan for renewable energy or energy efficiency. Therefore, future residential development is not expected to conflict with state or local plans for renewable energy or energy efficiency.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

<b>3.7 GEOLOGY AND SOILS</b>  <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>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.</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure, including liquefaction?</li> <li>iv. Landslides?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste-water?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 Maacama is the closest active fault to the subject parcel, located approximately 4 miles west.

Historically, the Maacama Fault has generated only a few moderate earthquakes. However, an abundance of smaller earthquakes (less than magnitude 3) are clearly associated with the fault. A magnitude 5.6 earthquake was reported to have occurred in the Ukiah area in 1869. Additionally, several earthquakes in the magnitude range of 4, with the strongest at M 4.9, were recorded in the Ukiah area in 1977-78. Surface fault creep (very slow movements across known fault locations) has been documented along the Maacama fault at locations east of Willits and Ukiah.

The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation. Thick soil development and landslides very commonly cover the underlying bedrock throughout the county. Due to the weak and deformed nature of the Franciscan rocks, they are prone to deep weathering and development of thick overlying soils. Soil deposits in swales and on the flanks of slopes commonly contain substantial amounts of clay and weathered rock fragments up to boulder size. These soils can be unstable when wet and are prone to slides. Landsliding of such soils is widespread in Mendocino County, particularly in the eastern belt of the Franciscan Formation beneath the eastern portion of the county. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to landslides and erosion.

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on 9 percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than 15 percent have a high erosion hazard. Elevations at the subject parcel range from 2,120 feet above mean sea level (amsl) at the western boundary to 1,160 feet amsl along the Russian River, with an average slope of approximately 23 percent.

In 1991, the U.S. Department of Agriculture and Soil Conservation Service, in partnership with several other public agencies, published the Soil Survey of Mendocino County, Eastern Part, and Trinity County, Southwestern Part, California. According to this survey, the project site is underlain with the following soil types:

- Map Unit No. 110: Casabonne-Wohly loams, 30 to 50 percent slopes
- Map Unit No. 111: Casabonne-Wohly-Pardaloe complex, 50 to 75 percent slopes
- Map Unit No. 151: Hopland-Wohly loams, 50 to 75 percent slopes
- Map Unit No. 228: Yorktree-Yorkville loam, 30 to 50 percent slopes
- Map Unit No. 235: Yorkville-Yorktree-Squawrock complex, 30 to 50 percent slopes

Portions of the proposed building envelopes are located on both the Casabonne-Wohly-Pardaloe complex (50 to 75 percent slopes) and Hopland-Wohly loams (50 to 75 percent slopes). The Casabonne-Wohly-Pardaloe complex is on hills and mountains. The native vegetation is mainly Douglas fir, tanoak, and Pacific madrone. The complex is 40 percent Casabonne gravelly loam, 30 percent Wohly loam, and 15 percent

Pardaloe gravelly loam. The Casabonne soil is deep and well drained. Permeability of the Casabonne soil is moderate. Available water capacity is moderate to high. Runoff is very rapid, and the hazard of erosion is very high. The Wohly soil is moderately deep and well drained. Permeability of the Wohly soil is moderate. Available water capacity is low to moderate. Runoff is very rapid, and the hazard of erosion is very high. The Pardaloe soil is deep and well drained. Permeability of the Pardaloe soil is moderate. Available water capacity is low. Runoff is very rapid, and the hazard of erosion is very high. The Hopland-Wohly loam is on hills and mountains. The native vegetation is mainly oaks and scattered pockets of Douglas fir. The unit is 65 percent Hopland loam and 15 percent Wohly loam. The Hopland soil is on all aspects. The Wohly soil is on north-facing slopes and in east-facing areas of draws that have favorable microclimate for growth of conifers. The Hopland soil is moderately deep and well drained. Permeability of the Hopland soil is moderately slow. Available water capacity is low to moderate. Runoff is very rapid, and the hazard of erosion is very high. The Wohly soil is moderately deep and well drained. Permeability of the Wohly soil is moderate. Available water capacity is low to moderate. Runoff is very rapid, and the hazard of erosion is very high.

