



County of Mendocino

Department of Planning and Building Services

860 North Bush Street - Ukiah, CA – 95482 - 707-234-6650

www.mendocinocounty.org/government/planning-building-services

CEQA Initial Study for:
CDP_2019-0002/CDV_2019-0001 (Ables)
Mitigated Negative Declaration
October 6, 2023

Lead Agency:
Mendocino County

Lead Agency Contact:
PLANNER, Jessie Waldman

Table of Contents

1.0 INTRODUCTION 2

 1.1 Purpose of the Initial Study Checklist 2

 1.2 Initial Study Checklist Document 2

2.0 PROJECT BACKGROUND..... 2

 2.1 Project Location 2

 2.2 Project Description..... 2

 2.3 Existing Site Conditions/Environmental Setting..... 2

3.0 INITIAL STUDY/ENVIRONMENTAL CHECKLIST 12

 3.1 AESTHETICS 14

 3.2 AGRICULTURE AND FORESTRY RESOURCES..... 16

 3.3 AIR QUALITY..... 19

 3.4 BIOLOGICAL RESOURCES 22

 3.5 CULTURAL RESOURCES 36

 3.6 ENERGY 38

 3.7 GEOLOGY AND SOILS..... 39

 3.8 GREENHOUSE GAS EMISSIONS..... 43

 3.9 HAZARDS AND HAZARDOUS MATERIALS 44

 3.10 HYDROLOGY AND WATER QUALITY 47

 3.11 LAND USE AND PLANNING 52

 3.12 MINERAL RESOURCES 53

 3.13 NOISE 54

 3.14 POPULATION AND HOUSING 55

 3.15 PUBLIC SERVICES..... 57

 3.16 RECREATION 59

 3.17 TRANSPORTATION..... 60

 3.18 TRIBAL CULTURAL RESOURCES 62

 3.19 UTILITIES AND SERVICE SYSTEMS 64

 3.20 WILDFIRE 67

 3.21 MANDATORY FINDINGS OF SIGNIFICANCE 69

4.0 DETERMINATION On the basis of this initial evaluation:..... 71

List of Exhibits

EXHIBIT 1: PROJECT LOCATION MAP 3

EXHIBIT 2: PROJECT AERIAL PHOTO 4

EXHIBIT 3: SITE PLAN 5

EXHIBIT 4: DETAILED SITE PLAN 6

EXHIBIT 5: EBC ESHA MAPS 7

EXHIBIT 6: STAGING PLAN..... 7

EXHIBIT 7: NATIVE PLANTING PLAN..... 7

EXHIBIT 8: ALTERNATIVE MAPS 10

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 option—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.).

2.0 PROJECT BACKGROUND

2.1 Project Location

In the Coastal Zone, 0.2± miles east of Anchor Bay town center, on the east side of the intersection of Ocean View Drive (Private) and Ocean View Street (Private), 0.2± miles east of its intersection with State Route 1 (SR 1), located at 46785 Ocean View Drive, Gualala, CA 95445; APN: 144-036-07. (Refer to Exhibit 1).

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

- 144-036-07

2.2 Project Description

Standard Coastal Development Permit for the construction of a single-family residence with attached garage, including a driveway and production well, and sewer connection to public sewer district. Coastal Development Variance for the single-family residence to have of a 29-foot building height above average grade. (Refer to Exhibit 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]).

EXHIBIT 1: PROJECT LOCATION MAP



EXHIBIT 2: PROJECT AERIAL PHOTO



CASE: CDP 2019-0002
 OWNER: ABLES, Frank
 APN: 144-036-07
 APLCT: Frank Ables
 AGENT:
 ADDRESS: 46785 Ocean View Drive, Gualala

Named Rivers
 Public Roads
 Private Roads

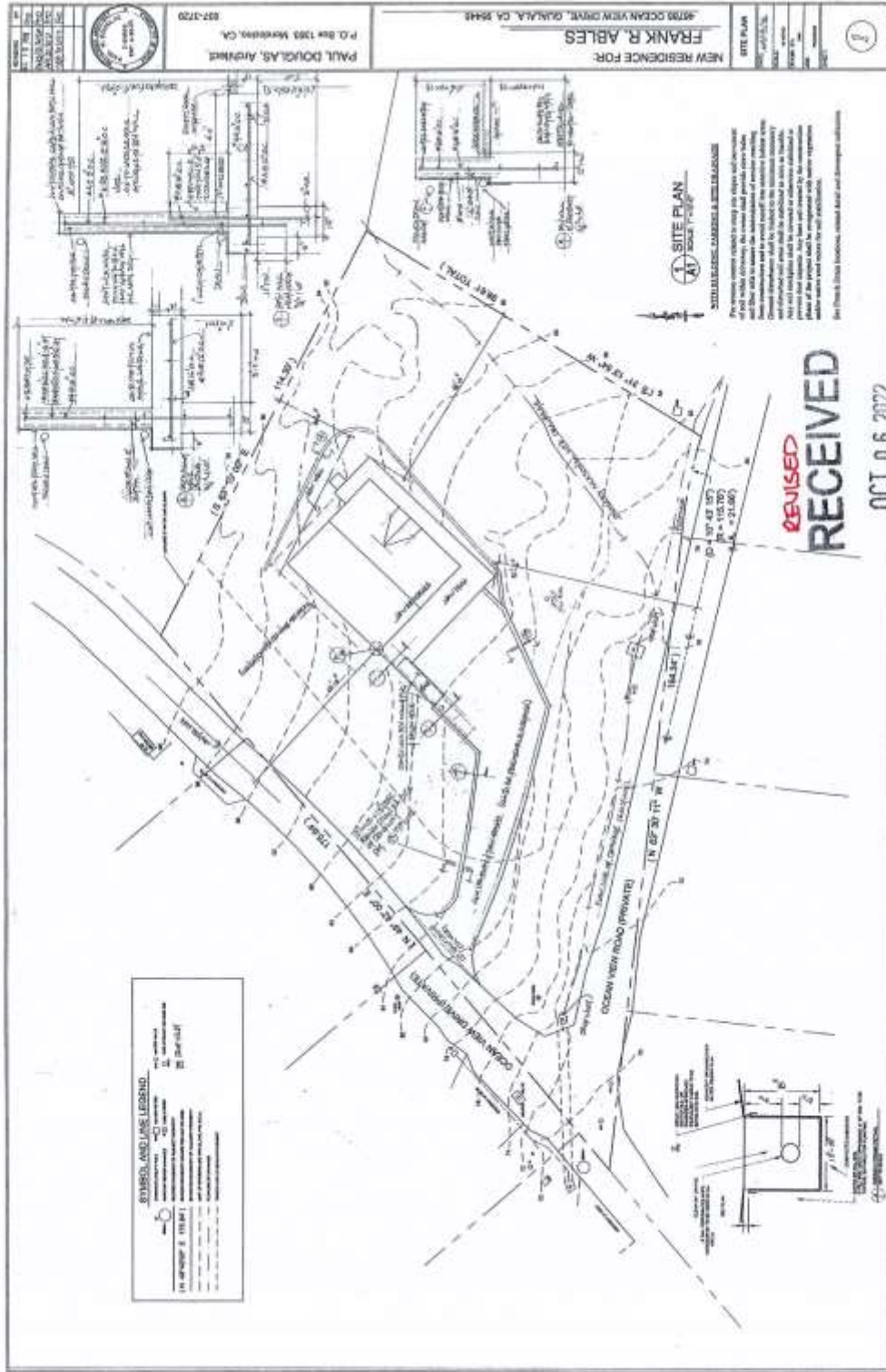
0 250 500 Feet
 0 0.0425 0.085 Miles
 14,600
 AERIAL IMAGERY

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

EXHIBIT 3: SITE PLAN



EXHIBIT 4: DETAILED SITE PLAN



Initial Study/Environmental Checklist

EXHIBIT 5: STAGING PLAN

Construction Fence and Staging Area Map



EXHIBIT 6: NATIVE PLANTING PLAN

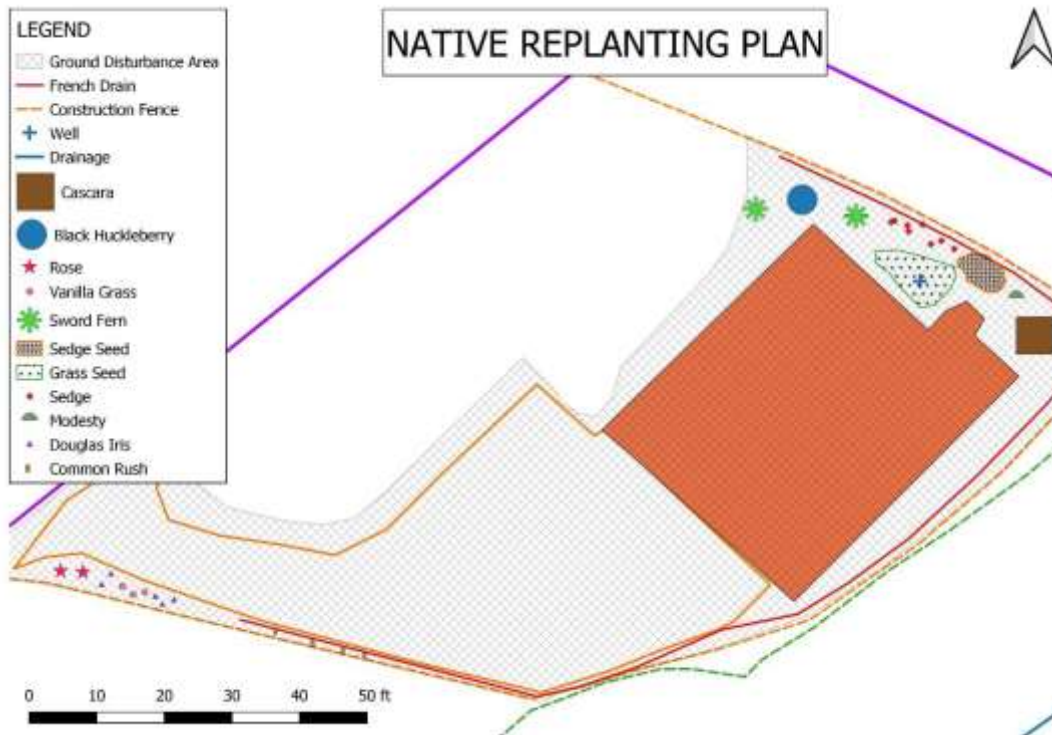
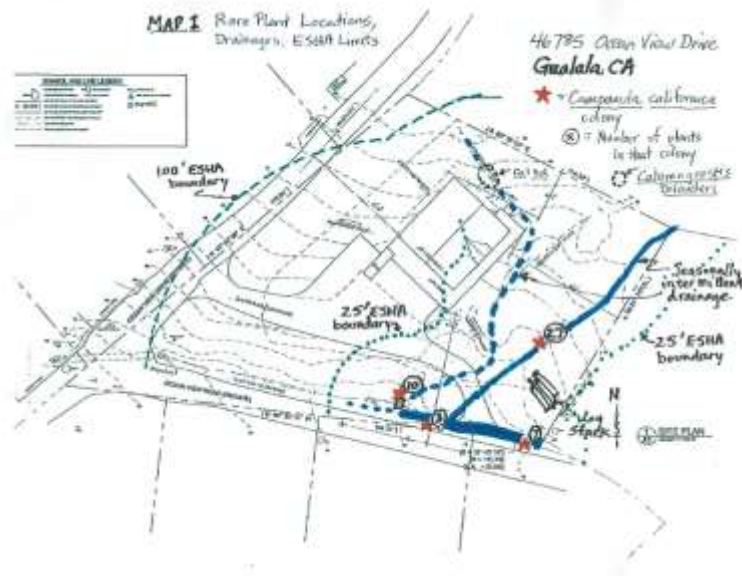


