



PUBLIC DRAFT
**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**
SCH: TBD

FOR
SCOTT & ELIZABETH WAHLBERG
STANDARD COASTAL DEVELOPMENT PERMIT
AT 47101 BIG GULCH RD; APN: 145-121-18
File No. CDP_2023-0039

LEAD AGENCY:
County of Mendocino
Department of Planning & Building Services
860 North Bush Street, Ukiah, CA 95482
(707) 234-6650

PREPARED BY:
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Department of Planning & Building Services
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February 8, 2024

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INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed remodel of a single-family residence, garage with office, and CALFIRE turnout at 1311 Cameron Road, Elk; APN: 126-070-14 (Project). This Draft IS/MND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

Pursuant to Section 15367 of the State CEQA Guidelines, the County of Mendocino is the Lead Agency for the Project. As the Lead Agency, The County of Mendocino has the principal responsibility for carrying out the project and has the authority to approve the Project and its accompanying environmental documentation. In addition to addressing the potential environmental impacts that would result from the Project, this Draft IS/MND serves as the primary environmental document for future activities associated with the Project, including discretionary approvals requested or required for Project implementation.

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: CDP_2023-0039

OWNER/APPLICANT: SCOTT & ELIZABETH WAHLBERG
111 GLENRIDGE COURT
HOT SPRINGS, AR 71901

AGENT: WYNN COASTAL PLANNING & BIOLOGY
703 N. MAIN STREET
FORT BRAGG, CA 95437

PROJECT LOCATION: In the Coastal Zone, 1.5± miles north of Gualala, at the end of Big Gulch Road (private) 500± feet west of its intersection with State Route 1 (SR 1), located at 47101 Big Gulch Road, Gualala; APN: 145-121-18.

TOTAL ACREAGE: 0.84± Acres

GENERAL PLAN: Rural Residential 5-Acre Minimum [1-Acre Minimum Variable Density] (RR:5[RR:1])

ZONING: Rural Residential 5-Acre Minimum [1-Acre Minimum Variable Density] (RR-5[RR-1])

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests Standard Coastal Development Permit to authorize construction of a two-bedroom, two-bathroom, 1,558± square foot single-family residence with decks, 458± square foot attached garage, 5,000-gallon water storage tank, driveway, fence, and temporary occupancy of a trailer during construction. The development would also include connection to an existing well, municipal sewer system, propane tank, electric utility, and grading. Coastal Development Permit CDP_2019-0032 was originally submitted for the same scope of work. However, the scope of CDP_2019-0032 was subsequently reduced to allow only the drilling of two (2) test wells. CDP_2019-0032 was approved September 9, 2021. The wells were then drilled and tested. The home design and development site for CDP_2023-0039 is the same as that originally proposed under CDP_2019-0032. The biological report and geotechnical investigation contained in the application materials for CDP_2023-0039 reference agency comments received for CDP_2019-0032.

The property is situated at the end of Big Gulch Road (private) adjacent to the Pacific Ocean. The property is part of a marine terrace with an approximately 40-foot-high ocean bluff along the western and southern side. Adjacent parcels are developed with single-family residences. A seasonal stream channel exists along the northwest portion of the property. A small cove and sea cave lies within or adjacent to the southeastern portion of the property. The project site is mostly flat, sloping gently upwards to the southeast. The project site is mostly within a velvet grass meadow. A Monterey cypress woodland exists along the northeastern edge of the property adjacent to Big Gulch Road. Several other plant communities occur on the project site (see section titled “Environmentally Sensitive Habitat Areas”). The surrounding Land Uses and Zoning are detailed in the following table.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR:5[RR:1])	Rural Residential (RR-5[RR-1])	0.81± Acres	Residential
EAST	Rural Residential (RR:5[RR:1])	Rural Residential (RR-5[RR-1])	0.87± Acres	Residential
SOUTH	N/A (Pacific Ocean)	N/A (Pacific Ocean)	N/A (Pacific Ocean)	N/A (Pacific Ocean)
WEST	N/A (Pacific Ocean)	N/A (Pacific Ocean)	N/A (Pacific Ocean)	N/A (Pacific Ocean)

Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): California Department of Forestry and Fire Protection (CAL FIRE).

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Pursuant to the consultation requirements of Assembly Bill (AB) 52, on December 1, 2023, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested

notification of all new potential Negative Declarations within the County. The following tribes were notified: Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Band of Pomo Indians. No responses were received.




PROJECT PLOT PLAN: See Page 6 of this document.

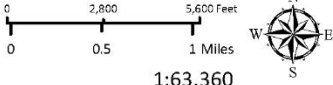
FIGURE 1: LOCATION MAP



Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

CASE: CDP 2023-0039
OWNER: WAHLBERG, Scott & Elizabeth
APN: 145-121-18
APLCT: Scott & Elizabeth Wahlberg
AGENT: Wynn Coastal Planning
ADDRESS: 47101 Big Gulch Rd., Gualala

-  Hydrology
-  Highways
-  Major Roads



1:63,360
LOCATION

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

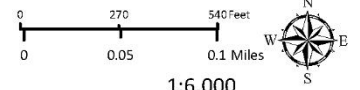
FIGURE 2: AERIAL IMAGERY



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CASE: CDP 2023-0039
OWNER: WAHLBERG, Scott & Elizabeth
APN: 145-121-18
APLCT: Scott & Elizabeth Wahlberg
AGENT: Wynn Coastal Planning
ADDRESS: 47101 Big Gulch Rd., Gualala

- Hydrology
- Highways (2017)
- Public Roads
- Private Roads
- Driveways/Unnamed Roads
- Assessors Parcels