**a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***
- ii. Strong seismic ground shaking?***
- iii. Seismic-related ground failure, including liquefaction?***
- iv. Landslides?***

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. The potential building envelopes identified on the tentative map are located approximately four (4) miles east of the Maacama fault zone, which has historically generated only a few moderate earthquakes. These factors indicate that future ruptures and seismic ground shaking is not expected to significantly affect residential development on the site. The conditions for liquefaction mostly occur within alluvial basins in the Willits, Ukiah, and Covelo areas in Mendocino County. Areas of fine-grained alluvial deposits along river systems also have the potential for liquefaction. The project site is not in an area of potentially liquefiable soils according to the Mendocino County General Plan Environmental Impact Report (EIR). According to the Site Evaluation Report provided by Munselle Civil Engineering for both resulting parcels, slopes along the potential home sites are between 5 to 10 percent for Parcel 1 and 10 to 20 percent for Parcel 2. Landslide types in the county can be generally categorized into three groups: earthflows, debris flows, and rock falls. According to the Mendocino County General Plan EIR, earthflows typically occur on moderate slopes (between 20 or 50 percent), debris flows typically occur on steep slopes (50 percent or more), and rock falls occur on steep slopes or bluffs. Landslides are typically triggered by storm water, surface flow, seepage, or seismic shaking. Future residential development would be required to comply with Building Regulations (Mendocino County Code Title 18) and the California Building Code. In addition, future excavation or grading would be required to comply with Mendocino County Code Section 18.70.130 regarding erosion control. This indicates that risk of landslide at the potential building sites is less than significant.

**b. *Result in substantial soil erosion or the loss of topsoil?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels, including soil erosion or the loss of topsoil. The area of expected disturbance is approximately one (1) acre. Future development, including excavation and grading, would be required to comply with Building Regulations (Mendocino County Code Title 18) and the California Building Code, which establish standards for erosion control. Given the small area of expected disturbance and preventative measures in place, erosion impacts would be less than significant.

- 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?***

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. As stated in section (a) above, the potential for landslide or liquefaction within the potential building envelopes is considered less than significant. Less than significant possibility of landslide and liquefaction also indicates a less than significant possibility of lateral spreading. The soils underlying the building envelopes and the specific location of proposed structures are not known to be at risk significant subsidence. Compliance with relevant provisions of the California Building Code would ensure potential impacts associated with these hazards will be less than significant.

- d. *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Expansive soils are typically those that contain large amounts of swelling clay minerals. For the soils underlying the site, the amount of clay present varies depending on the depth. According to the site evaluation report prepared by Munselle Civil Engineering, two soil test pits were analyzed for Parcel 1. The sample depth for each test pit ranged from 30 to 66 inches. The amount of clay present in these samples ranged from 14.2 to 16.2 percent. Two soil test pits were also analyzed for Parcel 2 with a sample depth between 30 and 66 inches. The amount of clay present in these samples ranged from 12.2 to 17.2 percent. Based on this analysis, the amount of clay present in the soils underlying the proposed building envelopes is considered low and is not expected to be expansive. In addition, future residential development would be required to comply with California Building Code requirements for expansive soil.

- e. *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?***

**No Impact:** A site evaluation report was provided by Munselle Civil Engineering for each parcel. The report included a soil texture analysis and soil profile tests within the proposed septic area. According to the report, all State and County requirements for an on-site sewage system for the future building sites would be met. Therefore, the soils underlying the site are considered adequate to support the use of the proposed septic tanks.

- f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur

through future residential development of the resulting parcels. Based the archaeological report prepared for the project (see section 3.5 “*Cultural Resources*” above), no paleontological resources or sites occur within the potential building envelopes. A geologic feature can be considered unique if it:

- Is the best example of its kind locally or regionally;
- Embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally;
- Provides a key piece of geologic information important in geology or geologic history;
- Is a “type locality” of a geologic feature;
- Is a geologic formation that is exclusive locally or regionally;
- Contains a mineral that is not known to occur elsewhere in the County; or
- Is used repeatedly as a teaching tool.

The archaeological report prepared for the project identified no unique geologic features. The potential building sites are located on soils that are common among the surrounding area. The Cassabonne, Wohly, and Hopland soil was formed in material weathered from sandstone or shale. The Pardaloe soil was formed in material weathered from sandstone, siltstone, or shale. These soil types are consistent with characteristics of the Franciscan Complex, one of the major geologic units found in many areas of Mendocino County. This evidence suggests that the potential building envelopes do not contain a unique geologic feature. Thus, future development is not expected to have any indirect impact.

#### **MITIGATION MEASURES**

**GEO-1:** The subdivider shall acknowledge in writing to the Department of Planning and Building Services that all grading activities and site preparation, at a minimum, shall adhere to the following “Best Management Practices”. The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site inspection standards.