EXHIBIT 7: EBC ESHA MAPS



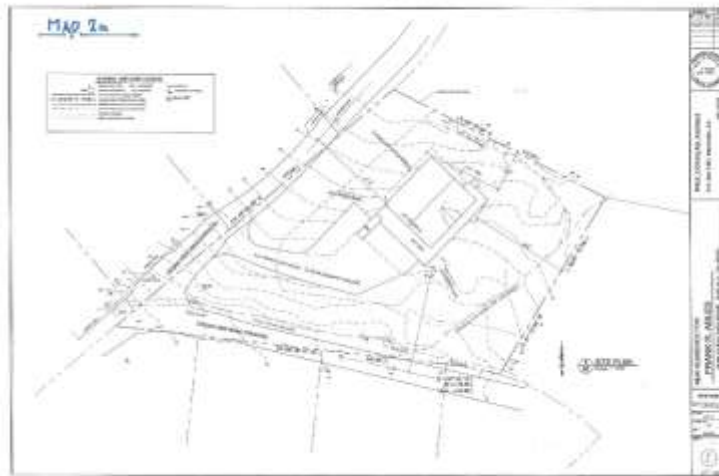
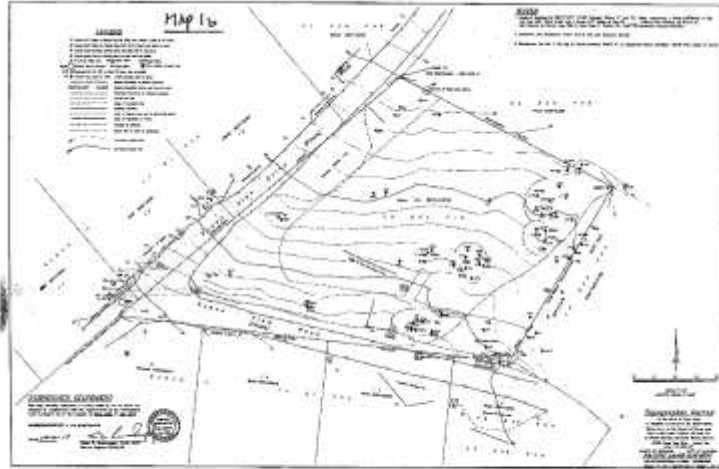
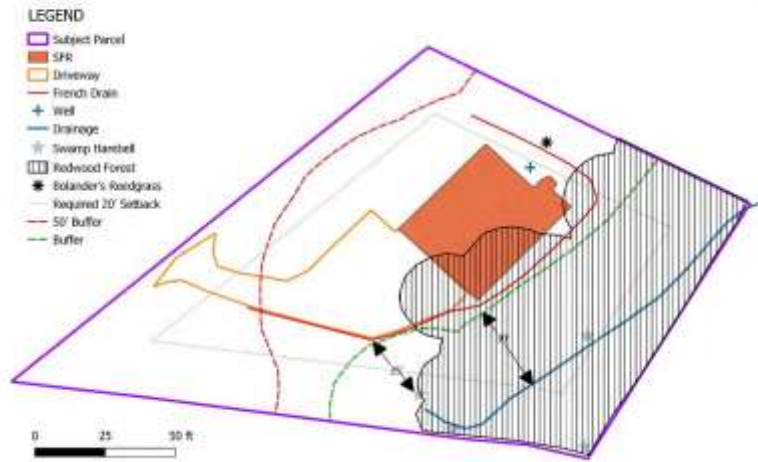


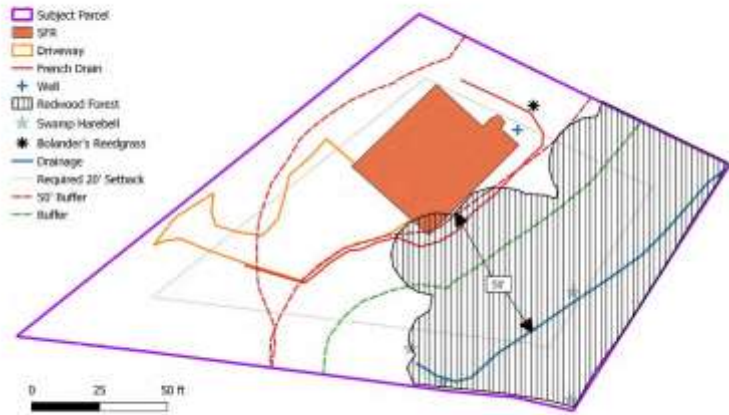


EXHIBIT 8: ALTERNATIVE MAPS

Least Impacting Alternative - Option A



OPTION B - 50 Feet From Stream



OPTION C - 50 Foot Setback from Stream - all development



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 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 |

Each factor is analyzed by responding to a series of questions pertaining to the impact of the Project on said factor in the form of a checklist. This Initial Study Checklist provides a manner to analyze the impacts of the Project on each factor in order to determine the severity of the impact and determine if mitigation measures can be implemented to reduce the impact to less than significant without having to prepare an Environmental Impact Report.

CEQA also requires Lead Agencies to evaluate potential environmental effects based, to the extent possible, on scientific and factual data. A determination of whether or not a particular environmental impact will be significant must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

The effects of the Project are then placed in the following four categories, which are each followed by a summary to substantiate why the Project does not impact the factor with or without mitigation. If “Potentially Significant Impacts” that cannot be mitigated are found, 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
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<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 checked="" 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:

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** shall be prepared.
- 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.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- 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.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

3.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, <i>would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: 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 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 in order to protect these areas from new sources of light pollution and light trespass. Mendocino County’s General Plan Resource Management Goal RM-15’s (Dark Sky) objective is: *Protection of the qualities of the county’s nighttime sky and reduced energy use.*

a. Have a substantial adverse effect on a scenic vista?

No Impact: The site of the proposed project is near, but not adjacent to nor takes access from, a major “visually interesting” roadway, State Route 1. The parcel is not located in a designated Highly Scenic Area. There will be no impacts to 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: The subject parcel lies east of State Route 1 and further east of the Anchor Bay Subdivision Unit 1 where homes are interspersed between trees and other natural vegetation. The proposed project will be in character with the surrounding environment and nestled such that natural vegetation will remain around it. While the addition of any development will change the current visual character of the site, the addition of a residence that is similar in size and scale to those on adjacent properties is not an impact to the visual character of the area. There will be no impacts to scenic resources and historic buildings within a state scenic highway.

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 site is not designated as a potential public access trail location. Existing public access to the shore is located approximately 1.2 miles north at Anchor Bay Campgrounds, at the mouth of Fish Rock Gulch. There will be no impacts to existing visual character or quality of public views of the site and its surroundings.

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: MCC Sections 20.504.020 and 20.504.035 provide exterior lighting and finish regulations intended to protect coastal visual resources in Special Communities of the Coastal Zone. Exterior lighting is required to be below the maximum height limit for the district and is

required to be shielded (positioned in a manner that light, and glare does not extend beyond the boundaries of the parcel). Building materials and exterior colors shall be compatible with those of existing structures. **Conditions 11 and 12** are recommended to remind the property owner of the requirements of MCC Chapter 20.504. As proposed the project satisfies local visual resource goals, policies, and regulations. As proposed, the project is unlikely to become a source of light glare. With adherence to the zoning code standards, the project will have a less than significant impact in terms of creating a new source of light or glare which could adversely affect day or nighttime views in the surrounding area.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.2 AGRICULTURE AND FORESTRY RESOURCES

<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California. Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by 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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of 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 (T-P) 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 T-P lands except where necessary and compatible with ongoing timber production. The

original purpose of T-P 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 proposes to construct a single-family residence and does not propose the conversion of farmland land. According to the Farmland Mapping and Monitoring Program, the project site is listed as "Urban & Built-Up Land (D)". The parcel is zoned Rural Residential. and is adjacent to both Rural and Suburban Residential zoned parcels. While limited agricultural uses are permitted in the Rural Residential (RR) zoning district, approval of this application would not convert any agriculturally zoned lands to non-agricultural uses. The project would not convert any land designated "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance" to non-agricultural uses.

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 Rural Residential (RR) zoning district. According to Mendocino County Code (MCC) Section 20.376.005, the intent of this district is to "encourage and preserve local small scale farming in the Coastal Zone on lands which are not well-suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability." The proposed project would maintain the intent of the RR zoning district and development would be limited to the density and use requirements of the RR zoning district. Therefore, the project will 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 previously mentioned, the parcel involved in this project is within the RR zoning district. The parcel is not zoned nor adjacent to Forest Land or Timber Production zoning districts. Given the lack of farmland or forest land on the project site and the land use designations for the surrounding areas incentivizing desired uses that would be inherently incompatible with both farmland and timber lands, the proposal would have no potential to conflict with adjacent farmland or forest land. The current proposal does not impact existing or potential forest land or timberland production lands.

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

No Impact: As mentioned above, the project proposes to construct a single-family residence within the RR zoning district and does not propose removal or conversion of forest land.

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 questions (a) through (d) above. 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 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.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have **No Impact** on Agricultural and Forestry Resources.

3.3 AIR QUALITY

<i>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>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: Mendocino County is located within the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. Additionally, the Mendocino County Air Quality Management District (MCAQMD) is responsible for enforcing the state and federal Clean Air Acts, as well as local air quality protection regulations. Any new emission point source is subject to an air quality permit, consistent with the District’s air quality plan, prior to project construction. The MCAQMD also enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions.

MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM10). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM10 emissions, and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land 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 17 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 PM2.5. All stationary and portable diesel engines over 50 horse power 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 project involves the development of a single-family residence on a vacant parcel. Residential development could produce emissions both during construction and operation of the development. The project is located within the North Coast Air Basin consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The Project Site is located within the MCAQMD which is responsible for enforcing California and federal Clean Air Acts, as well as local air quality protection regulations. Any new emission point source is subject to an air quality permit, consistent with the District's air quality plan, where 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?