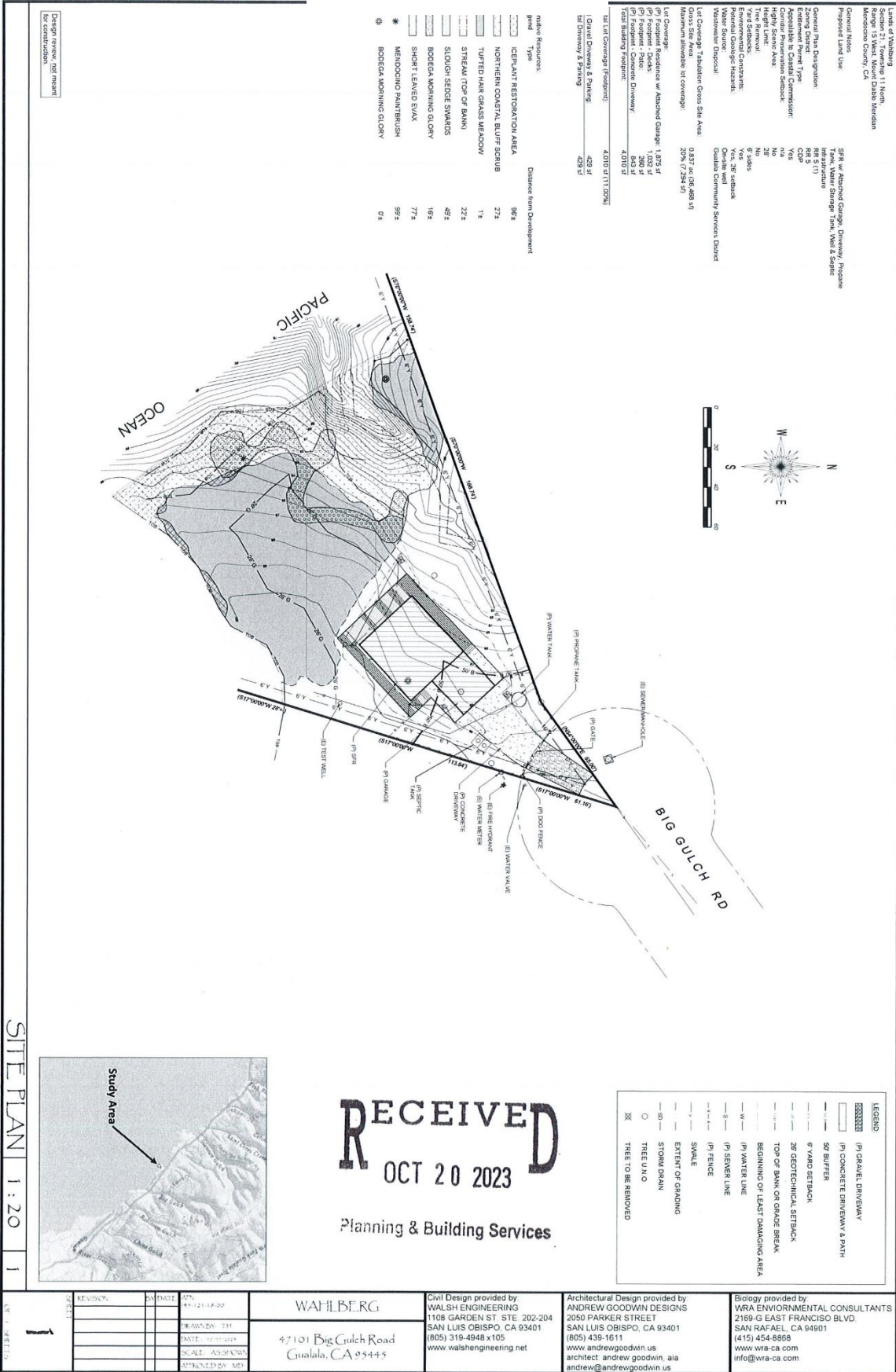


1:6,000

AERIAL IMAGERY

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

FIGURE 3: PLOT PLAN



Units of Measurement:

Section 21 covering 11 Acres
 Planning & Building Services Division
 Mendocino County, CA

General Note: Site w/ Attached Garage, Driveway, Propose
 Street, Main Storage Tank, Well & Septic

Proposed Land Use	General Plan Designation	Conformity
Single-Family Residential	Single-Family Residential	Conforms
	Single-Family Residential - Medium Density	Conforms
Accessory Dwelling Unit	Accessory Dwelling Unit	Conforms
Other	Other	Conforms

General Note	Applicable to Coastal Commission
Site w/ Attached Garage, Driveway, Propose Street, Main Storage Tank, Well & Septic	Yes
Other	No

General Note	Applicable to Coastal Commission
Site w/ Attached Garage, Driveway, Propose Street, Main Storage Tank, Well & Septic	Yes
Other	No

Lot Change	Lot Coverage (Proposed)
Lot Change - Addition w/ Attached Garage - 1,875 sq ft	4,010 sq ft (11.00%)
Lot Change - Addition - 200 sq ft	
Lot Change - Drive - 1,000 sq ft	
Lot Change - Driveway - 4,810 sq ft	
Lot Change - Parking - 4,810 sq ft	

relative Resources:

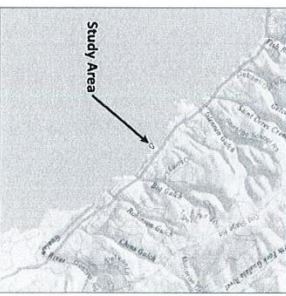
relative Resource	Type	Distance from Development
ICEPLANT RESTORATION AREA	1	992'
NORTHERN COASTAL BLUFF SCRUB	2	272'
TUPIED HAIN GRASS MEADOW	3	115'
STREAM (TOP OF BANK)	4	222'
SLOUGH (EDGE SWARDS)	5	492'
BOGGA MORNING GLORY	6	193'
SHORT LEAVED BAY	7	772'
MENDOCINO MAINTBRUSH	8	892'
BOGGA MORNING GLORY	9	912'

SITE PLAN 1:20 1

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LEGEND

- ▬ (P) CANAL DRIVWAY
- ▬ (P) CONCRETE DRIVEWAY & PATH
- ▬ 50' BUFFER
- ▬ 6' YARD SETBACK
- ▬ 25' GEOTECHNICAL SETBACK
- ▬ TOP OF BANK OR GRADE BREAK
- ▬ BEGINNING OF LEAST DAMAGING AREA
- ▬ (P) SEWER LINE
- ▬ (P) FENCE
- ▬ SWALE
- ▬ EXTENT OF GRADING
- ▬ STORM DRAIN
- TREE/PLANT TO BE REMOVED
- ⊗ TREE/PLANT TO BE REMOVED



REVISION	DATE	BY	47101 Big Gulch Road Gualala, CA 95445	Civil Design provided by WALSH ENGINEERING 1108 GARDEN ST. STE. 202-204 SAN LUIS OBISPO, CA 93401 (805) 319-4948 x105 www.walshengineering.net	Architectural Design provided by ANDREW GOODWIN DESIGNS 2050 PARKER STREET SAN LUIS OBISPO, CA 93401 (805) 438-1611 www.andrewgoodwin.us architect_andrew.goodwin_aia andrew@andrewgoodwin.us	Biology provided by WRA ENVIRONMENTAL CONSULTANTS 2169-G EAST FRANCISCO BLVD. SAN RAFAEL, CA 94901 (415) 454-8868 www.wra-ca.com info@wra-ca.com
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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" as indicated by the checklist on the following pages.

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

DETERMINATION

Based on 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.



Signature

LIAM CROWLEY

Printed Name

2/27/24

Date

PLANNER II

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: A “scenic vista” is defined as a *singular vantage point that offers high quality, harmonious, or visually interesting views of a valued landscape for the benefit of the public*. Scenic vistas are typically found along major highways or other public roads but may also occur in other areas accessible to the public.

“Scenic resources” include objects, features, or patterns within the landscape which are visually interesting or pleasing. Scenic resources can include trees, rock outcroppings, historic buildings, or other features. California Streets and Highways Code (SHC) Sections 260-284 establish the State Scenic Highway program for “*the protection and enhancement of California’s natural scenic beauty*”.¹ The Department of Transportation (CALTRANS) oversees this program, including a list of officially designated Scenic Highways and those deemed “eligible” for incorporation into the program. No highways in Mendocino County have been officially incorporated into the State Scenic Highway system. As such, there are no adopted Corridor Protection Programs in the county. However, the entirety of State Route 1 (SR-1) in Mendocino County, the portion of U.S. Route 101 (US-101) between Ukiah and Willits, all of State Route 20 (SR-20), and all of State Route 128 (SR-128) is listed as “eligible”.² No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.³

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 the “*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

¹ Streets and Highways Code, CA SHC § 260 (1969).