- a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
- b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
- c. All concentrated water flows shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
- d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
- e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1<sup>st</sup>.
- f. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 15<sup>th</sup> of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
- g. Pursuant to the California Building Code and Mendocino County Building Regulations, a grading permit will be required unless exempted by the Building Official or exempt by one of the following

- i. An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
- ii. A fill less than 1 foot (305 mm) in depth and placed on natural earth terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage.

**FINDINGS**

The proposed project would have **Less Than Significant Impact With Mitigation Incorporated** on Geology and Soils.

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

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

Discussion: 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 (MCAQMD) 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 CO<sub>2</sub>e (CO<sub>2</sub> 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. Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. The project would not create a stationary source of GHG emissions. As stated, MCAQMD has adopted BAAQMD thresholds of significance for GHG emissions. BAAQMD has not established any construction related thresholds for GHG emissions. The operational GHG emission threshold is 1,100 metric tons of Carbon Dioxide equivalent (MT CO<sub>2</sub>e) per year. The California Emissions Estimator Model (CalEEMod) was used to estimate construction and operational emissions that would result from the project, represented in metric tons CO<sub>2</sub>e per year. According to the results of the model, construction emissions would be equivalent to 68.6 MT CO<sub>2</sub>e per year and operational emissions would be equivalent to 38.8 MT CO<sub>2</sub>e per year. This is below the threshold established by MCAQMD and BAAQMD. Therefore, the project is unlikely to generate significant greenhouse gas emissions.

**b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**No Impact:** MCAQMD has not adopted a GHG or Risk Reduction Plan. Therefore, the project is not expected to conflict with an applicable plan, policy, or regulation.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

<b>3.9 HAZARDS AND HAZARDOUS MATERIALS</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on hazards and hazardous materials if it were to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; 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 & Saf. 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 serpentinite 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.

Any project that would require the transport, use, storage, and disposal of small quantities of hazardous materials common for equipment and facility maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, and lubricants which will be used for any facility operation or maintenance will need to be utilized and disposed of in accordance with all applicable federal and state regulations.

**a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. However, residential uses typically do not result in routine transport, use, or disposal of hazardous materials. Occasional domestic use of hazardous materials may occur, but the concentration, duration, and intensity of these uses are unlikely to create any significant impact. Temporary construction may

include the use of hazardous substances such as paint, solvents, oil, grease, concrete, or other materials. However, construction would be incidental to the residential use, and the potential impacts would therefore be less than significant.

- 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?**  
**Less Than Significant Impact:** Construction of future residences carry a risk of accidental release. However, future construction would be subject to federal, state, and local laws and regulations governing hazardous material storage, use, transport, and disposal. In addition, a potential accident would likely release only a limited amount of hazardous material because the scale of construction is itself limited.
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**  
**No Impact:** The nearest school, Eagle Peak Middle School, is located approximately 7.5± miles south of the project site along West Road (CR 237). No schools are known to be proposed within one-quarter mile of the project site. Construction vehicles may use West Road to access the site and in doing so pass the school. However, this is not expected to result in any hazardous emissions.
- 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?**  
**No Impact:** The California Environmental Protection Agency maintains several data resources that provide information regarding the facilities or sites identified as meeting the “Cortese List” requirements. This includes the List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database, the List of Leaking Underground Storage Tank Sites from the State Water Board’s GeoTracker database, the List of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit, the List of “active” CDO and CAO from the Water Board, and the List of hazardous waste facilities subject to corrective action pursuant to California Health and Safety Code (HSC) §25187.5 as identified by DTSC. The project is not located on a site within any of these lists. Therefore, no impact would occur.
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**  
**No Impact:** The project site is not within the boundaries of the Mendocino County Airport Comprehensive Land Use Plan or the Ukiah Municipal Airport Land Use Compatibility Plan. The project site is not within two miles of any airport. Therefore, no impact would occur.
- f. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?**  
**Less Than Significant Impact:** The Mendocino County Office of Emergency Services (OES) is responsible for coordinating the emergency planning process and maintaining the County’s emergency plans, including the Mendocino County Operational Area Emergency Operations Plan and Mendocino County Multi-Hazard Mitigation Plan. The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future construction conducted within the County right-of-way along Tomki Road may interfere with

evacuation routes or emergency response if construction equipment or vehicles would temporarily block the roadway or otherwise interfere with travel. However, these indirect impacts are expected to be minimal. Work done within the County right-of-way, such as the construction of driveway approached for future residential development, would be required to obtain an encroachment permit from the Department of Transportation. This ensures that temporary construction within the right-of-way is accounted for should emergency response or evacuation occur along Tomki Road. Otherwise, the lot is not identified for use as part of an emergency response plan. Therefore, impacts would be less than significant.