No Impact: As mentioned above, residential development could produce emissions both during construction and operation of the development and 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.

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

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

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

No Impact: The project will establish a single-family residence in a low-density rural residential coastal setting where residential development exists on adjacent parcels. Residential uses are consistent with the County's land use plan.

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

The generation of dust during grading activities, another type of area-source emission, will be limited by the County's standard grading and erosion control requirements contained in MCC Chapter 20.492. These policies limit ground disturbance and require immediate revegetation after the disturbance. These existing County requirements will help to ensure PM10 generated by the project will not be significant and that the project will not conflict with nor obstruct attainment of the air quality plan PM10 reduction goals. Approval of this project will not permit large-scale development that may result in a cumulatively considerable net increase in air pollution, including PM10.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have **No Impact** on Air Quality.

3.4 BIOLOGICAL RESOURCES

<i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

approved local, regional, or state habitat conservation plan?				
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Thresholds of Significance: The project would have a significant effect on biological resources if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; have a substantial adverse effect on 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 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 Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact With Mitigation Incorporated: As part of the original application submitted for the proposed project, supplemental studies were provided by the Applicant, which are kept on file with the Mendocino County Department of Planning & Building Services, and include the following:

- Botanical Report, prepared by Peter Warner of Ecological and Botanical Consulting (EBC), dated July 22, 2020
- Updated Botanical Report, prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), dated April 15, 2021
- Biological Scoping Survey, prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), dated November 25, 2020
- Environmentally Sensitive Habitat Area Mitigation and Monitoring, and Construction and Disturbance Impact Avoidance Plan, prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), dated August 9, 2022
- Reduced Buffer Analysis, prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), Received November 25, 2020
- Report of Compliance prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), dated August 25, 2022
- Native Replanting Plan, prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), dated September 8, 2022
- Takings Analysis, prepared by Teresa Spade of Spade Natural Resources Consulting (SNRC), dated August 25, 2022

EBC ESHA Map (page 1 of 5), found on-site included swamp harebell (*Campanula californica*), and Bolander's reedgrass (*Calamagrostis bolanderi*). Of primary conservation concern on this property is the population of swamp harebell (*Campanula californica*; California Rare Plant Rank: 1B.2) and associated surface hydrological features and functions. Approximately 50 plants grow in the southeastern part of the property coincidental with micro-habitats of seasonally wet to saturated soils.

SNRC's Updated ESHA Survey, dated August 9, 2022, found Environmentally Sensitive Habitat Areas (ESHA) on the property, including a seasonal drainage and special status swamp harebell (*Campanula californica*) population, which is reliant on the drainage. A population of Bolander's reedgrass (*Calamagrostis bolanderi*), a watch list species, was also found. Within the building area, the ground is covered with redwood needles and is sparsely vegetated. Invasive pampas grass (*Cortaderia jubata*) is noted as being present in the building area. Additionally, the Special Status Wildlife Habitat Assessment indicates that avoidance measures are recommended to prevent impacts to potentially present special status and protected amphibians, birds and bats.

Three alternative locations are proposed, showing the residence and driveway at different locations. Those locations are illustrated and described with SNRC's Report of Compliance. The property was purchased with the understanding that residential use is principally permitted, and nearby development is residential in nature. The property was purchased by the current owner with the intention of building a residence. Option A of SNRC's Report of Compliance represents the proposed residence and driveway, observing a 30 foot setback to the seasonal drainage and 25 foot buffer to the rare swamp harebell populations, as shown on *SNRC Alternative Maps, Option A (page 1 of 3)*. The residence is located on the flattest part of the site and where the site is impacted by the presence of non-native and invasive plants. the proposed development already minimizes its footprint to such an extent that a variance to the height requirement is requested to allow for the proposed 290-foot height. Moving the structure farther away would necessitate raising the structure by another 3 feet, which may not be a feasible option. The proposed driveway is minimized in size

and by location to require the least amount of grading and will be comprised of permeable material in order to reduce stormwater runoff from the project.

With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. Of particular importance are measures to minimize invasive plant species presence, and installation and maintenance of a low stature fence to protect sensitive habitat during residential use of the property. The project is not expected to result in the loss of riparian habitat. Mitigation measures are proposed to replace the protective values of the buffer area.

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

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 Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact With Mitigation Incorporated: Due to the topography of the site, stormwater runoff naturally flows eastward at the north side of the property, southward along the east side of the property, and westward along the south side of the property. The ephemeral drainage supporting the swamp harebell is present along the east side of the property. The proposed residential development would include a French drain system to maintain drainage in the existing corridors. The residence footprint has been minimized and the driveway is proposed of permeable materials in order to minimize the necessary increase in stormwater runoff from the project. These accommodations have been designed to mitigate for the proposed development being by necessity within the buffer area.

The proposed development has been minimized and specially located in order to maintain hydrology of the site, and to minimize removal of trees of the redwood forest. Development is compatible with the continuance of the adjacent habitat. With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. Of particular importance are measures to minimize invasive plant species presence, and installation and maintenance of a low stature fence to protect sensitive habitat during residential use of the property. The project is not expected to result in the loss of riparian habitat. Mitigation measures are proposed to replace the protective values of the buffer area.

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

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?

Less Than Significant Impact With Mitigation Incorporated: Due to the topography of the site, stormwater runoff naturally flows eastward at the north side of the property, southward along the east side of the property, and westward along the south side of the property. The ephemeral drainage supporting the swamp harebell is present along the east side of the property. The proposed residential development would include a French drain system to maintain drainage in the existing corridors. The residence footprint has been minimized and the driveway is proposed of permeable materials in order to minimize the necessary increase in stormwater runoff from the project. These accommodations have been designed to mitigate for the proposed development being by necessity within the buffer area.

The proposed development has been minimized and specially located in order to maintain hydrology of the site, and to minimize removal of trees of the redwood forest. Development is compatible with the continuance of the adjacent habitat.

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

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 With Mitigation Incorporated: EBC's Botanical Report and SNRC's Biological Scoping Survey found existing local community and property conditions concerning vegetation, topography, hydrology, and ecological disturbances, including Red-bellied newt (*Taricha rivularis*), California giant salamander (*Dicamptodon ensatus*) and Pacific tailed frog (*Ascaphus truei*), Sonoma tree vole (*Arborimus pomo*) and habitat for Monarch butterfly (*Danaus plexippus*). SNCR's Biological Scoping Survey found Bolander's reedgrass (*Calamagrostis bolanderi*), a seasonal drainage and special status swamp harebell (*Campanula californica*) population, which is reliant on the drainage. SNCR's Reduced Buffer Analysis recommended the 50 feet buffer as this is the smallest buffer distance allowable. Development by necessity will need to be located within the minimum 50-foot buffer area. SNCR's Biological Scoping Survey further recommended a permanent low-stature fence between the residence and swamp harebell population, the minimum distance of 50 feet, with development by necessity within that buffer, is expected to be sufficient to protect the resource

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

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

Less Than Significant Impact With Mitigation Incorporated: Three alternative locations are proposed, showing the residence and driveway at different locations. Those locations are illustrated and described with SNRC's Report of Compliance. The property was purchased with the understanding that residential use is principally permitted, and nearby development is residential in nature. The property was purchased by the current owner with the intention of building a residence. Option A of SNRC's Report of Compliance represents the proposed residence and driveway, observing a 30 foot setback to the seasonal drainage and 25 foot buffer to the rare swamp harebell populations, as shown on *SNRC Alternative Maps, Option A (page 1 of 3)*. The residence is located on the flattest part of the site and where the site is impacted by the presence of non-native and invasive plants. the proposed development already minimizes its footprint to such an extent that a variance to the height requirement is requested to allow for the proposed 30 foot height. Moving the structure farther away would necessitate raising the structure by another 3 feet, which may not be a feasible option. The proposed driveway is minimized in size and by location to require the least amount of grading and will be comprised of permeable material in order to reduce stormwater runoff from the project.

With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. Of particular importance are measures to minimize invasive plant species presence, and installation and maintenance of a low stature fence to protect sensitive habitat during residential use of the property. The project is not expected to result in the loss of riparian habitat. Mitigation measures are proposed to replace the protective values of the buffer area.

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

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?

Less Than Significant Impact With Mitigation Incorporated: Mitigation measures have been identified by the project biologist to prevent and/or minimize potential impacts from the proposed development to identified ESHA. Mitigation measures, including restoration measures and proposed buffer areas were suggested in the Report of Compliance and are supported by California Department of Fish and Wildlife (CDFW).

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

MITIGATION MEASURES

17. ****Avoidance Measure:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the provisions and recommendations, as outlined within the **Botanical Report**, prepared by Peter Warner of **Ecological and Botanical Consulting (EBC)**, dated **July 22, 2020**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
- a. Retention and appropriate maintenance of all native trees, shrubs, and herbs; and
 - b. In particular, conservation of all elements of the Redwood Forest Alliance within the existing redwood stand, as well for isolated individual trees, redwoods or otherwise; and
 - c. Avoidance to the extent possible, or secondarily, salvage and transplanting, of all individual native plants to which impacts cannot be avoided during development related activities; many of these are within or close to the house construction envelope and the proposed permeable driveway and garage apron area; and
 - d. Retention of a qualified wildlife biologist to, minimally, conduct a site assessment on the potential for special status animal species (species of concern, et al.) habitat on the property, and full surveys as deemed necessary thereafter; and
 - e. Implementation of swamp harebell conservation and habitat protection measures, including:
 - i. Avoidance of direct or indirect impacts on individual plants, colonies, and sustaining surface hydrological features and functions; and
 - ii. Establishment of a minimum 25-foot radius buffer zone of no impact or development around all colonies, individuals, and along surface drainage channels; and
 - iii. Design and construction accommodations, as necessary, to eliminate the risk of damage or injury to the swamp harebell population and supporting hydrological and related topographical and ecological features; and
 - iv. Deliberately planned impact avoidance for all property improvement or maintenance tasks adjacent to current colonies (within 25 feet) or as established within a permit-required minimum 25-foot buffer zone; and