² Streets and Highways Code, CA SCH §263.2 to 263.8 (2019).

³ U.S. Department of Transportation. Federal Highway Administration. *National Scenic Byways & All-American Roads*. Retrieved from <https://fhwaapps.fhwa.dot.gov/bywaysp/States/Show/CA>.

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 the “*protection of the qualities of the county’s nighttime sky and reduced energy use.*”

According to the 2020 U.S. Census, there are three “Urban Areas” in Mendocino County: Ukiah, Willits, and Fort Bragg. Some of these Urban Areas extend into the unincorporated portions of the County. The Census provides shapefiles for use in visualizing these Urban Areas. The following County regulations govern scenic quality:

- Mendocino County Code (MCC) Chapter 20.504 – Visual Resource and Special Treatment Areas
 - Mendocino County Coastal Element Chapter 3.5 – Visual Resources, Special Communities and Archaeological Resources
 - Ukiah Valley Area Plan Chapter 4 – Community Design
 - Mendocino County General Plan Chapter 6 – Community Specific Policies
 - Mendocino County General Plan Policy DE-85: “*Viewshed preservation shall be considered when development is located in a highly scenic environment, adjacent to or atop a ridgeline or hill, and in similar settings.*”
- a) **Less Than Significant Impact:** Scenic vistas may exist in the vicinity of the project site along State Route 1. The Pacific Ocean and coastal bluffs can be seen when traveling along the highway. However, the Project would not result in significant impacts to potential scenic vistas because the proposed structures and uses would be of a similar scale (1,875 square feet, 24 feet in height) and color (white paint with black or grey metal roof) to adjacent property. When passing the property from the south, views of the property are obscured by trees and a berm on the west side of State Route 1, as well as the land between State Route 1 and Old Coast Highway (CR 513). When passing the property from the north, views of the property are almost completely obscured by those properties immediately north of the site along Big Gulch Road (private), mostly APN 145-121-17 and 145-121-16. Therefore, public views of the site are extremely limited, and development of a residence and associated infrastructure would not significantly change existing views of the Pacific Ocean or coastal bluffs. Without a significant change to existing views, a significant impact to any potential scenic vistas would not occur.
- b) **No Impact:** The site is not in the vicinity of a scenic highway. State Route 1 is only listed as “eligible” under the State Scenic Highway Program.
- c) **Less Than Significant Impact:** The site is in a non-urbanized area. The proposed structures and uses would be of a similar scale (1,875 square feet, 24 feet in height) and color (white paint with black or grey metal roof) to the adjacent property. When passing the property from the south, views of the property are obscured by trees and a berm on the west side of State Route 1, as well as the land between State Route 1 and Old Coast Highway (CR 513). When passing the property from the north, views of the property are almost completely obscured by those properties immediately north of the site along Big Gulch Road (private), mostly APN 145-121-17 and 145-121-16. Therefore, public views of the site are extremely limited, and development of a residence and associated infrastructure would not significantly change existing views of the Pacific Ocean or coastal bluffs.
- d) **Less Than Significant Impact:** According to the application materials, “all exterior lighting will be downcast and shielded. The Project is subject to the exterior lighting regulations contained in MCC Section 20.504.035. The combination of existing standards and proposed lighting indicate that a substantial new light source would not be created. The proposed “standing seam metal roof” is not expected to create substantial glare.

MITIGATION MEASURES: None.

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 (FMMP) 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

DISCUSSION: The 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. Each map is updated at approximately two-year intervals. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called “Prime Farmland”. Other critical designations include “Unique Farmland” and “Farmland of Statewide Importance.” The most recent map covering Mendocino County was published in 2018.

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 an 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.

Several zoning districts established by the Mendocino County Zoning Ordinance allow for agricultural uses. The Zoning Ordinance also establishes use types which are allowable by-right and conditionally in each zoning district. A zoning conflict may occur if a use is proposed which is not allowable in the corresponding zoning district. Mendocino County has adopted Policies and Procedures for Agricultural Preserves and

Williamson Act Contracts, which were most recently amended in 2018. Among the policies and procedures are regulations concerning compatible and incompatible uses on lands under a Williamson Act contract.

Public Resources Code Section 12220(g) defines “forest land” as *“land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.”*

Public Resources Code Section 4526 defines “timberland” as *“land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.”* In this definition, “board” refers to the California Board of Forestry and Fire Protection.

Government Code Section 51104(g) defines “Timberland production zone” or “TPZ” as *“an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).”*

- a) **No Impact:** The project site is classified by the FMMP as “Urban and Built-Up Land (D)”. The project would not convert any off-site land to a different use.
- b) **Less Than Significant Impact:** The project site is not within lands under a Williamson Act contract. The subject parcel is within the Rural Residential (RR) zoning district as regulated by Mendocino County Code Chapter 20.376. Permitted agricultural use types in the RR district include “Light Agriculture”, “Row and Field Crops”, and “Tree Crops”. Due to the small size of the lot and environmental constraints imposed by the Mendocino County Local Coastal Program, agricultural viability is considered low. The proposed residential use would not conflict with the regulations of Chapter 20.376. Due to low agricultural viability of the lot, the Project is not expected to conflict with potential future agricultural use of the property.
- c) **Less Than Significant Impact:** The Project does not involve rezoning. Some scattered trees are located on the property, including some that would be removed to accommodate the proposed development. However, it is unlikely that the lot meets the definition of forest land or timberland. The RR zoning district allows for some agricultural uses, including the management of tree crops. However, the limited scale of such potential uses would render any impacts insignificant.
- d) **No Impact:** The site is unlikely to meet the definition of forest land because the potential for native tree cover on the lot is unlikely to be managed as a “forest resource” due to the limited size of the lot at less than one (1) acre. Therefore, no conversion of forest land would occur.
- e) **No Impact:** No other changes to the existing environment are expected to occur beyond on-site construction and operation activities. These activities would not result in the conversion of farmland to non-agricultural use as noted in the responses above.

MITIGATION MEASURES: None.

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

5.3 AIR QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: Mendocino County is located within the North Coast Air Basin. Mendocino County Air Quality Management District (MCAQMD) is responsible for enforcing the state and federal Clean Air Act, as well as local air quality regulations. Air Districts in California develop regulations based on the measures identified in the Clean Air Act and its Clean Air plan as well as state regulations. In Mendocino County, these are known as the district “Rules and Regulations”. These regulations establish the procedure for new point source emissions to obtain an air quality permit, air quality standards for new construction, and others. In 2005, MCAQMD adopted a Particulate Matter Attainment Plan which quantified past and present Particulate Matter levels and recommended control measures to reduce emissions. These control measures were incorporated into the District Rules and Regulations.

MCAQMD Rule 1-400 states: *“A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or that endanger the comfort, repose, health or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property.”*

Rule 1-430 requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

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

(existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horse power need a permit through the MCAQMD.