**g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Fire protection services for wildland areas are provided by CALFIRE because the site is within the State Responsibility Area (SRA). The site is in an area classified with a “Very High” and “Moderate” fire hazard severity zone as mapped by CALFIRE. Due to the location of the site within the SRA, future residential development would be required to meet both Building Code standards and CALFIRE Fire Safe Regulations. The project site is also within the jurisdictional boundary of the Redwood Valley/Calpella Fire Protection District. On July 28, 2022, the project application was referred to both agencies to solicit input. Neither agency has yet responded to this request. The application was again referred to CALFIRE on December 12, 2022. No response has yet been received. Future development would be required to be reviewed by CALFIRE. This review and adherence to Fire Safe Regulations would ensure that people or structures would not be significantly exposed to wildland fire risks.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **Less Than Significant Impact** on Hazards and Hazardous Materials.

<b>3.10 HYDROLOGY AND WATER QUALITY</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:				
h. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. 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"/>
k. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

Chapter 4.13 of the Mendocino County Coastal Element, Sustainability Policy Action number S-5.1, states new projects that *create or replace 2,500 square feet or more of impervious area shall implement site design measure to reduce stormwater runoff and increase groundwater recharge.*

***a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. As noted in the application materials, the subdivision intends to use an existing spring as a water source. The spring was tested on October 6<sup>th</sup>, 2021. The production rate of the spring was found to be 6.1 gallons per minute. Wells may also be drilled as part of future development. The subdivision proposes standard gravity septic systems for each parcel. A site evaluation report for each parcel was performed by a professional engineer and submitted as part of the application. The engineer certified that to the best of their knowledge, the proposed septic systems comply with all State and County requirements for an On-site Sewage System at the time of evaluation. To ensure

that future water sources and septic systems would not violate water quality standards or waste discharge requirements, mitigation measures that compel the subdivider or other applicant to submit proper site evaluation reports, site development plans, and mineral analyses at the time of development would reduce potential indirect impacts to less than significant levels.

**b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Groundwater management is overseen by the Mendocino County Division of Environmental Health (EH). The project would create a significant impact if a water quantity test found that inadequate water supply was available for either parcel. Therefore, a mitigation measure which requires the applicant to submit a water quantity evaluation which meets EH requirements for Proof of Water would ensure that water use as part of future residential development would not substantially decrease groundwater supplies or create other significant groundwater impacts.

**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:***

**a. *Result in substantial erosion or siltation on- or off-site?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. The proposed residential development is not located within and would not alter the existing course of the Russian River. Some impervious surface area would be created due to development, but standard Best Management Practices (as noted in mitigation measure GEO-1) implemented during grading activities and site preparation would limit impacts to less than significant levels (BMPs). Operational impacts would be less than significant due to the limited amount of additional impervious surface area (approximately 3,600 square feet).

**b. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?***

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. BMPs implemented during construction would limit impacts to less than significant levels. Operational impacts would be less than significant due to the limited amount of additional impervious surface area (approximately 3,600 square feet).

**c. *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?***

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. BMPs implemented during construction would limit impacts to less than significant

levels. Operational impacts would be less than significant due to the limited amount of additional impervious surface area (approximately 3,600 square feet).

**d. Impede or redirect flood flows?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Impediment or redirection of flood flow during construction would be temporary, and therefore impacts would be less than significant. Operational impacts would be less than significant due to the limited amount of additional impervious surface area (approximately 3,600 square feet).

**d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**No Impact:** The project site is not located in any flood hazard, tsunami, or seiche zone. Therefore, there would be minimal or no potential risk of release of pollutants due to inundation.

**e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No Impact:** The proposed project would not conflict with or 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, who provided a set of recommended conditions of approval to ensure compliance with applicable regulations and requirements.

## MITIGATION MEASURES

**HWQ-1:** The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH Form #42.04) for all parcel(s) completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH Form #26.09).

**HWQ-2:** The applicant shall submit to the Division of Environmental Health an acceptable site development plan at a scale of not more than 1 inch = 50 feet showing all adjacent parcels on one sheet completed by a qualified individual showing the location and dimensions of the initial sewage disposal system(s), 100% replacement area(s), acceptable setback distances to water wells and other pertinent setback distances which may impact project site development.