- f. An additional plant survey scheduled for earlier peak-season phenologies of the property flora (March 17 – April 1); additional surveys as needed to confirm or refute the presence of any potential special status species, yet unidentified, on the property; and
 - g. Inclusion in any adopted conservation strategies of a site monitoring program, consisting of annual site surveys and assessments of the harebell population and site hydrology; and
 - h. Manual removals (e.g., hands, shovels, weed wrenches or similar) of non-native, especially invasive plants on the property; and
18. ****Avoidance Measure: Special Status Bats & Birds:** Construction in the study area has the potential but is unlikely to impact special status bats and bird's species; therefore, the potential for negative impacts to bats and bats is minimal. The bat roost and hibernation season extends from November to August. The bird breeding season typically extends from February to August. Avoidance measures are listed below:
- a. **Pre-construction surveys for birds and bats:** Ideally, the clearing of vegetation and the initiation of construction will occur between September 1st and October 31, after the young have matured, and prior to hibernation periods. **If it is necessary to disturb potential bat roost sites between November 1 and August 31**, pre-construction surveys should be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition for evidence of bat use (guano accumulation, or acoustic or visual detections).
 - i. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbances.
 - ii. If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost.
 - b. **Construction activities during daylight hours:** Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.
19. ****Avoidance Measure: Special Status Amphibian:** Construction will ideally occur between September 1st and October 31, after the young have matured, and prior to the bat hibernation period. **If it is necessary to disturb potential bat roost sites between November 1 and August 31**, pre-construction surveys should be performed by a qualified biologist 14 days prior to the onset of development activities.
- a. **Contractor education:** Within two weeks prior to construction activities, project contractors will be trained by a qualified biologist in the identification of the frogs, newts, and salamanders. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that a special status amphibians are observed during construction.
 - b. **Pre-construction search:** During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.
 - c. **Careful debris removal:** During construction and debris removal, any wood stockpiles should be moved carefully by hand to avoid accidental crushing or other damage to amphibians.
 - d. **Construction activities during daylight hours:** Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights. Construction activities will involve walking across areas where amphibians may be traveling. Staging of materials, and removal of construction debris could also disturb special status amphibians that may be hiding underneath

these materials. To minimize impacts to amphibians, the following avoidance measures should be followed.

- e. **No construction during rain event:** If special status amphibians is detected, construction or demolition crews will contact the US Fish and Wildlife (for California red-legged frog) and/or California Department of Fish and Wildlife or a qualified biologist (red-bellied newt or California giant salamander), and gain clearance prior to re-initiating work.
 - f. **No construction during rain event:** If a rain event occurs during the construction period, all construction-related activities will cease for a period of 48 hours after the rain stops. Prior to resuming construction or demolition activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found, construction activities may resume.
20. ****Avoidance Measure: Sonoma Tree Vole:** Prior to any tree removal or ground disturbance, Sonoma Tree Vole (STV) surveys are recommended. A survey consists of walking the proposed project area characterizing potential trees which have adequate needle accumulation in the branches which may act as a nesting site. Additional evidence surveyed for includes fallen nests, indicated by clumps of needle resin ducts on the ground. Removal of trees and other vegetation could destroy active nests, harm individual STV or cause nest abandonment if they occurred during the nesting season. Preconstruction surveys will be conducted by a qualified biologist, in a manner such as follows:
- a. Be conducted no more than two weeks before tree removal activities begin, a biologist will assess what portions, if any, of the tree removal area and areas within 50 feet of tree removal, is potential tree vole habitat, based on species composition; and
 - b. If STV habitat is located on portions of the property within 50 feet of tree removal areas, a qualified biologist shall conduct a survey for presence of the species on the property in areas within 50 feet of tree removal and construction footprint; and
 - c. A standard survey methodology shall include at least two trained observers conducting visual searches for tree vole nests while walking along transects spaced 25 meters apart. When either fecal pellets, resin ducts or potential nests are observed, vole nests must be confirmed by climbing trees and estimating all potential nests to see if they contain evidence of occupancy by tree voles (fecal pellets, resin ducts and conifer branch cuttings), and
 - d. If occupied habitat is identified during pre-construction surveys, the biologist shall consult with CDFW to determine how to avoid disruption to breeding activity or if individual relocation is possible; and
21. ****Avoidance Measure: Mitigation and Monitoring Plan:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the ESHA Mitigation and Monitoring Plan, as outlined within **SNRC's Updated ESHA Survey, Section 5, dated August 9, 2022**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
- a. *Mitigation will include salvage of topsoil and native plants associated with the redwood forest to the extent possible, retention of redwood forest and its associated native plant species for the life of the project, and ongoing removal of invasive, non-native plant species. Mitigation efforts and monitoring reports will occur starting when the project is approved and ground disturbing impacts commence, and for a period of five to ten years, depending on success of mitigation and signoff by California Department of Fish and Wildlife staff. The specific aspects of this plan are as follows:*
 - i. **Basis for Design (Section 5.1):** *The intent of the ESHA mitigation and monitoring plan is to provide guidance on facilitating and maintaining a healthy redwood forest ecosystem, adapting for today's environmental challenges. This plan outlines currently accepted methods for the property owner to utilize in order to increase forest health and reduce fire hazards; and*
 - (1) *The proposed plan is performance-based, allowing for management to be carried out in an adaptive manner, meaning that monitoring should provide feedback and show the manager*

areas where efforts are more successful, and areas that may need a newer or different approach in order to meet the performance goals; and

- ii. **PERFORMANCE GOALS (Section 5.2):** Improve habitat value by reducing non-native, invasive plant presence. Approximately 51 non-native invasive plants were observed on the property during the botanical survey effort completed by Peter Warner in 2020. The more prominent species include jubata grass (*Cortaderia jubata*) and French broom (*Genista monspessulana*). Other species that should additionally be targeted for removal include English ivy (*Hedera helix*), cotoneaster (*Cotoneaster franchetii*, *Cotoneaster pannosus*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), Himalaya blackberry (*Rubus armeniacus*) and ox-eye daisy (*Leucanthemum vulgare*). Eradication efforts should result in a reduction rate of 90% or greater, meaning that invasive plant removal should be maintained at a success rate of 90 to 100% eradication for these and any other invasive plant species with a Cal-IPC rating of MODERATE to HIGH on the property.
 - (1) Maintain healthy canopy layer diversity. Vegetation layers should include some form of native ground-cover, shrub layer, and overstory layer, such that there is no 1/8 acre stand that does not include some form of ground cover, shrub layer, and understory plant layer; and
 - (2) Protect onsite special status plant populations and maintain adequate habitat for these special status species for continuance. Habitat for special status populations shall not be detrimentally impacted by implementation of this plan; and
 - (3) Maintain healthy forest conditions to the extent feasible within the CAL FIRE 100-foot defensive space area. Special care must be taken within 100 feet of the residence to prevent fire danger in accordance with CAL FIRE regulations. These regulations require removal of ground fuels and pruning of branches and require keeping overstory trees and brush well-spaced to prevent fire spread should a fire occur. To the extent possible, the intent of this plan should be followed within the 100-foot defensive space area, in such a manner that promotes a healthy redwood forest ecosystem. This includes retention of overstory trees, shrubs and understory plants to the extent allowable without this resulting in conflicts with CAL FIRE fire safe clearance requirements; and
 - (4) Prevent pathogen outbreaks by checking trees and vegetation on at least an annual basis and consulting with a project biologist as necessary; and
 - (5) Maintain existing hydrological conditions to and in the western drainage; and
- iii. **Mitigation and Management Components (Section 5.3):** Active management will consist of the following components:
 - (1) Invasive plant removal of species with a moderate to high CallPC rating, to meet success criteria at five years; and
 - (2) Salvage and replanting of Bolander's reedgrass (*Calamagrostis bolanderi*), and other common native perennial plants found in the building envelope, to be moved out of areas where development is to occur, to areas on the site where they are most likely to survive; and
 - (3) Collection of annual native seed in the summer or fall prior to construction, and casting of seed outside of development areas during fall/winter; and
 - (4) Protection of special status plants and their habitat area during all management; and
 - (5) Pruning of brush, and removal of woody debris and soil duff to reduce fire hazard in the immediate vicinity of the residence, with reasonable retention of soil duff in areas over 30 feet from the residence for wildlife habitat; and
 - (6) Surveying the property and recording any observations of disease. Checking in with a project biologist, CAL FIRE pathology specialist or UC Forest Advisor when disease

conditions are observed, and following through with recommendations to minimize disease spread; and

(7) If any of these procedures is unsuccessful, procedures will be modified or replaced under the guidance of the California Department of Fish and Wildlife; and

(8) Yearly reporting of active management progress for the minimum five year reporting period.

22. ****Avoidance Measure: Implementation:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the ESHA Mitigation and Monitoring Plan, as outlined within **SNRC's Updated ESHA Survey, Section 6, dated August 9, 2022**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:

- a. **Transplanting of Perennial Plants (Section 6.1):** Prior to ground disturbance of the building envelope for development, and ideally in the fall, just as the rain season starts, perennial native species appropriate to the site that appear to be sturdy enough to survive transplanting shall be carefully dug up with a shovel, retaining as much of the root system as reasonable possible, and directly transplanted to ecologically suitable locations on the site where they would not be impacted by construction. The location of transplant shall be identified and a hole sufficient to support the root system in a without binding or bending of the roots upward shall be dug. The transplanted individuals shall be placed in the new hole as soon as possible, with sufficient soil, water and, if helpful, amendments to facilitate the best possible chance for survival. Documentation of the transplant process will occur before and after photos of the area of impact and new plant locations, as well as estimated or concise numbers of each species transplanted; and
- b. **Native Seed Collection and Storage (Section 6.2):** Seed Collection: Seeds will be collected native plants in the development impact area with guidance provided by a professional field ecologist trained in the identification of native plants in the redwood forest, with expertise in seed collection, preparation and storage; and
 - i. Seeds will be collected on site at a time of year when seeds are ready for collection, typically summer and fall. Collection will occur by hand. Seeds will be collected into separate paper bags, with species type clearly labeled on each paper bag. Seeds will be transferred to drying screens where cleaning and drying will occur. When seeds are stored on the drying screens, each screen will contain a separate seed type, the identification of which will be labeled on the frame of the screen using masking tape. When seeds have adequately dried, and show no visible signs of moisture, they will be transferred into small paper seed collection containers, which will each be properly labeled with the seed type. Seeds packets will be placed in a glass jar with dessicant packets to absorb any moisture during storage. The jar or jars will be placed in a refrigerator with the temperature set to between 33 to 38 degrees Fahrenheit, and will remain there until the seeds are to be sowed; and
- c. **Baseline Inventory (Section 6.3):** Prior to final signoff of the building permit, or before residential use of the property (whichever comes first), a baseline inventory shall occur. This will include a seasonally appropriate survey of the swamp harebell population, and documentation of current numbers and locations; square footage of retained Bolander's reedgrass; inventory of native species transplanted and native seed stored, and inventory of invasive plant species targeted for removal, and estimations of their populations; and
- d. **Photo Points (Section 6.4):** At the time of the baseline inventory, at least four photo point locations shall be established by the placement of stakes to be marked with an identification mark indicating their purpose, including photo point number, and those point locations shall be described with general location on the site and GPS coordinates for reporting purposes. At least one location shall be within view of the swamp harebell populations and habitat, and at least one view shall be at the retained Bolander's reedgrass location. At each photo point, photographs shall be taken from the north, east, south and west directions. The location and direction of each photo shall be described in the baseline inventory report; and