According to the US Environmental Protection Agency (EPA) Nonattainment Areas for Criteria Pollutants (Green Book), Mendocino County is in attainment for all National Ambient Air Quality Standards (NAAQS).⁴ In addition, Mendocino County is currently in attainment for all California Ambient Air Quality Standards (CAAQS). The County achieved attainment in 2021.⁵ The Hydrogen Sulfide and Visibility Reducing Particles designations remain unclassified in Mendocino County.

For the purposes of CEQA, MCAQMD previously recommended that agencies use adopted Bay Area Air Quality Management District (BAAQMD) thresholds for projects in Mendocino County. However, MCAQMD has issued clarifications to resolve conflicts between District rules and BAAQMD thresholds. This includes the Indirect Source Rule, Stationary Source Emissions Levels, CO Standards, Greenhouse Gas rules, Risk Exposure, and Odor rule. More information can be found on the MCAQMD website.⁶

Mendocino County General Plan Policy RM-37, RM-38, and RM-49 relate to Air Quality.⁷

Per California Health and Safety Code (HSC) Section 42705.5, “sensitive receptors” include hospitals, schools, day care centers, and other locations that the district or state board may determine. According to the California Air Resources Board (CARB), sensitive receptors include “*children, elderly, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. The locations where these sensitive receptors congregate are considered sensitive receptor locations. Sensitive receptor locations may include hospitals, schools, and day care centers.*”

Mendocino County also contains areas where naturally occurring asbestos (NOA) is known to occur. When asbestos fibers are disturbed, such as by grading and construction activities, the fibers can be released into the air. These fibers can cause serious health threats if inhaled. Ultramafic rocks are an indicator of possible asbestos minerals, including a rock known as serpentinite. Serpentinite and ultramafic rocks are common in the eastern belt of the Franciscan Formation in Mendocino County. Planning & Building Services uses a map derived from the California Bureau of Mines and Geology and the US Department of Agriculture’s Natural Resource Conservation Service (NRCS) to identify areas likely to have asbestos containing geologic features. MCAQMD has adopted policies for areas containing NOA. For projects in areas identified as potentially containing NOA, the District requires an evaluation and report by a State registered geologist to determine that any observed NOA is below levels of regulatory concern in the areas being disturbed. If it is determined that NOA is present at levels above regulatory concern, or the applicant chooses not to have the testing and evaluation conducted, MCAQMD requires that certain measures be implemented in accordance with Title 17 California Code of Regulations Section 93105.⁸

- a) **No Impact:** The Project was referred to MCAQMD on December 1, 2023. No response was received. The project is expected to comply with existing regulatory requirements of MCAQMD.

⁴ U.S. Environmental Protection Agency (2023). *Nonattainment Areas for Criteria Pollutants (Green Book)*. Retrieved from <https://www.epa.gov/green-book>.

⁵ California Air Resources Board (2022). *2021 Amendments to Area Designations for State Ambient Air Quality Standards*. Retrieved from <https://ww2.arb.ca.gov/rulemaking>.

⁶ Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/aqmd/>.

⁷ County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

⁸ Mendocino County Air Quality Management District (2013). *Policies for Areas Containing Naturally Occurring Asbestos (NOA)*. Retrieved from <https://www.co.mendocino.ca.us/aqmd>

This includes MCAQMD Rule 1-430, which requires specific dust control measures to be implemented during all construction operations, the grading of roads, or the clearing of land. As proposed, the Project does not conflict with MCAQMD Rules and Regulations because it would be bound by the existing regulatory structure, including consultation with MCAQMD and any required permits. No project features are proposed which would conflict with District Rules and Regulations, such as wood-burning stoves. The growth-inducing effects of the proposed project were analyzed when the Rural Residential land use classification was assigned to the site. The Project does not propose residential density beyond the Principal Permitted Use, and therefore is not expected to result in significant population growth.

- b) **No Impact:** Mendocino County is currently in attainment for all criteria pollutants at both the State and Federal level.
- c) **Less Than Significant Impact:** The nearest school is located approximately 13 miles away (Arena Union Elementary School). The nearest clinic is located approximately 1.5 miles away in Gualala (Redwood Coast Medical Services). Other sensitive receptors include nearby residences. Some temporary, intermittent pollutant emissions may occur due to construction of the residence. This may include lubricants, gasoline, diesel, solvents, and paint. The temporary, sporadic, and short-term nature of such emissions are not expected to result in air contaminant emission concentrations that would pose a health risk. Standard construction Best Management Practices are required for project implementation, which would help avoid unintended release of pollutants.
- d) **Less Than Significant Impact:** Construction activities may generate some temporary odors from diesel exhaust or asphalt paving. The California Air Resources Board’s Air Quality and Land Use Handbook includes a list of land uses which commonly result in odor complaints. This sewage treatment plants, landfills, autobody shops, and livestock operations. The project does not include land uses on this list. Solid waste generated by the project can be transported to the South Coast Transfer Station approximately 7.5 miles away, and therefore is not expected to result in significant odors. Though development is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. The project site is not in a mapped area which may contain naturally occurring asbestos (NOA).

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have a **Less Than Significant Impact** on Air Quality.

5.4 BIOLOGICAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<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 approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: In accordance with CEQA Guidelines Section 15380, a species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:

- Sections 670.2 or 670.5, Title 14, California Code of Regulations
- Title 50, Code of Federal Regulations Section 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered

The following may also be considered a special status species:

- Species that are recognized as candidates for future listing by agencies with resource management responsibilities, such as US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NOAA Fisheries, also known as NMFS), and California Department of Fish and Wildlife (CDFW)
- Species defined by CDFW as California Species of Special Concern
- Species classified as “Fully Protected” by CDFW
- Plant species, subspecies, and varieties defined as rare or threatened by the California Native Plant Protection Act (California Fish and Game Code Section 1900, et seq.)
- Plant species listed by the California Native Plant Society (meeting the criteria in CEQA Guidelines Section 15380) according to the California Rare Plant Ranks (CRPR)
- Mountain lions protected under the California Wildlife Protection Act of 1990 (Proposition 117) and designated as a specially protected mammal in California.

The Mendocino County General Plan identifies four (4) “sensitive habitats”, including Serpentine Soils and Rock Outcrops, Pygmy Forest, Wetlands and Waters of the United States, and Old-Growth Forest. Table 4-A of the General Plan contains a list of locally identified “special-status species” found in Mendocino County. In addition, General Plan Section 4-10 identifies Coho salmon, Chinook salmon, and steelhead trout as species for which habitat is found in large portions of Mendocino County. These species are of federal, state, and local concern.

The California Natural Diversity Database (CNDDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, 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, CNDDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened to Endangered. Planning & Building Services uses CNDDDB mapping to assist in identifying project-specific locations where special-status species have been found.

The US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation tool (IPaC) provides site-specific information on federally listed species. In addition, the USFWS National Wetlands Inventory houses information on the status, extent, characteristics, and function of wetlands.