**HWQ-3:** The applicant shall submit to the Division of Environmental Health acceptable water quantity evaluation(s):

- a. 1200-gallon Proof of Water Test Form 26.05 per current requirements. Inland Areas

(DEH Form #26.05) completed by a qualified individual of a water source located on each parcel(s) of the subdivision demonstrating an adequate water supply in accordance with the Division of Environmental Health's Land Division Requirements (DEH Form #26.09).

**HWQ-4:** The applicant shall submit to the Division of Environmental Health an acceptable standard mineral analysis performed by a certified public health laboratory from an identified source on the subdivision. Compounds to be tested for, at a minimum are: Calcium, Iron (total), Magnesium, Manganese (total), Potassium, Sodium, Bicarbonate, Carbonate, corrosivity (pH), alkalinity (total), total dissolved

solids, turbidity, Chloride, Fluoride, Nitrate, Sulfate, Calcium hardness, Magnesium hardness and total hardness.

**HWQ-5:** A Conditional Certificate of Compliance shall be recorded for the remainder parcel concurrently with the recording of the Parcel Map. The Conditions Certificate of Compliance shall require that the following condition must be met prior to future development of the remainder parcel:

- a. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH Form #42.04) for the remainder parcel completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board’s Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health’s Land Division Requirements (DEH Form #26.09).

**FINDINGS**

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

3.11 LAND USE AND PLANNING <i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact 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 any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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 proposed Project does is not within a specific plan. The project was also referred to a number of agencies with jurisdiction over the project.

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

**a. Physically divide an established community?**

**No Impact:** The project involves subdivision and potential future residential development of the resulting lots. An impact may occur if physical barriers or roads are installed which would divide an established community. "Established community" may include the surrounding agricultural and residential uses of neighboring property, the nearby monasteries, or other neighborhoods accessed via Tomki Road. Development of single-family residences on the resulting lots, including any fencing around private property boundaries, would not divide these communities. Existing and proposed easements would be recorded on the final Parcel Map. No roadwork is anticipated that would divide these communities. Therefore, no impact is expected to occur.

**b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**No Impact:** The project is consistent with applicable General Plan, zoning ordinance, archaeological resource, and environmental protection regulations. The integrity of the land use classification within the General Plan and zoning district would be maintained, as there is sufficient additional land available on the subject parcel for future agricultural or grazing uses. The project complies with Mendocino County Code Chapter 22.12 regarding Archaeological Resources, and no other environmental regulations would apply to the project beyond the requirements of CEQA.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Land Use and Planning.

3.12 MINERAL RESOURCES <i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact 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. 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?**

**No Impact:** There are no known mineral resources within the project area that would be of value to the region or residents of the state. Future development may involve minor groundwork, but this is not expected to uncover any mineral resources. Any potential mineral resources located underneath the site would not be disturbed as a result of the project. No impact is expected to occur.

**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?**

**No Impact:** There are no delineated locally-important mineral resources within the project boundaries. Therefore, there would be no loss of availability of these resources and no impact is expected to occur.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

3.13 NOISE  <i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c. For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 a plan has not been adopted, within two miles of a public airport or public use airport).

Discussion: Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from 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. 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?**

**Less Than Significant Impact:** According to the Mendocino 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.” The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Noise impacts from construction would be intermittent and temporary. The ambient noise level associated with operation of a single-family residence is not expected to result in any impact. Therefore, overall impacts would be less than significant.

**b. Generation of excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant Impact:** Groundborne noise or vibration resulting from the project would not violate a local general plan or noise ordinance as all development within the inland areas of Mendocino County is subject to Exterior Noise Limit Standards specified in Appendix C of Title 20,

Division I of the Mendocino County Code. Therefore, potential impacts are less than significant.

- c. **For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact:** The project site is not within the boundaries of the Ukiah Municipal Airport Land Use Compatibility Plan and is not within two miles of any airports or known private airstrips.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

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

Discussion: 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.

Mendocino County’s Housing Element is designed to facilitate the development of housing adequate to meet the needs of all County residents. The Mendocino Council of Government’s (MCOG) Regional Housing Needs Plan assigned the County a production goal of 2,552 housing unit for the unincorporated area between 2009 and 2014. Goals and policies were set forth in order to facilitate the development of these housing units at a range of sizes and types to address this need.