- e. **Invasive Plant Removal (Section 6.5):** Prior to final signoff of the building permit for the residence, or before residential use of the property (whichever comes first), jubata grass (*Cortaderia jubata*), French broom (*Genista monspessulana*), English ivy (*Hedera helix*), cotoneaster (*Cotoneaster franchetii*, *Cotoneaster pannosus*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), Himalaya blackberry (*Rubus armeniacus*) and ox-eye daisy (*Leucanthemum vulgare*) on the property will be removed to the greatest extent practicable, in the least intrusive manner feasible, and disposed of in a legal manner with the goal of minimizing the regrowth of said invasives and
 - i. Any invasive plant removal occurring within 25 feet of mapped or observed special status plants, shall be conducted by a qualified botanist familiar with the local native ecology, and impacts to special status plants shall be avoided and
 - ii. If any new non-native invasive plants have been accidentally introduced during ground disturbing and construction activities, those plants will also be removed to the greatest extent feasible; and
 - iii. Hand tools shall be used for all removal, including gloves, shovel, axe, and chainsaw if required. For species with the tendency to aggressively resprout, such as jubata grass, the underground portion of the plant shall be removed to the extent possible, by crosscutting the visible root system with a shovel and removing chunks of roots; and
 - iv. For the first year, any re-sprouts or new invasive plant growth may need to be removed up to three to four times during the year. At least one time will need to be between August and October. After the first year, invasive weeding should occur during the spring and fall of each year, at which time new invasive plant growth will be removed; and
- f. **Downed Wood Removal for Fuel Reduction (Section 6.):** As appropriate, excessive downed wood will be removed from the understory in order to reduce fire hazards. If removal of downed woody material is to occur in areas within 25 feet of swamp harebell habitat or populations or the seasonal drainage on the west side of the property, the following precautions will be taken:
 - i. Removal of dead and downed woody material and/or wood stockpiles shall occur between October and December of any year in order to avoid damage to swamp harebell populations; and
 - ii. Ground disturbance shall be minimized during removal of dead and downed woody material and/or wood stockpiles. Logs or other woody debris shall not be dragged or pulled in such a manner as to impact new areas of soil as they are taken out; and
 - iii. If necessary, a crane or hoist can be used, to lift larger logs up to a truck parked on the roadway. If this method is used, a site monitor shall be present to prevent and minimize impacts and record any impacts if they occur, so that additional measures can be undertaken to mitigate for any damage done; and
- g. **Native Seed Planting (Section 6.7):** Native seeds collected on the site can be planted in areas where duff has been removed near the residence for fire safety or where ground disturbance from the development of the residence has left the soil disturbed and cleared. Those areas of bare soil can be lightly tilled. Seeds can be cast and lightly raked into the soil during the fall/winter. If seeds are cast in spring, they should be kept moist till they have germinated and established; and
- h. **Retention of Hydrological Pathways and Drainage (Section 6.8):** The drainage area on the west side of the property, where swamp harebell populations are present, need to be maintained such that hydrology is not changed, reduced, or redirected. Along the north side of the property, a swale is present that contributes to the hydrological conditions on the west side. That swale should continue to feed the drainage on the west side. Soils should not be moved or impacted within 25 feet of the drainage or swamp harebell populations, and mowing should not occur in this area nor should herbicides be used; and
- i. **Thinning and Pruning (Section 6.9):** To prevent overgrowth and fire hazards, trees and brush may need to be thinned and pruned on occasion. Any needed thinning or pruning should be done

under recommendation from CAL FIRE foresters or the UC Forest Advisor, and shall not occur within 25 feet of the swamp harebell population; and

- j. **Pathogen Spread Minimization (Section 6.10):** Regular inspections will occur in order to prevent the spread of disease. The entire property should be inspected by the property owner or residential occupant at least once a year, and observations dying vegetation or signs of insect, fungus or other pathogen infestation should be noted, detailing the location of the observation, description of the observation, species of plant it is on, and how widespread the observation is. Pictures should be taken and a UC Forest Advisor, a CAL FIRE tree pathogen specialist, or another qualified tree pathogen specialist may be consulted for direction. Vegetation treatment and removal measures recommended by the advisor or specialist will be administered.
23. ****Avoidance Measure: Success Criteria:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the ESHA Mitigation and Monitoring Plan, as outlined within **SNRC's Updated ESHA Survey, Section 7, dated August 9, 2022**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
- a. Non-native, invasive eradication efforts should result in a reduction rate of 90% or greater, meaning that invasive plant removal is to be maintained at a success rate of 90 to 100% eradication for all non-native invasive plant species with a Cal-IPC rating of MODERATE to HIGH on the property, and all those species specifically called out as follows: jubata grass (*Cortaderia jubata*), French broom (*Genista monspessulana*), English ivy (*Hedera helix*), cotoneaster (*Cotoneaster franchetii*, *Cotoneaster pannosus*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), Himalaya blackberry (*Rubus armeniacus*) and ox-eye daisy (*Leucanthemum vulgare*); and
 - b. Healthy, mature, redwood trees that do not pose any hazards shall be retained to the extent feasible. Any removal of redwood trees should be approved as appropriate by a forester or the UC Forest Advisor as the best option for forest health or to remove disease or dangerous conditions. Vegetation layers are to include some form of native ground-cover, shrub layer, and overstory layer, such that there is no 1/8 acre stand that does not include some form of ground cover, shrub layer, and understory plant layer (outside of drainage areas); and
 - c. Habitat for special status swamp harebell shall not be detrimentally impacted by implementation of this plan; and
 - d. Prevent pathogen outbreaks by checking trees and vegetation on at least an annual basis and consulting with a project biologist as necessary; and
 - e. Maintain existing hydrological conditions; and
24. ****Avoidance Measure: Monitoring & Reporting:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the ESHA Mitigation and Monitoring Plan, as outlined within **SNRC's Updated ESHA Survey, Section 8 and Section 10, dated August 9, 2022**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
- a. Reporting will occur on a yearly basis, and reports will be received by the County of Mendocino Planning Division and California Department of Fish and Wildlife (CDFW) by December 1, once every year, for the five-year reporting period. The baseline inventory report is required for the first year, and monitoring memorandums must follow at least once every year by December 1 of each year; and
 - b. While oversight is required for the just first five years, the property owners will need to continue to manage the habitat, according to the newest and best scientific method, for the life of the residential project; and
 - c. These short one to two-page memorandums will describe the methods used during that monitoring period to eradicate weeds, improve redwood forest health and conditions swamp harebell, keep the fuel load reduced, maintain hydrology, and minimize disease spread. Any new invasive plant

species observed or evidence of pathogen presence will be described, Reports will include the following information:

- i. Name and contact information of person in charge of monitoring activities, and name and contact information of reporting party; and
 - ii. The first monitoring report will include baseline information on invasive species present, transplanting and seeding efforts, and the condition and number of swamp harebell plants and habitat; and
 - iii. Color photos at four or more established photo points of the active management areas at the beginning and end of the reporting period. These photo points will be selected by the person writing the baseline monitoring report and should give a good view of a representative portion of the management area, including at least one point showing the swamp harebell habitat area and one point showing the Bolander's reedgrass area. A field marker or other identifier should be used to ensure subsequent photos are taken from the same photo points; and
 - iv. A summary of any issues encountered and management steps taken during the reporting period; and
 - v. Methods used during that monitoring period to eradicate weeds, improve forest health, keep the fuel load reduced, retain hydrology, and minimize disease spread; and
 - vi. Success rates of invasive removal and overall health condition of the forest; and
 - vii. Any new invasive plant species observed or evidence of pathogen presence will be described; and
25. ****Avoidance Measure: Monitoring & Reporting:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the Reduced Buffer Analysis, as outlined within **SNRC's Updated ESHA Survey, Reduced Buffer Analysis, received October 6, 2022**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
- a. Installation and maintenance of a low stature fence between the swamp harebell population and the residence; and
 - b. Retention and appropriate maintenance of all native trees, shrubs, and herbs. In particular, conservation of all elements of the Redwood Forest Alliance within the existing redwood stand, as well for isolated individual trees, redwoods or otherwise; and
 - c. Avoidance to the extent possible, or secondarily, salvage and transplanting, of all individual native plants to which impacts cannot be avoided during development related activities. Many of these are within or close to the house construction envelope and the proposed permeable driveway and garage apron area; and
 - d. Implementation of swamp harebell conservation and habitat protection measures, including:
 - i. Avoidance of direct or indirect impacts on individual plants, colonies, and sustaining surface hydrological features and functions; and
 - ii. Establishment of a minimum 25 foot radius buffer zone of no impact or development around all colonies, individuals, and along surface drainage channels; and
 - iii. Design and construction accommodations, as necessary, to eliminate the risk of damage or injury to the swamp harebell population and supporting hydrological and related topographical and ecological features o Deliberately planned impact avoidance for all property improvement or maintenance tasks adjacent to current colonies (within 25 feet) or as established within a permit-required minimum 25 feet buffer zone; and
 - e. Inclusion of any adopted conservation strategies of a site monitoring program, consisting of annual site surveys and assessments of the harebell population and site hydrology; and

- f. Manual removals (e.g., hands, shovels, weed wrenches or similar) on non-native, especially invasive plants on the property; and
- g. Avoidance of special status birds and bats as follows: The bird breeding season typically extends from February to August. Ideally, the clearing of vegetation and the initiation of construction or demolition can be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform preconstruction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 100 foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbances.

As with birds, bat roost and hibernation sites can change from year to year, so pre-construction or demolition surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost. In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year; and

- h. Avoidance of special status amphibians as follows: Within two weeks prior to construction or demolition, project contractors will be trained by a qualified biologist in the identification of the California red-legged frog, red-bellied newt, and California giant salamander (special status amphibians). Construction crews will begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of special status amphibians. If a special status amphibian is detected, construction or demolition crews will contact the US Fish and Wildlife (for California red-legged frog) and/or California Department of Fish and Wildlife or a qualified biologist (red-bellied newt or California giant salamander), and gain clearance prior to re-initiating work; and

If a rain event occurs during the construction period, all construction-related activities will cease for a period of 48 hours after the rain stops. Prior to resuming construction or demolition activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found, construction activities may resume.