Section 404 of the federal Clean Water Act establishes a program to regulate the discharge of dredged or fill material into waters of the United States. Section 404 requires a permit before dredged or fill material may be discharged unless the activity is exempt. Section 404 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.”*

At the state level, the Porter-Cologne Act governs water quality through nine Regional Water Boards and the State Water Board. Mendocino County is within the jurisdiction of the North Coast Regional Water Quality Control Board (the 'Board'). The Board regulates discharges under the Act through the issuance of National Pollutant Discharge Elimination System (NPDES) permits. The Porter-Cologne Act also requires adoption of regional water quality control plans. The North Coast Basin Plan was most recently adopted in 2018 and establishes water quality objectives, implementation measures, and monitoring programs for the region.

CDFW uses NatureServe's Heritage Methodology to assign global and state rarity ranks for natural communities. CDFW's Vegetation Classification and Mapping Program (VegCAMP) ranks California Natural Communities by their rarity and threat. Natural Communities with a rank of S1-S3 are considered Sensitive Natural Communities. The only comprehensive VegCAMP mapping completed in Mendocino County is that of Mendocino Cypress and Related Vegetation (Pygmy forest), Point Arena Stornetta Unit, and Garcia River.

Mendocino County General Plan Policy RM-28 and RM-29 relate to Biological Resources, including Action Item RM-28.1 regarding oak woodlands.⁹ Mendocino County currently has two active Habitat Conservation Plans (HCPs) with the U.S. Fish and Wildlife Service, the first of 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 Assessor Parcel Number 027-211-02 located at 43400 Hathaway Crossing, Point Arena. The second HCP is Pacific Gas & Electric Company's Multiple Region Operations and Maintenance HCP. The HCP was issued in 2020 for a period of 30 years. The HCP includes protections for several species across multiple jurisdictions. 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.

Other regulations which apply to biological resources include the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the Lake and Streambed Alteration Program. California Fish and Game Code (FGC) Section 3503.5 states *“it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”*

California PRC Section 21083.4 requires, *“as part of the determination made pursuant to Section 21080.1, a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. For purposes of this section, “oak” means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526, and that is 5 inches or more in diameter at breast height.”*

⁹ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

a-f) **Less Than Significant Impact with Mitigation Incorporated:** Per MCC Section 20.496.015 and Coastal Element Policy 3.1-2 a biological survey was submitted for the Project to determine the extent of any sensitive resources, document potential impacts, and recommend appropriate mitigation measures (*Environmentally Sensitive Habitat Area (ESHA) Survey* available on file at Planning & Building Services). The submitted report is the same as that submitted for CDP_2019-0032. The survey was conducted in August 2018. The survey found several Natural Communities that were considered ESHA, including 0.13 acres of Northern Coastal Bluff Scrub, 0.21 acres of Tufted Hair Grass Meadow, Slough Sedge Swards, and 0.02 acres of a Stream. The site contains two small areas of about 0.002 acres meeting either the Army Corps of Engineers or Coastal Commission definition of wetland. No Riparian Habitat was found. Three (3) special-status plant species were observed, including Short-leaved evax, Coastal bluff morning-glory, and Mendocino Coast paintbrush. One (1) special-status wildlife species was determined to have the potential to occur in the study area, but no potential for breeding habitat was observed during an additional survey in April 2019.

Based on these findings and Coastal Element Policy 3.1-7, a Least Damaging Alternative (LDA) was established. The entire parcel is located within one or more 100-foot buffer areas, while only a small portion would lie outside of a 50-foot buffer area. The LDA would allow development that would avoid the literal extent of all ESHA except one Coastal bluff morning-glory individual. Mitigation measures were recommended for the loss of vegetation within the 50-foot buffer, temporary ground disturbance for the development of infrastructure, and potential impacts to breeding birds during nesting season. These are recommended as conditions of approval.

An addendum to this survey was submitted July 27, 2020 (available on file at Planning & Building Services). The addendum notes that approximately 0.06 acres of vegetation within the 50-foot buffer would be permanently impacted by development in addition to the single Coastal bluff morning glory individual. The addendum states that a Habitat Mitigation and Monitoring Plan (HMMP) will be drafted to compensate these impacts through enhancement.

The HMMP was submitted in July 2020 (available on file at Planning & Building Services). The HMMP outlines project impacts in greater detail and establishes an ESHA Buffer Enhancement Area to account for impacts to both the Stream buffer and Northern Coastal Bluff Scrub buffer. The HMMP also outlines an Iceplant Removal Area. In addition to the mitigation measures outlined in the ESHA Survey, the HMMP outlines enhancement activities and measures to be implemented, including monitoring and success criteria of the enhancement areas. These are recommended as conditions of approval.

Because development would occur within ESHA buffer areas, staff reviewed MCC Section 20.496.020(A)(4) to determine if the Project would maintain consistency with minimum standards:

- Per MCC Section 20.496.020(A)(4)(a), implementation of enhancement activities, monitoring activities, and success criteria would ensure that the adjacent ESHA habitat will be sustained. No direct impact to the literal extent of ESHA would occur.
- Per MCC Section 20.496.020(A)(4)(b), a Least Damaging Alternative was established. Other locations would result in either the same or greater impacts.
- Per MCC Section 20.496.020(A)(4)(c), the Least Damaging Alternative is considered the “best site”.
- Per MCC Section 20.496.020(A)(4)(d), implementation of enhancement activities, monitoring activities, and success criteria would ensure that the adjacent ESHA habitat will be sustained. No direct impact to the literal extent of ESHA would occur.
- Per MCC Section 20.496.020(A)(4)(e), a Least Damaging Alternative was established. Mitigation measures have been recommended as described above.
- Per MCC Section 20.496.020(A)(4)(f), the HMMP establishes standards limiting the removal of vegetation. Grading, erosion, sedimentation, and runoff standards have been recommended. Fencing is recommended within the HMMP to prevent human encroachment into ESHA.
- Per MCC Section 20.496.020(A)(4)(g), no riparian habitat was found.
- Per MCC Section 20.496.020(A)(4)(h), the site is not within an area prone to flood hazards (see Hazard Areas section below).
- Per MCC Section 20.496.020(A)(4)(i), implementation of the HMMP would preserve biological diversity through enhancement.
- Per MCC Section 20.496.020(A)(4)(j), runoff standards outlined in the HMMP, set of plans, and Geotechnical Investigation are sufficient.

- Per MCC Section 20.496.020(A)(4)(k), the effects of developing within the ESHA buffer would not result in significant adverse impacts to ESHA through the implementation of the HMMP, whose recommendations have been incorporated as conditions of approval.

A single Coastal bluff morning glory would be permanently impacted by development. The ESHA Survey notes that *“loss of the single coast morning glory located within the LDA is not expected to be a significant impact as approximately 18 individuals will be retained and habitat for the avoided individuals will be enhanced through ice plant removal.”* Though the Coastal bluff morning glory would be considered an ESHA, the results of the ESHA Survey indicate that the findings contained in MCC Section 20.532.100(A)(1) can be made to allow development within the ESHA.

On February 14, 2024, CDFW provided comments recommending that symbolic fencing be installed at the edge of the western bluff ESHA to prevent future encroachment into the ESHA. Prevention of future encroachment would further reduce potential impacts and is included as a mitigation measure.