- a. **Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?**

**Less Than Significant Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. However, population growth due to future residential development would not be unplanned or substantial. According to the 2020 Decennial Census, the total population of the Census tract in which the property site is 4,528. According to the 2020 American Community Survey 5-Year Estimates, the average family size in this census tract is 3.35. Therefore, the project would therefore result in an approximately 0.1% increase in population for the Census Tract area. These increases are not considered significant.

- b. **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact:** The proposed project would not demolish or otherwise displace existing people or housing.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

3.15 PUBLIC SERVICES <i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact 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:				
1. Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. 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 Mendocino Unified School District, Mendocino Coast District Hospital, and the Mendocino Fire Protection District. The parcel is not served by local water or sewer districts.

**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:***

**1. *Fire protection?***

**No Impact:** The project does not involve the provision of new or physically altered governmental facilities and would not result in the need for these facilities. As mentioned in the response to section XIV Population and Housing, question (a) above, the project may result in minimal population growth. This indicates that existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas.

**2. *Police Protection?***

**No Impact:** The project does not involve the provision of new or physically altered governmental facilities and would not result in the need for these facilities. As mentioned in the response to section XIV Population and Housing, question (a) above, the project may result in minimal population growth. This indicates that existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas.

**3. *Schools?***

**No Impact:** The project does not involve the provision of new or physically altered governmental facilities and would not result in the need for these facilities. As mentioned in the response to section XIV Population and Housing, question (a) above, the project may result in minimal population growth. This indicates that existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas.

**4. *Parks?***

**No Impact:** The project does not involve the provision of new or physically altered governmental facilities and would not result in the need for these facilities. As mentioned in the response to section XIV Population and Housing, question (a) above, the project may result in minimal

population growth. This indicates that existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas.

**5. Other public facilities?**

**No Impact:** The project does not involve the provision of new or physically altered governmental facilities and would not result in the need for these facilities. As mentioned in the response to section XIV Population and Housing, question (a) above, the project may result in minimal population growth. This indicates that existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Public Services.

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

**a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**Less Than Significant Impact:** The project may induce minimal population growth, which may increase use of nearby recreational facilities. However, the increased use is likewise expected to be minimal, and would not cause or accelerate substantial physical deterioration of these facilities.

**b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**No Impact:** The project does not include construction of recreational facilities, and any population growth caused by the project would not require expansion or construction of new recreational facilities.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

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

**Discussion:** The State Route 1 Corridor Study Update provides traffic volume data for State Route 1. The subject property is located on Highway 1. The nearest data breakpoint in the study is located approximately one mile north of the property at the intersection of Caspar Road/Fern Creek Road and Highway 1. The existing level of service at peak hour conditions at this location is Level of Service B. Since

the site is currently undeveloped, there will be an increase in traffic to and from the site under both construction and operation of the project. It is expected that construction of the project will result in a slight increase in traffic to and from the site, as construction workers arrive and leave the site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the site. Once construction is complete, these workers would no longer be required at the site. While the project would contribute incrementally to traffic volumes on local and regional roadways, such incremental increases were considered when the LCP land use designations were assigned to the site.

**a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. The application was referred to the Mendocino County Department of Transportation (DOT) on July 28, 2022. DOT recommended several conditions of approval to maintain consistency with applicable policies and regulations. If these recommended conditions are adopted as mitigation measures, it would ensure that no conflict would occur between the proposed project and relevant transportation policy.

**b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less Than Significant Impact:** The proposed project is residential in nature. In 2010, the Mendocino Council of Governments (MCOG) published the MCOG Travel Demand Forecasting Model, which includes estimates for trip generation rates based on land use types. This model includes trip generation rates for single-family dwelling units within the Willits and Ukiah Valley area. According to the Ukiah Valley rates, the project would induce approximately 23 daily trips.<sup>5</sup> This is below the 110 trips per day threshold outlined in the OPR technical advisory on VMT impacts. Therefore, the project would have a less than significant impact on VMT.

**c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**No Impact:** No alterations to the existing circulation pattern are proposed as part of the project. The Mendocino County Department of Transportation has recommended that future development be conditioned upon improvement to driveway approaches onto Tomki Road. This is not expected to result in any hazards.

**d. Result in inadequate emergency access?**

**No Impact:** The project would not change the existing circulation system on the site or on a County Road. Though more vehicle trips may be generated to and from the site because of the project, this is not expected to result in inadequate emergency access. The future residential structures would be accessed via Tomki Road. The residential structures and parking areas are not expected to obstruct access to and from the site, and therefore emergency access to the site would remain the same as existing service.