26. ****Avoidance Measure: Monitoring & Reporting:** In order to provide for the protection and to minimize the potential for impacts to special status plants and animals, the redwood forest, and the seasonal intermittent drainage, the landowners shall follow the Native Replanting Plan, as outlined within **SNRC's Native Replanting Plan, dated September 8, 2022**. The following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
- a. **Salvage:** Prior to ground disturbance, the flagged species will be carefully removed with shovels, retaining the native soil in around the roots, and taking care to capture as much of the root system as possible. The plants will be placed in appropriately sized pots, which will be filled in with potting soil and watered. Plants will be stored outside at the site or in a close by location where they will be watered as needed unless it is raining and unnecessary to water. The person responsible for

watering will keep records of the initial inventory, watering schedules and notes of any plants that die. Potted natives will be maintained in that manner until replanted; and

- b. **Replanting:** After the permeable driveway and residence have been constructed, the surviving potted salvaged native plants will be planted. Plants will be watered as needed until well established. Collected native grass seed, Chinook brome (*Bromus levipes*), vanilla grass (*Anthoxanthum occidentale*), and California canary grass (*Phalaris californica*), will be planted in sunny disturbed areas where grass is desirable, such as around the well. These areas will be mulched with a weed free mulch, and watered, until plants are established. Harford sedge (*Carex harfordii*) can be planted in wetter disturbance areas, such as areas in proximity to French drains. Harford sedge seeds should also be mulched and watered as needed until established.

27. ****Prior to issuance of this Coastal Development Permit**, the applicant shall provide a Grading and Erosion Plan, prepared by a qualified professional, in form and content acceptable to the Coastal Permit Administrator.

FINDINGS

The proposed project would have a **Less Than Significant Impact With Mitigation Incorporated** on Biological Resources.

3.5 CULTURAL RESOURCES

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

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to Cal. Code Regs tit. 14 §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to Cal. Code Regs tit. 14 §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 § 22.12.090 governs discovery and treatment of archeological resources, while § 22.12.100 speaks directly to the discovery of human remains and codifies the procedures by which said discovery shall be handled. Pursuant to Cal. Code Regs tit. 14 §15064.51(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?

Less Than Significant Impact: The project to construct a single-family residence and residential development of the vacant parcel could cause an indirect impact if historical resources are identified within the building envelope. The project was referred to Northwest Information Center at Sonoma State University (SSU) and Mendocino County Archaeological Commission (ARCH). The project was also referred to four local tribes for review and comment, including the Sherwood Valley Rancheria, Redwood Valley Rancheria, and the Cloverdale Rancheria and Manchester Band of Pomo Indians of the Manchester Rancheria. As of this date, no comments have been received from the above-mentioned local tribes.

An Archaeological Survey Report, prepared by Alex DeGeorgey, of Alta Archaeological Consulting, dated August 8, 2020, was accepted at the Archaeological Commission on October 14, 2020. The report found that the project site contains no indicators of the historic or presence of prehistoric era archaeological deposits. The Mendocino County Archaeological Commission recommended including a discovery clause as part of the conditions of project approval. Staff notes that **Condition 9** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project.

As conditioned, the proposed project would be consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

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

Less Than Significant Impact: As mentioned above, the project proposes to construct a single-family residence. Indirect impacts may occur through residential development of the vacant parcel. Staff notes that **Condition 9** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project. As conditioned, the proposed project would be consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

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

Less Than Significant Impact: As mentioned above, the project proposes to construct a single-family residence. Indirect impacts may occur through residential development of the vacant parcel. Staff notes that **Condition 9** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project. As conditioned, the proposed project would be consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a **Less Than Significant 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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 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 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?

No Impact: The proposed project would not result in any significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction, or operation, nor would the project conflict with, or obstruct a state or local plan for renewable energy, or energy efficiency. Single-family residential development of the vacant parcel would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The proposed project is not anticipated to use or waste significant amounts of energy, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

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

No Impact: Indirect impacts may occur through 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, residential development is not expected to conflict with state or local plans for renewable energy or energy efficiency.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have **No Impact** on Energy.

3.7 GEOLOGY AND SOILS

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

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: Of the five known faults, the San Andreas Fault is the closest active fault to the subject parcel, located approximately 2.5 miles east.

The San Andreas Fault traverses the southwestern corner of the County and continues offshore north of Manchester. It is capable of generating very strong earthquakes, the last major event occurring in 1906 with a magnitude of 7.9 near San Francisco. This event caused severe shaking in Mendocino County and extensive structural damage along the southern coastline of the County. Very little seismic activity has been recorded on the San Andreas Fault north of San Francisco since the 1906 event; however, the Fault is still considered active.

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 17 percent have a high erosion hazard. Elevations at the subject parcel range from 300 feet above mean sea level (amsl) at the eastern edge of the parcel to 255 feet amsl at the intersection of Ocean View Drive (Private) and Ocean View Street (Private), with an average slope of approximately 16 percent.

The specific soil type underlying the subject parcel is Bruhel-Shinglemill complex. This soil unit is about 50 percent Bruhel loam and 25 percent Shinglemill loam. Bruhel loam consists of very deep, well drained soils derived from sandstone and permeability is moderate. Shinglemill loam consists of very deep, poorly drained soil, formed in marine sediments. Permeability of Shinglemill loam is slow.

This Bruhel-Shinglemill complex type of soil is used for homesite development, as wildlife habitat, or as watershed, where a few areas are used for recreation. The main limitations affecting homesite development are the slope and low strength and the seasonally saturated soil conditions and slow permeability of the Shinglemill soil. Excavations for roads and buildings increase the hazard of erosion. Revegetating disturbed areas around construction sites as soon as possible helps to control erosion. The design of access roads should control surface runoff and help to stabilize cut slopes. Surface drainage may be needed for roads and buildings. The design of buildings and roads should offset the limited ability of the Shinglemill soil to support a load. The seasonally saturated soil conditions and the restricted permeability of the Shinglemill soil increase the possibility of failure of septic tank absorption fields. Alternative systems may be needed, such as those in which leach lines are placed in a mound above the soil surface.

Construction of the single-family residence and appurtenant structures and infrastructure would be subject to the latest version of the California Building Code (CBC) to reduce any potential geological risks.

a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i-iv. 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and/or landslides?*

Less Than Significant Impact: The proposed project will not expose people or structures to substantial adverse effects including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides. The nearest active fault is the San Andreas Fault which is located approximately 3.3 miles further inland and east than the subject parcel. As with all parcels within Mendocino County, the site would experience some seismic ground shaking as a result of an earthquake occurring. The *Local Coastal Plan Map for Land Capabilities and Natural Hazards* designates the as “Timberland (Moderate Productivity)” and “Bedrock (Zone 1)”. The subject parcel is located on Bruhel-Shinglemill complex soils where limitations affecting homesite development are the slope and low strength and the seasonally saturated soil conditions and slow permeability would be considered seasonally saturated soil conditions and slow permeability. Design and construction of the permanent structures proposed under the project would be subject to the rules and regulations contained in the latest version of the California Building Code, which would reduce the potential for risk of loss, injury, or death involving landslides at the Site. Grading activities, including maintaining driveway and parking areas shall comply with MCC Chapters 20.492 and 20.500 regulations.

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

Less Than Significant Impact: Grading will occur at the time of installation of construction of the single-family residence, attached garage, driveway and the installation of the proposed sewer connection to Mendocino County Waterworks District II (MCWDII). The project proposes 70 cubic yards of grading to accommodate the development. If the amount of grading requires a permit from

the Building Division, the Coastal Permit Administrator, or their designee, shall review and approve the grading permit to determine its consistency with MCC Chapters 20.492 and 20.500 regulations. The Mendocino Soil Survey states that “Excavations for roads and buildings increase the hazard of erosion,” but that “Revegetating disturbed areas around construction sites as soon as possible helps to control erosion.” Revegetation will be incorporated into the project. The residence is located on the flattest part of the site. The proposed development already minimizes its footprint and moving the proposed development would further impact Environmentally Sensitive Habitat Area (ESHA) and require additional grading and soil disturbance, which may not be a feasible option. The proposed driveway is minimized in size and by location to require the least amount of grading and will be comprised of permeable material in order to reduce stormwater runoff from the project.

With the recommended avoidance and protection measures as stated with the Biological Resources section of this study, development is expected to minimize soil disturbance and to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. In summary, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA.

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 subject parcel is located on Bruhel-Shinglemill complex soils where limitations affecting homesite development are the slope and low strength and the seasonally saturated soil conditions and slow permeability would be considered seasonally saturated soil conditions and slow permeability. Design and construction of the permanent structures proposed under the project would be subject to the rules and regulations contained in the latest version of the California Building Code, which would reduce the potential for risk of loss, injury, or death involving landslides at the Site. In summary, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA.

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 1994 Uniform Building Code (UBC) has not been in effect since 1997, and the referenced table was removed entirely when the UBC was superseded by the International Building Code in 2000. The 1994 and 1997 editions of the UBC are now obscure, no longer published or easily publicly accessible and so cannot be considered an appropriate reference point for defining expansive soils.

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: The proposed development includes the development of a production well and septage connection to the Mendocino County Waterworks District II (MCWDII).

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

Less Than Significant Impact: An Archaeological Survey Report, prepared by Alex DeGeorgey, of Alta Archaeological Consulting, was prepared and accepted at the Archaeological Commission on October 14, 2020. The Commission accepted the Applicant’s archaeological survey and recommended no further studies. However, in the event that any archaeological or paleontological resources are discovered during site preparation, grading or construction activities, notification would be required, pursuant to County Code Chapter 22.12 – Archaeological Resources.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a **Less Than Significant Impact** 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 (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs, and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project’s individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO₂e (CO₂ equivalent) of operation emission on an annual basis. Additionally, Mendocino County’s building code requires new construction to include energy efficient materials and fixtures.

a. Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact: This project as proposed, creating one additional single-family residence, will have no impact and be below the threshold for project significance of 1,100 metric tons CO₂ equivalent. Indirect impacts may occur through residential development of the vacant parcel. 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 CO₂e) 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 CO₂e per year. According to the results of the model,

construction emissions would be equivalent to 68.6 MT CO_{2e} per year and operational emissions would be equivalent to 38.8 MT CO_{2e} 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.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.9 HAZARDS AND HAZARDOUS MATERIALS

<i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

excessive noise for people residing or working in the project area?				
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, 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: The California Health and Safety Code defines *hazardous material* as 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. (CA Health and Safety Code §25501(n)).

In 1997, the County Public Health Department's Environmental Health Division assumed responsibility for administering hazardous waste generation and treatment regulations. The Mendocino County General Plan includes Solid Waste and Hazardous Waste and Materials Management Policy DE-212, which 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 toxic air contaminant and a known human carcinogen. Asbestos of any type is considered hazardous and may cause asbestosis and lung cancer if inhaled, becoming permanently lodged in body tissues. Exposure to asbestos has also been shown to cause stomach and other cancers. Asbestos is the general name for a group of rock-forming minerals that consist of extremely strong and durable fibers. When asbestos fibers are disturbed, such as by grading and construction activities, they are released into the air where they remain for a long period of time. Naturally occurring asbestos is an issue of concern in Mendocino County, which contains areas where asbestos-containing rocks are found. The presence of ultramafic rocks indicates the possible existence of asbestos mineral groups. Ultramafic rocks contain 90 percent or more of dark-colored, iron-magnesium-silicate minerals. Ultramafic rocks may be partially or completely altered to a rock known as serpentinite, more commonly called serpentine.