No oak woodlands are present on the site. The recommendations contained in the ESHA Survey and HMMP are considered sufficient to mitigate impacts to a less-than-significant level. The Project is not within the boundaries of any Habitat Conservation Plan, Natural Community Conservation Plan, or other approval local, regional, or state habitat conservation plan.

MITIGATION MEASURES:

BIO-1: In accordance with the Coastal Habitat Mitigation and Enhancement Plan (HMMP) dated July 2020, the following measures shall be implemented for the Project:

1. Pre-Construction General Measures:

- a. Prior to ground disturbance or clearing of herbaceous vegetation associated with the proposed residence, a combination silt fence and high visibility construction fence shall be installed around the construction impact area along the stream ESHA (to the north of the proposed residence). In the direction of remaining ESHA (to the west), high visibility construction fencing only shall be installed. The locations of the fencing and any potential ESHA boundaries in the vicinity of construction shall be clearly delineated by a qualified biologist.
- b. Where and when feasible, perennial native species shall be “salvaged” from the designated construction area to be relocated to an appropriate sized contained and maintained until such time they can be transplanted into a designated enhancement area. During the fence delineation, the qualified biologist shall identify “candidate” native plants for relocation (e.g. robust perennial herbs, small native shrubs).
- c. Prior to construction, project contractors shall be informed of the sensitive resources within the Study Area. Project contractors shall be trained in proper implementation of erosion and sediment control techniques.

2. During Construction General Measures:

- a. Construction and well drilling should occur during the dry season (generally April 15 through October 15, weather dependent), and/or periods of substantial dry weather to minimize potential erosion and sedimentation (during the wet season: five days or greater of less than 0.25 inch of rainfall with a 10-day preceding rainfall of less than one inch, and a 25-day preceding rainfall of less than three inches). Should work necessarily occur during the wet season, erosion control measures (e.g. silt fencing) will be deployed. Likewise, a biological monitor should inspect the site during wet season work to ensure that erosion control measures are appropriate and effective.
- b. No grading, placement of fill material and/or equipment, or other ground disturbance may occur beyond the designated construction impact area without County of Mendocino

approval and consultation with a qualified biologist. The fencing shall be inspected by a qualified biologist at least once during construction to ensure that no encroachment into potential ESHA has occurred. The combination silt fence/construction fence may only be removed once all construction activities are completed and revegetation has occurred.

- c. No activities may occur that will disturb vegetation, topography, or hydrology beyond the construction impact area, both during and following construction, including, but not limited to laying down of materials or equipment, parking of vehicles, regular and frequent visitation, and side cast of excess building materials.
 - d. Solid materials, including, but not limited to, wood, masonry, rock, glass, paper, or other materials shall not be stored outside of the construction impact area. Solid waste materials shall be stored within designated areas outside of the literal extent of ESHA, in clearly delineated designated areas.
 - e. Fluid materials, including, but not limited to concrete, wash water, lubricants, gasoline, diesel, solvents, and paint used during construction shall not be disposed of on-site and shall be stored or confined as necessary to prevent spillage into natural habitats including the potential onsite ESHA. Spill prevention devices (e.g. drip pans) shall be available for all fluids necessary to construction activities. If a spill of such materials occurs, the area shall be cleaned immediately and contaminated materials disposed of properly. The affected area shall be restored to its original condition.
 - f. At least one cubic yard of cut topsoil from foundation work and other construction related activities shall be relocated to a tarpaulin and covered in mulch. This topsoil will serve as a slurry medium for post-construction seed scattering in the enhancement areas. The cut topsoil shall be stored in the on-site non-native grassland or Monterey cypress woodland portion of the Project Area.
3. Post-Construction General Measures:
- a. Immediately following completion of construction activities, areas of bare soil outside of proposed enhancement areas shall be seeded with fast-growing native annual and perennial herbaceous species to reduce the potential for erosion (see Table 1 in Section 5.1.3 of the HMMP). Certified weed-free straw and/or mulch shall be lain down with the seed. Those areas of unearthed bare soil from construction related activities within the proposed enhancement areas shall be seeded and planted from the recommended plant palette (see Tables 2 & 3 in Section 5.1.3 of the HMMP).
 - b. Landscape plantings in the immediate vicinity of the proposed residence shall be preferentially species native to coastal Mendocino County. Those non-native species selected for landscape plantings or gardening shall not be invasive species listed with Cal-IPC (2020) or CDFA (2003), or have the potential to escape into the remainder of the Parcel. A qualified biologist and/or landscape contractor can assist the property owners to determine which species would meet these criteria. Planting of non-native species, as defined in this HMMP, shall not occur within the proposed enhancement areas, on-site ESHA, or the non-native grassland within the 50-foot ESHA buffer.
 - c. A fence will be erected (during the project) to provide a barrier between the residence and the coastal bluff scrub ESHA, tufted hair grass meadow ESHA, and stream ESHA. Visitation to these habitats shall be kept to a minimum and for the purpose of typical property management and habitat enhancement (e.g. removal of invasive weeds). The property owners (current and future) shall inform all guests, contractors, or other visitors to the property that frequent entry into these habitats is forbidden for reasons other than property and habitat management.
 - d. Monitoring of enhancement areas, a photographic record, and a report documenting the implementation of the enhancement efforts shall be submitted to the County of Mendocino.

The report shall be drafted on an annual basis for 5 years and will be submitted no later than December 31.

4. Measures for Breeding Birds:

- a. The bird breeding season typically extends from February 1 to August 15. If feasible, project activities (vegetation/tree removal, the initiation of mechanized ground disturbance) are recommended to be performed in avian non-breeding season from August 16 to January 31. If such is not feasible, a qualified biologist shall perform a pre-construction breeding bird survey within 14 days of the onset of construction and/or vegetation removal. All active bird nests observed during the survey will be protected by an exclusion buffer in which no work activities are allowed. The size of each work exclusion buffer will be determined by the qualified biologist; relevant factors include bird species, nest location (e.g., height off ground), and levels of ambient visual and acoustic disturbances in the area. Exclusion buffers shall remain in place until all young at each respective nest are no longer dependent upon the nest structure. A biologist should monitor buffered nest sites regularly (e.g., weekly) during the breeding season to ensure the implemented buffer is sufficient to protect the nest site from potential disturbances.

BIO-2: Enhancement activities and monitoring shall occur in accordance with Section 6 of the Coastal Habitat Mitigation and Enhancement Plan (HMMP) dated July 2020, including Section 6.2 *Site Preparation and Implementation of Enhancement Areas*, Section 6.3 *Monitoring and Success Criteria of the Enhancement Areas*, and Section 6.4 *Breeding Birds*.

BIO-3: Symbolic fencing shall be installed along the edge of the western bluff ESHA to prevent future encroachment into the ESHA.