## MITIGATION MEASURES

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<sup>5</sup> Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*. <https://www.mendocinocog.org/files/f49cda98a/2010+MCOG+Travel+Model+Devt+Report.pdf>

**TRA-1:** There shall be dedicated by Parcel Map (or granted by Grant Deed if a Unilateral Agreement is filed) 30 feet along the west side of Tomki Road CR #237D to provide for the ultimate improvement of the County road. This width shall be measured from the centerline of the existing right-of-way of record, or where no record right-of-way exists, from the center of the physical road.

**TRA-2:** If a Parcel Map is filed, all easements of record shall be shown on the parcel map. All utility lines shall be shown as easements with widths as shown of record or a minimum of ten (10) feet, whichever is greater.

**TRA-3:** All natural drainage and water courses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. If a Parcel Map is filed, such easements shall be shown on the final parcel map.

**TRA-4:** If approval of the tentative map is conditioned upon certain improvements being made to the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed. Prior to the filing of the parcel map, required road improvements must be inspected and approved by the Department of Transportation. Current inspection fees apply.

**TRA-5:** Any proposed work within County rights-of-way requires obtaining an encroachment permit form the Mendocino County Department of Transportation.

**TRA-6:** A note shall appear on the Parcel Map for Parcels 1 and 2 stating a Residential Driveway Approach is required to be built prior to any development in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation staff.

**FINDINGS**

The proposed project would have **Less Than Significant Impact With Mitigation Incorporated** on Transportation.

<b>3.18 TRIBAL CULTURAL RESOURCES</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: Public Resources Code Section 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 occupied 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 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. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:***

**No Impact:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future residential development of the resulting lots could cause an indirect impact if historical resources are identified within the building envelope. The project application was referred to the Northwest Information Center as Sonoma State University (NWIC) to determine if the project could adversely affect cultural resources. NWIC responded on August 11, 2022, noting that two previous studies were conducted on approximately 5% of the proposed project area, which identified no cultural resources. NWIC further noted that the project area has a moderate to high potential for unrecorded Native American resources in the proposed project area. NWIC therefore recommended that a study of the un-surveyed portions of the proposed area be conducted, local Native American tribes be contacted, and that a qualified professional conduct a formal CEQA evaluation to determine if any historic buildings or structures exist on the site. Based on this recommendation, the project was presented and discussed at the September 14, 2022 Mendocino County Archaeological Commission meeting. The Archaeological Commission determined that an archaeological survey would be required for the project. A cultural resource study of the two building envelopes identified on the tentative map was prepared on September 23, 2022. The study involved contacting Native American individuals and groups, archival research, and a field survey. The study found that there were no archaeological site indicators on the property, and that the study area has a very low potential for buried archaeological site indicators. The study also found no buildings or structures within the study area. On November 11, 2022 the study was presented at the Archaeological Commission meeting. The Archaeological Commission voted to accept the study. Based on this information, no impact to tribal cultural resources is expected.

**b. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?**

**No Impact:** As noted in question (a) above, no impact to historical resources is expected.

**c. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**No Impact:** As noted in question (a) above, no impact to other historical resources is expected.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Tribal Cultural Resources.

<b>3.19 UTILITIES AND SERVICE SYSTEMS</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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:** 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. *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?***

**No Impact:** Existing utility company electricity and gas service is adequate to serve the new use, and the project would be served by on-site septic systems. Therefore, no additional facilities would need to be constructed or expanded, and no environmental impact would result.

**b. *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?***

**No Impact:** The existing spring on site was tested on October 6, 2021, and was found to provide a flow rate of approximately 6.1 gallons per minute. This was found to be sufficient for future residential development. In addition, new wells could be drilled on the resulting parcels and water storage tanks could be installed as needed. Therefore, no impact is expected.

**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?***

**No Impact:** The project would utilize onsite septic systems. There is no service to the parcel from a local waste water treatment provider. Therefore, there would be no impact to capacity.

**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?***

**No Impact:** The project is likely to generate some solid waste, but this is not expected to be significant. Existing capacity at the Potrero Hills Landfill is adequate to support the new land use (with a remaining capacity of approximately 13.8 million cubic yards), and the proposed project is expected to comply with federal, state, and local statutes for solid waste disposal.

**e. *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

**No Impact:** See discussion of question (d) above. No Impact is expected.

## MITIGATION MEASURES

None.

**FINDINGS**

The proposed project would have **No Impact** on Utilities and Service Systems.