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

Mendocino County's aviation system is composed of airports, privately owned aircraft of various types, privately operated aircraft service facilities, and publicly and privately operated airport service facilities. Most aircraft are privately owned, small single or twin-engine planes flown primarily for personal business. Six public use airports in Mendocino County provide for regional and interregional needs of commercial and general aviation. Actions involving areas around airports will continue to be evaluated for consistency with the County's Airport Comprehensive Land Use Plan and applicable federal regulations. Mendocino County's Airport Policy DE-172 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 (CAL FIRE) 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 will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. Storage of these materials in the open may result in contaminated stormwater runoff being discharged into nearby water bodies, including the Pacific Ocean.

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

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?

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

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

d. 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 proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the development of a single-family

residence, and associated improvements on the subject parcel would not create a significant hazard to the public, or the environment.

- e. 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 subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. As a result of the project’s location outside of any airport influence area, or private airstrip, there will be no impact in terms of safety hazards for people residing or working in the project area.

- f. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No Impact: The project will not result in any physical change to the existing roadway that would impair its use as an evacuation route. Evacuation from this residential neighborhood would likely be via the existing County roads which the project will not interfere with. Therefore, there will be no impact as a result of the project.

- 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 property is in an area of “High Fire Hazard” severity rating. Fire protection services are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the South Coast Fire Protection District (SCFD). The project was referred to CAL FIRE and SCFD, where CAL FIRE recommended adhering to conditions under CAL FIRE File Number 198-18. As of this date, no response has been received from SCFD. A State Fire Safe Regulations Application Form, CAL FIRE File Number 198-18, was issued for the project. **Conditions 5 and 6** are recommended for the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan will be addressed. Therefore, indirect impacts would be less than significant.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.10 HYDROLOGY AND WATER QUALITY

<i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

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.

Mendocino County uses the same definition of groundwater as is found in Water Code §1005.1, which is *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.

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

Less Than Significant Impact: The proposed project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. The permanent structures proposed on-site would be constructed in accordance with the most recent standards set by all regulatory agencies, including but not limited to the County, state, and local water quality control boards [State Water Resources Control Board (SWRCB), and the North Coast Regional Quality Control Board (NCRWQCB)]. Since the majority of the site would remain undeveloped, stormwater runoff would continue to flow naturally and infiltrate into the soil. In addition, the preservation of existing vegetation, to the extent feasible, will help to filter potential pollutants from stormwater flows. In addition, the project's proposed septic system would be installed in compliance with all standards and regulations. As a result, the proposed project would have a less than significant impact.

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: The project site is located within a mapped "Critical Water Resource" area by the Mendocino County Coastal Groundwater Study. The proposed project would not substantially deplete groundwater supplies, or interfere substantially with groundwater recharge, as significant water use is not anticipated under the project. Additionally, since the majority of the site would remain undeveloped, stormwater would continue to infiltrate the ground. The proposed development includes the development of a production well and septage connection to the Mendocino County Waterworks District II (MCWDII). MCWDII provided a will serve letter, dated August 20, 2018, stating MCWDII has capacity to provide the proposed project adequate sewer service. A Coastal

Development Permit Exclusion Permit, CE_2017-0009, was issued for a test well. The Division of Environmental Health (DEH) issued a well permit, WW23216, and its well log indicated the test well produced 1.5 gallons per minute during a 4 hour test; therefore a less than significant impact would occur.

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:

Less Than Significant Impact: See below.

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

Less Than Significant Impact: Due to the topography of the site, stormwater runoff naturally flows eastward at the north side of the property, southward along the east side of the property, and westward along the south side of the property. The ephemeral drainage supporting the swamp harebell is present along the east side of the property. The proposed residential development would include a French drain system to maintain drainage in the existing corridors. The residence footprint has been minimized and the driveway is proposed of permeable materials in order to minimize the necessary increase in stormwater runoff from the project. These accommodations have been designed to mitigate for the proposed development being by necessity within the buffer area.

The proposed development has been minimized and specially located in order to maintain hydrology of the site, and to minimize removal of trees of the redwood forest. Development is compatible with the continuance of the adjacent habitat. With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. Of particular importance are measures to minimize invasive plant species presence, and installation and maintenance of a low stature fence to protect sensitive habitat during residential use of the property. The project is not expected to result in the loss of riparian habitat. Mitigation measures are proposed to replace the protective values of the buffer area.

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

ii. 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: As stated above, the proposed project includes a drainage plan, mitigation, and restoration measures. The proposed development has been minimized and specially located in order to maintain hydrology of the site, and to minimize removal of trees of the redwood forest. The project is not expected to result in an increase of surface runoff. Mitigation measures are proposed to replace the protective values of the buffer area. The proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact: As stated above, the proposed project includes a drainage plan, mitigation, and restoration measures. The proposed development has been minimized and specially located in order to maintain hydrology of the site, and to minimize removal of trees of the redwood forest. The project is not expected to result in an increase of surface runoff. Mitigation measures are proposed to replace the protective values of the buffer area. The proposed project is

the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

iv. *Impede or redirect flood flows?*

Less Than Significant Impact: As stated above, due to the topography of the site, stormwater runoff naturally flows eastward at the north side of the property, southward along the east side of the property, and westward along the south side of the property. The ephemeral drainage supporting the swamp harebell is present along the east side of the property. The proposed residential development would include a French drain system to maintain drainage in the existing corridors. The residence footprint has been minimized and the driveway is proposed of permeable materials in order to minimize the necessary increase in stormwater runoff from the project. These accommodations have been designed to mitigate for the proposed development being by necessity within the buffer area.

The proposed development has been minimized and specially located in order to maintain hydrology of the site, and to minimize removal of trees of the redwood forest. Development is compatible with the continuance of the adjacent habitat. With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. The proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

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?*

Less Than Significant Impact: The project would be required to comply with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris, or contaminants from construction materials, tools, and equipment from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. A less than significant impact would occur.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a **Less Than Significant Impact** 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on land use and planning if it would physically divide an established community or cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, with regards to land use. The proposed Project is not within a specific plan. The project was also referred to a number of agencies with jurisdiction over the project.

a. Physically divide an established community?

No Impact: The project site is situated in a long established rural residential area and proposed adjacent to existing residential development. The low-density development will be consistent with the established community. Therefore, there will no division of an established community as a result of the project.

b. 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?

Less Than Significant Impact: The proposed project is consistent with all policies of the Local Coastal Program of the General Plan and the Mendocino County Code, except Section 20.496.020(A)(1) relating to buffer widths from Environmentally Sensitive Habitat Areas; however, denial of the project based on this policy would constitute a regulatory taking, as described in the Staff Report. The Findings included with the project Staff Report address the analysis of alternatives, the mitigation measures proposed to offset impacts, and evidence supporting the investment backed expectation of the applicant to develop the parcel with a single-family residence.

With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. The proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **Conditions 17 through 27** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have **Less Than Significant 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. The project involves 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.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.13 NOISE

<i>Would the Project result in:</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"/>

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

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

a. 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: Construction of the residence and associated improvements, and use of construction equipment, would cause temporary increases in noise; however, these impacts would only be associated with construction, and would be temporary in nature. In addition, given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard building permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas. Upon build-out of the project, operational noise would be associated with use of the site for residential purposes. Due to the location of the project is a residential neighborhood, and since a single-family residence is all that is proposed at the site under this project, it is determined that a less than significant impact would occur.

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

Less Than Significant Impact: As mentioned above, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard building permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas. Upon build-out of the project, operational noise would be associated with use of the site for residential purposes. Due to the location of the project is a residential neighborhood, and since a single-family residence is all that is proposed at the site under this project, it is determined that a less than significant impact would occur.

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 proposed project is not located within an airport zone or within the vicinity of a private airstrip; therefore, there is no possible exposure of people to excessive noise due to project location.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a **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 type="checkbox"/>	<input checked="" type="checkbox"/>

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 91,305. 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 further slowed from 2000 to 2010, increasing by only 1.8 percent. The growth rate rebounded somewhat between 2010 and 2020, during which the population increased by 4.3 percent.

Mendocino County’s Housing Element is designed to facilitate the development of housing adequate to meet the needs of all County residents. The State of California has determined that housing demand in the region exceeds supply and that further housing development is necessary, designating a Regional Needs Housing Allocation target of 1,845 new housing units between 2019 and 2027. The Mendocino Council of Government’s (MCOG) Regional Housing Needs Plan divided this target into separate production goals for each jurisdiction in the County, assigning 1,349 units to the unincorporated area. 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)?

No Impact: The project would permit a new single-family residence within a zoning district and General Plan land use designation intended for residential development. The project would not trigger the need for new public roads or other infrastructure that would indirectly trigger population growth. Consequently, the project would not generate unanticipated population growth in the local area. Therefore, the project will have no impact in terms of increasing substantial unplanned population growth in an area, either directly or indirectly.

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

No Impact: As mentioned above, the project would permit a new single-family residence within a zoning district and General Plan land use designation intended for residential development. The project will not require the displacement of any person living or working the area. Therefore, the project will have no impact in terms of displacement of substantial population existing in an area, either directly or indirectly.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have **No 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 following public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. 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: Fire Protection, Police Protection, Schools, Parks, and/or Other Public Facilities?

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 Population and Housing, 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 Population and Housing, 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 Population and Housing, 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 Population and Housing, 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 Population and Housing, 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.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.16 RECREATION

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

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

Discussion: The County of Mendocino manages a variety of public recreation areas including the Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion’s Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of state parks, reserves, other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The closest state protected area to the proposed project is the Anchor Bay Campground, approximately 1.2 miles north, at the mouth of Fish Rock Gulch.

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?

No Impact: The project site is located east of Highway 1 and is not designated as a potential public access trail location on the Local Coastal Plan maps. There is no evidence of prescriptive access on the site, nor would the development of one new single-family residence generate enough recreation demand to require the construction of additional facilities. The project will have no impact on public access or recreation in the area, nor will it require the construction of new or expanded facilities, which could cause an adverse impact on the environment. Therefore, no impact will occur as a result of the project.

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. Therefore, no impact to recreational facilities will occur as a result of the project.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have **No 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Mendocino Council of Governments (MCOG) developed a screening tool to determine if a project's Vehicle Miles Traveled (VMT) will create an environmental impact. The screening tool uses data from the MCOG traveling forecast model to compare the VMT to similar projects for the sub-region in which a project is located. In 2017, the California Air Resources Board (CARB) identified VMT reductions relationship to State Climate Goals including the VMT reductions needed to meet the State's Greenhouse Gas emission reduction targets by 2050. This document identifies two specific thresholds to meet these targets, a 14.3-percent reduction in total VMT per capita, and a 16.8-percent reduction in light-duty vehicle VMT per capita.