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

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: In accordance with CEQA Guidelines section 15064.5, “historical resource” includes the following:

- A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
 - “Local register of historic resources” means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:
 - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; or
 - Is associated with the lives of persons important in our past; or
 - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - Has yielded, or may be likely to yield, information important in prehistory or history.
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.
 - "Historical resource" includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. "Substantial adverse change in the significance of a historical resource" means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

The significance of a historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

CEQA Guidelines Section 15064.5 establishes procedures for addressing determinations of historical resources on archaeological sites and subsequent treatment of the resource(s) in accordance with PRC Section 21083.2. CEQA Guidelines Section 15064.5 establishes procedures for the treatment of Native American human remains in environmental documents. PRC Section 21082 establishes standards for accidental discovery of historical or unique archaeological resources during construction.

The California Office of Historic Preservation (OHP) houses the Built Environment Resource Directory (BERD). BERD files provide information regarding non-archaeological resources in OHP's inventory. Each resource listed in BERD is assigned a status code, which indicates whether resources have been evaluated

as eligible under certain criteria. This tool provides information to assist in identifying potentially historic resources throughout the County.¹⁰

- a) **No Impact:** Per MCC Chapter 22.12 and Coastal Element Policy 3.5-10, an Archaeological Survey Report completed in August 2020 was submitted for the Project. This same report was submitted for CDP_2019-0032. The survey covered the entirety of the project site. No cultural resources were identified as a result of the survey. The report concluded that *“the project, as presently designed, is not anticipated to have an adverse effect on significant cultural resources and should be allowed to proceed as designed.”* This report was discussed at the December 9, 2020 Mendocino County Archaeological Commission Meeting, where the Commission moved to accept the survey with the application of the “Discovery Clause” pursuant to MCC Section 22.12.090. The Project was referred to the Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. No response was received.
- b) **No Impact:** As noted above, the Archaeological Survey Report submitted for the Project found no cultural resources on the site, including archaeological resources.
- c) **No Impact:** No evidence of human remains was identified within the Archaeological Survey Report. The potential for unanticipated discovery remains, but this situation is addressed by existing regulations (the “Discovery Clause”) and standard conditions applied to all Coastal Development Permits.

MITIGATION MEASURES: None.

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

5.6 ENERGY

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

DISCUSSION: California Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015, sets 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 saving 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 2022 Scoping Plan for Achieving Carbon Neutrality, adopted by the California Air Resources Board (CARB), *“lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279.”*¹¹

Title 24, Part 11 of the California Code of Regulations establishes the California Green Building Standards Code, known as ‘CALGreen’. The purpose of this code is to enhance the design and construction of buildings and encourage sustainable construction practices as they relate to planning and design, energy

¹⁰ California Department of Parks and Recreation (2023). Office of Historic Preservation. *Built Environment Resource Directory (BERD)*. Retrieved from https://ohp.parks.ca.gov/?page_id=30338.

¹¹ California Air Resources Board (2022). *2022 Scoping Plan for Achieving Carbon Neutrality*. Retrieved from <https://ww2.arb.ca.gov>.

efficiency, water efficiency and conservation, materials conservation and resource efficiency, and environmental quality. Unless specifically exempt, the CALGreen standards apply to the planning, design, operation, construction, use, and occupancy of newly constructed buildings or structures throughout the state. Mandatory standards for energy efficiency are adopted by the California Energy Commission every three years. In 2021, the Commission adopted the 2022 Energy Code, which includes Building Energy Efficiency Standards. The Code *“encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more.”*

Project factors that may influence energy impacts include the following:

- Energy consuming equipment and process to be used during construction, operation, or demolition, including the energy intensiveness of materials and equipment.
- Fuel type and end use of energy.
- Energy conservation equipment and design features to be implemented.
- Energy supplies that would serve the project, such as a utility company.
- Vehicle trips to be generated, including estimated energy consumed per trip.

Factors that may lessen energy impacts include those that decrease overall per capita energy consumption; decreased reliance on fossil fuels such as coal, natural gas, and oil; and increased reliance on renewable energy sources.

Mendocino County General Plan Policy RM-55, and RM-57 relate to energy, including Action Item RM-55.1 and RM-55.2.¹² Ukiah Public Utilities is the only municipal utility in Mendocino County. Most residents receive electric service from Pacific Gas and Electric (PG&E).

- Less Than Significant Impact:** The proposed project would be required to comply with applicable best management practices and energy code standards for construction of the residence. The 2022 Energy Code standards ensure that operation of the residence, including the use of appliances, space heating, wells, and other energy-consuming activities would not create a significant impact. The project may induce additional vehicle trips or miles traveled, but residential use is not anticipated to result in significant energy use from vehicle trips as discussed in the “Transportation/Traffic” section. The residence would be accessed by a short driveway directly adjacent to a private road. This siting and orientation ensure that vehicles traveling to and from the site would not unnecessarily waste energy.
- No Impact:** Mendocino County does not have an allocated plan for renewable energy or energy efficiency. However, the project is consistent with applicable General Plan policies and SB 350 because it would be required to comply with Energy Code standards, including applicable renewable energy requirements for residential construction. Likewise, the project is consistent with CARB’s 2022 Scoping Plan as discussed in the Greenhouse Gas Emissions section of this document.

MITIGATION MEASURES: None.

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

5.7 GEOLOGY AND SOILS

¹² The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

DISCUSSION: The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation. Thick soil development and landslides often 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 often 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. Human activities that affect vegetation, slope gradients, and drainage processes can 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 nine (9) percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than fifteen (15) percent have a high erosion hazard.

In 1991, the U.S. Department of Agriculture and Soil Conservation Service, in partnership with several other agencies, published the Soil Survey of Mendocino County, Eastern Part, and Trinity County, Southwestern Part, California. The survey assigns different soils to Map Unit numbers. In 2002, the accompanying Soil Survey of Mendocino County, California, Western Part was published.

The California Geological Survey (CGS) houses the web-based California Earthquake Hazards Zone Application (EQ Zapp), which allows a user to check whether a site is in an earthquake hazard zone.¹³ The California Department of Conservation also houses a general-purpose map viewer that contains layers

¹³ California Department of Conservation (2021). California Geological Survey. *EQ Zapp: California Earthquake Hazards Zone Application*. Retrieved from <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>.

displaying locations and data related to the California Landslide Inventory, the Seismic Hazards Program, Earthquake Shaking Potential, Historic Earthquakes, and others.

Development can result in soil erosion or loss of topsoil if project activities result in deep slope rills, gullies, or unmanageable accumulation of sediment. Ground disturbing activities most often result in impacts, including grading. Soil can be exposed during construction activities and increase the potential for soil erosion to occur, especially during storm events. Impervious surface areas would not be prone to erosion or siltation because no soil is included in these areas but increased impervious surfaces may impact surrounding hydrology and result in erosion impacts nearby.

Lateral spreading often occurs on gentle slopes or flat terrain and consists of lateral extension accompanied by shear or tensile fracture. Lateral spreading is often caused by liquefaction, which in turn is triggered by rapid ground motion from earthquakes or artificial activities. Bedrock or soil resting on materials that liquefy can undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow.