<b>3.20 WILDFIRE</b> <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Discussion: California law requires the California Department of Forestry and Fire Protection to designate areas, or make recommendations for local agency designation of areas, that are at risk from significant fire hazards based on fuels, terrain, weather, and other relevant factors (California Department of Forestry

and Fire Protection, 2013). These areas at risk of interface fire losses are referred to by law as "Fire Hazard Severity Zones" (FHSZ). The law requires different zones to be identified (Moderate to Very High). But with limited exception, the same wildfire protection building construction and defensible space regulations apply to all "State Responsibility Areas" and any "Fire Hazard Severity Zone" designation.

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. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:***

**1. *Impair an adopted emergency response plan or emergency evacuation plan?***

**Less Than Significant Impact:** The Mendocino County Office of Emergency Services (OES) is responsible for coordinating the emergency planning process and maintaining the county's emergency plans, including the Mendocino County Operational Area Emergency Operations Plan and Mendocino County Multi-Hazard Mitigation Plan. The project involves little physical change to the existing environment, and therefore is not expected to impair either of these emergency plans. The project site is accessed via private road directly from Tomki Road (County Road 237D) and is not expected to interfere with existing evacuation routes and is not located on property identified for use as part of an emergency response plan.

**2. *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?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Fire protection services for wildland areas are provided by CALFIRE because the site is within the State Responsibility Area (SRA). The site is in an area classified with a "Very High" and "Moderate" fire hazard severity zone as mapped by CALFIRE. Due to the location of the site within the SRA, future residential development would be required to meet both Building Code standards and CALFIRE Fire Safe Regulations. The project site is also within the jurisdictional boundary of the Redwood Valley/Calpella Fire Protection District. On July 28, 2022, the project application was referred to both agencies to solicit input. Neither agency has yet responded to this request. Review of future development by CALFIRE and adherence to Fire Safe Regulations per mitigation measure HZD-1 would ensure that people or structures would not be significantly exposed to pollutant concentrations or uncontrolled spread of a wildfire.

**3. *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?***

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct

impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future development may include extension of electrical service, construction of roads, grading, or other activities that could exacerbate flood or landslide risks. However, the reasonably foreseeable development of single-family residences on each resulting parcel would be reviewed by CALFIRE and designed to comply with Fire Safe Regulations per mitigation measure HZD-1. Therefore, impacts would be less than significant with this mitigation measure incorporated.

**4. 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?**

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. Future development may include extension of electrical service, construction of roads, grading, or other activities that could exacerbate flood or landslide risks. However, the reasonably foreseeable development of single-family residences on each resulting parcel would be reviewed by CALFIRE and designed to comply with Fire Safe Regulations per mitigation measure HZD-1. In addition, applicable Building Code standards would apply to new grading and construction. Therefore, impacts would be less than significant with this mitigation measure incorporated.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

<b>3.21 MANDATORY FINDINGS OF SIGNIFICANCE</b>  <i>Would the Project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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).				
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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 determined that it would not:

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

Potential environmental impacts from the approval of a Minor Subdivision of an existing 214± acre parcel into two (2) parcels and one (1) remainder parcel have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

- a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Less Than Significant Impact:** Based on discussion throughout the report, particularly in Section IV Biological Resources and XVIII Tribal Cultural Resources, there is some potential for impacts. However,

there is no evidence to support a finding that the project would result in significant impacts regarding the quality of the environment, habitat of fish or wildlife species, fish or wildlife populations, plant or animal communities, rare or endangered species, or important examples of major periods of California history or prehistory.

- 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).**

**Less Than Significant Impact With Mitigation Incorporated:** The project involves subdivision of a parcel. No development would result from filing of the tentative or final map. Therefore, no direct impacts would occur. Indirect impacts may occur through future residential development of the resulting parcels. These indirect impacts may cause cumulative impacts. However, cumulative impacts were considered for applicable potential impacts as discussed throughout the report, including but not limited to Section 3.3 (Air Quality) and 3.8 (Greenhouse Gas Emissions). Potential impacts were identified in these sections where it was determined that no significant cumulative effects would occur as a result of the project with specific mitigation measures incorporated.

- c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

**No Impact:** Based on discussion throughout this initial study, potential adverse effects on human beings, both directly and indirectly, have been considered and found to be less than significant or less than significant with mitigation measures implemented.

#### **MITIGATION MEASURES**

None.

#### **FINDINGS**

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

**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.

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DATE

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LIAM CROWLEY  
PLANNER I

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