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

Less Than Significant Impact: Development would not conflict with a program, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. It is expected that construction of the project will result in a slight increase in traffic to, and from the site, as construction workers arrive, and leave the site at the beginning, and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is

brought to, and removed from the site. Once construction is complete, these workers would no longer be required at the site. While the project would contribute incrementally to traffic volumes on local, and regional roadways, such incremental increases were considered when the LCP land use designations were assigned to the site. The development proposed on-site is not expected to significantly impact the capacity of the street system, level of service standards established by the County, or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as a substantial increase in traffic trips, or use of alternative transportation facilities is not anticipated. A less than significant impact would occur.

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

No Impact: Though an increase in traffic trips because of the project (e.g., residential & personal uses) is anticipated, they are not expected to increase VMT above 110 trips per day. Development would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

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

Less Than Significant Impact: The proposed project is not anticipated to substantially increase hazards due to design features or incompatible uses. The project has been referred to various agencies, such as the Mendocino County Department of Transportation (MCDOT) and CAL FIRE, who have reviewed the project design for compliance with all standards and requirements, to ensure the project, as designed, would not increase hazards due to a geometric design feature. The site improvements would be required to be designed and constructed in accordance to established standards. An encroachment permit is not required with Mendocino County Department of Transportation (DOT) as the project site is accessed from a private road. A State Fire Safe Regulations Application Form, CAL FIRE File Number 198-18, was issued for the project. **Conditions 5 and 6** are recommended for the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan will be addressed. Therefore, indirect impacts would be less than significant.

d. Result in inadequate emergency access?

Less Than Significant Impact: As mentioned above, A State Fire Safe Regulations Application Form, CAL FIRE File Number 198-18, was issued for the project. **Conditions 5 and 6** are recommended for the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan will be addressed. Therefore, indirect impacts would be less than significant.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) <i>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:</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1.

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 Mendocino County's General Plan Development Element (2021), the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County's redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. The entire southern third of Mendocino County was the home of groups of Central Pomo. To the north of the Central Pomo groups were the Northern Pomo, who controlled a strip of land extending from the coast to Clear Lake. The Coast Yuki claimed a portion of the coast from Fort Bragg north to an area slightly north of Rockport. They were linguistically related to a small group, called the Huchnom, living along the South Eel River north of Potter Valley. Both of these smaller groups were related to the Yuki, who were centered in Round Valley. At the far northern end of the county, several groups extended south from Humboldt County. The territory of the Cahto was bounded by Branscomb, Laytonville, and Cummings. The North Fork Wailaki was almost entirely in Mendocino County, along the North Fork of the Eel River. Other groups in this area included the Shelter Cove Sinkyone, the Eel River, and the Pitch Wailaki.

a. 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:

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

Less Than Significant Impact: The project to construct a single-family residence and residential development of the vacant parcel could cause an indirect impact if historical resources are identified within the building envelope. The project was referred to Northwest Information Center at Sonoma State University (SSU) and Mendocino County Archaeological Commission (ARCH). The project was also referred to four local tribes for review and comment, including the Sherwood Valley Rancheria, Redwood Valley Rancheria, and the Cloverdale Rancheria and Manchester Band of Pomo Indians of the Manchester Rancheria. As of this date, no comments have been received from the above-mentioned local tribes.

An Archaeological Survey Report, prepared by Alex DeGeorgey, of Alta Archaeological Consulting, dated August 8, 2020, was prepared and accepted at the Archaeological Commission on October 14, 2020. The report found that the project site contains no indicators of the historic or presence of prehistoric era archaeological deposits. The Mendocino County Archaeological Commission recommended including a discovery clause as part of the conditions of project approval. Staff notes that **Condition 9** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project.

As conditioned, the proposed project would be consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

- ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §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.**

Less Than Significant Impact: As mentioned above, the project was also referred to four local tribes for review and comment, including the Sherwood Valley Rancheria, Redwood Valley Rancheria, and the Cloverdale Rancheria and Manchester Band of Pomo Indians of the Manchester Rancheria. As of this date, no comments have been received from the above-mentioned local tribes.

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As conditioned, the proposed project would be consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Tribal Cultural Resources.

3.19 UTILITIES AND SERVICE SYSTEMS

<i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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. Mendocino County's General Plan Development Element (2021) 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-210 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?

Less Than Significant Impact: The proposed development includes the development of a production well and sewer connection to the Mendocino County Waterworks District II (MCWDII). The project was referred to the Mendocino County Division of Environmental Health (DEH) and MCWDII to review impacts to water and septage connection.

A will serve letter from MCWDII, dated August 20, 2018, stated MCWDII has capacity to provide the proposed project adequate sewer service. Coastal Development Permit Exclusion Permit, CE_2017-0009, was issued for a test well, WW23216, and its well log indicated the test well produced 1.5 gallons per minute during a 4 hour test.

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

Less Than Significant Impact: . The proposed project will utilize water obtained from the well on-site. Coastal Development Permit Exclusion Permit, CE_2017-0009, was issued for a test well, WW23216, and its well log indicated the test well produced 1.5 gallons per minute (GPM) during a 4 hour test. The proposed project will be consistent with the Local Coastal Program policies related to groundwater resources and Mendocino County Division of Environmental Health (DEH) requirements, including Coastal Element Policy 3.8.

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: As mentioned above, the proposed development includes a sewer connection to the Mendocino County Waterworks District II (MCWDII). A will serve letter from MCWDII, dated August 20, 2018, stated MCWDII has capacity to provide the proposed project adequate sewer service.

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?

Less Than Significant Impact: A significant amount of solid waste is not anticipated under the project and all solid waste generated under the project would be disposed of in accordance to all federal, state, and local statutes and regulations related to solid waste including state and local waste diversion requirements. A local service provider for solid waste service, which will likely consist of curbside pick up, will serve the proposed project. South Coast Transfer Station, located approximately 5 miles east of the project site, can accommodate the solid waste disposal needs of future development. The project will comply with all federal, state, and local management and reduction statutes and regulation related to solid waste. As such, the proposed would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A less than significant impact would occur.

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

Less Than Significant Impact: As mentioned above, all solid waste generated under the project would be disposed of in accordance with all federal, state, and local statutes and regulations related to solid waste including state and local waste diversion requirements. A local service provider for solid waste service, which will likely consist of curbside pick-up, will serve the proposed project. South Coast Transfer Station, located approximately 5 miles east of the project site, can accommodate the solid

waste disposal needs of future development. The project will comply with all federal, state, and local management and reduction statutes and regulation related to solid waste. As such, the proposed would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A less than significant impact would occur.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Utilities and Service Systems.

3.20 WILDFIRE

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

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

Discussion: California law requires CAL FIRE 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). 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). 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.¹

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).

Factors to consider when evaluating wildfire risk include:

- Land uses (urban developed, rural, agricultural, parcels sizes, etc.)
- Land ownership (private, public, state)
- Vegetation (type, health, existing/planned vegetation management)
- Topography/terrain
- Weather conditions (wind, temperature, humidity, precipitation)
- Fire history (year, location, size)
- Fire severity mapping
- Fire protection agencies and capabilities
- Extent of roadway system and roadway sizes (number of lanes)

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

No 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 construction of a single-family residence on a vacant parcel adjacent to Anchor Bay Subdivision Unit 1. The project site is accessed via private road directly from Ocean View Drive (Private) 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.

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?*

Less Than Significant Impact: The property is in an area of "High Fire Hazard" severity rating. Fire protection services are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the South Coast Fire Protection District (SCFD). The project was referred to CAL FIRE and South Coast Fire District (SCFD), where CAL FIRE recommended adhering to conditions under CAL FIRE File Number 198-18. As of this date, no response has been received from SCFD. A State Fire Safe Regulations Application Form, CAL FIRE File Number 198-18, was issued for the project. **Conditions 5 and 6** are recommended for the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan will be addressed. Therefore, indirect impacts would be less than significant.

- 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?**

Less Than Significant Impact: Development will include extension of electrical service, construction of a private gravel driveway, grading, or other activities that could exacerbate fire risks. However, the construction of a single-family residence on the subject parcel has been reviewed by CAL FIRE and designed to comply with Fire Safe Regulations per mitigation measure HZD-1. A State Fire Safe Regulations Application Form, CAL FIRE File Number 198-18, was issued for the project. Therefore, impacts would be less than significant with this mitigation measure incorporated. Therefore, indirect impacts would be less than significant.

- 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?**

Less Than Significant Impact: The location of the proposed single-family residence, attached garage and ancillary development is located on a medium slope (approximately 16%) towards the west, towards Ocean View Drive (private) and Ocean View Road (private). As proposed, grading will occur at the time of installation of the proposed construction of the single-family residence, attached garage, driveway and the installation of the proposed sewer connection to Mendocino County Waterworks District II (MCWDII). The project proposes 70 cubic yards of grading to accommodate the development. If the amount of grading requires a permit from the Building Division, the Coastal Permit Administrator, or their designee, shall review and approve the grading permit to determine its consistency with MCC Chapters 20.492 and 20.500 regulations. **Condition 17** is recommended to ensure Best Management Practices (BMP's) will be implemented at the time of construction and protection measures recommended for the adjacent ESHA. Grading activities, including maintaining driveway and parking areas shall comply with MCC Chapters 20.492 and 20.500 regulations.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Thresholds of Significance: The project would have a significant effect in consideration of the 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 Coastal Development Permit 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 With Mitigation Incorporated: The project may result in impacts associated with biological resources that would be significant if left unmitigated. However, implementation of mitigation measures and conditions (**Conditions 17 through 27**) as outlined in the respective sections of this IS/MND would fully mitigate all potential impacts on these resources to levels that are less than significant.

- 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: The proposed project will not create any cumulative impacts on the surrounding area and any impact that would occur is considered to be less than significant. Development necessitates separate requirements such as BMPs and adherences to the California Building Code.

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

Less Than Significant Impact: Based on discussion throughout this initial study, development will not cause substantial adverse effect on human beings, either directly or indirectly, and have been found to be less than significant or less than significant with mitigation implemented.

MITIGATION MEASURES

See Mitigation Measures for Biological Resources **Conditions 17 through 27**

FINDINGS

The proposed project would have a **Less Than Significant Impact With Mitigation Incorporated** when considering the Mandatory Findings of Significance.

4.0 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.

10-2-2023

DATE

Handwritten signature of Jessie Waldman in blue ink, consisting of a stylized 'JW' monogram followed by the name 'WALDMAN' in all caps.

JESSIE WALDMAN
PLANNER II