Subsidence refers to broad-scale change in the elevation of land. Subsidence is commonly caused by groundwater extraction, oil extraction, underground reservoir pumping of gas, dissolution of limestone aquifers (sinkholes), collapse of a mine, drainage of organic soil, or initial wetting of dry soil (hydrocompaction). The US Geological Survey (USGS) regularly publishes information on land subsidence in California, including a map showing areas of land subsidence due to groundwater pumping, peat loss, and oil extraction.¹⁴

The Mendocino County Local Agency Management Plan establishes standards for on-site treatment of wastewater, including site evaluation, design, construction, and monitoring requirements. The Plan is administered by the Division of Environmental Health.

Unique geologic features are rocks or formations which:

- Are the best example of their kind locally or regionally; or
- Embody the characteristics of a geologic principle that is exclusive to the locality or region; or
- Provide a key piece of information important in geology or geologic history; or
- Are a "type locality" of a geologic feature.

Impacts to unique geologic features could include material impairment through destruction or alteration, including grading, rock hunting, human encroachment, or permanent covering of the feature.

- a) **Less Than Significant Impact:** According to EQ Zapp mapping, the site is not located in an earthquake hazards zone. A Geotechnical Investigation completed in 2019 was submitted for the Project (available on file at Planning & Building Services). The Geotechnical Investigation concluded that *"no evidence of recent faulting was observed by BAI or shown in the site vicinity on the published geologic maps that we reviewed for this investigation. The presence of ancient faults within the coastal bluffs is common, and should not impact the proposed residence due to their inactivity. Therefore, the potential for fault rupture at the site is considered low."*

The Geotechnical Investigation notes that *"the intensity of ground shaking at the site will depend on the distance to the causative earthquake epicenter, the magnitude of the shock, and the response characteristics of the underlying earth materials. Generally, structures founded in supporting materials and designed in accordance with current building codes are well suited to resist the effects of ground shaking."* Therefore, a less than significant impact would occur because the Project would inherently be required to comply with applicable building codes, including Seismic Design Criteria.

The Geotechnical Investigation notes that laboratory testing of soils from the site and a liquefaction analysis was performed. The results indicated the potential for moderate liquefaction at the site during a design earthquake. An analysis was also performed to estimate

¹⁴ U.S. Geological Survey. Liquefaction Susceptibility. Retrieved from <https://earthquake.usgs.gov/education/geologicmaps/liquefaction.php>.

induced vertical settlement due to liquefaction. The results of that analysis indicated that no liquefaction induced settlement would occur at the boring locations created for the Geotechnical Investigation. The Geotechnical Investigation also concluded that there is no potential for lateral spreading at the site.

- b) **Less Than Significant Impact:** Civil Improvement Plans were submitted for the Project. According to these plans, the estimate quantity of cut and fill will be 110 and 50 cubic yards, respectively. The total area of disturbance, including the driveway, structures, utilities, stockpile areas, concrete wash out, staging area, demolition area, and material and wasted storage area would be 4,870 square feet. The average existing slope within grading limits is 9.4%, while the maximum existing slope within grading limits is 24.9%.

The Civil Improvement Plans include several notes regarding Clearing, Stormwater Pollution Prevention, Grading, Dust Control, and Erosion & Sediment Control. A separate Grading & Drainage Plan, Utility Plan, and Erosion & Sediment Control Plan was provided. The Geotechnical Investigation also recommends several measures that can help avoid landslide and erosion impacts. These include clearing and stripping vegetation; removal of weak and porous soils; foundation support such as spread footings or drilled piers; retaining walls; and diversion of surface flows and subsurface seepage away from building foundations and the bluff edge. These notes and Best Management Practices implemented during construction would ensure that substantial erosion would not occur.

- c) **Less Than Significant Impact with Mitigation Incorporated:** Development that is too close to the bluff edge may result in instability. The Geotechnical Investigation concluded that an average bluff retreat rate along the bluffs at the project site would be approximately one-half inch per year. The effects of sea level rise on bluff retreat are discussed in the Investigation. For a structure with a lifetime of 2019 through 2094, the Investigation concluded that a total bluff retreat of 17.25 feet would occur. A slope stability analysis is also discussed in the Investigation, the results of which *“do not affect the bluff retreat rate”*. With an added safety factor of 1.5, the Investigation recommends a bluff edge setback of twenty-six (26) feet. Restricting development within this setback area would ensure that bluff geology is not imperiled by development. Therefore, a mitigation measure is contemplated which would require the establishment of the setback. The proposal already sites the proposed residence greater than 26 feet from the bluff edge.

- d) **Less Than Significant Impact with Mitigation Incorporated:** 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. Though no mention of expansive soils was included in the Geotechnical Investigation, it was noted that *“loose and porous surface soils”* occur on the site. These soils *“are weak and susceptible to collapse and consolidation under light to moderate loads and is not suitable for support of foundations or slab-on-grades in their current condition.”* Recommendations for deepening of foundations below this weak soil zone or removing a portion of the loose topsoil and replacing it with compacted fill are included in the Investigation. Therefore, impacts are potentially significant, but can be mitigated with implementation of the recommendations contained in the Investigation and an associated mitigation measure is contemplated.

- e) **Less Than Significant Impact with Mitigation Incorporated:** The Project would utilize a connection to the Gualala Community Services District sewage disposal system. A septic tank would be installed, but impacts would similarly be less than significant with implementation of the recommendations contained in the Geotechnical Investigation.

- f) **Less Than Significant Impact:** No evidence of paleontological resources was identified within the Archaeological Survey Report. The potential for unanticipated discovery remains, but this situation is addressed by existing regulations (the “Discovery Clause”) and standard conditions applied to all Coastal Development Permits.

MITIGATION MEASURES:

GEO-1: Construction shall be carried out in accordance with the Civil Improvement Plans prepared for the Project, including the notes and plans contained therein. This includes but is not limited to notes and plans regarding Clearing, Stormwater Pollution Prevention, Grading, Dust Control, and Erosion & Sediment Control.

GEO-2: Construction shall be carried out in accordance with the Geotechnical Investigation prepared for the project, including those recommendations related to Setbacks, Site Grading, Foundation Support, Seismic Design Criteria, Concrete Slab-on-Grade, Retaining Walls, and Site Drainage.

FINDINGS: The proposed project would have a **Less Than Significant Impact** on Geology and Soils with Mitigation Incorporated.

5.8 GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: Title 14 CCR Section 15064.4 establishes specific guidelines for determining the significance of impacts from greenhouse gas emissions. Lead agencies may choose to quantify greenhouse gas emissions resulting from a project or rely on a qualitative analysis or performance-based standards.

Mendocino County Air Quality Management District (MCAQMD) has 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 MCAQMD, these CEQA thresholds of significance are the same as those which have been adopted by the Bay Area Air Quality Management District (BAAQMD) with noted exceptions.

MCAQMD has not adopted a construction related emissions threshold. For projects other than stationary sources, the operational threshold is 1,100 Metric Tons of CO2e per year or 4.5 Metric Tons of CO2e per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO2e per year.

The California Emissions Estimator Model (CalEEMod) is a tool that can be used to quantify ozone precursors, criteria pollutants, and greenhouse gas emissions from construction and operation of development in California. The model is published by the California Air Pollution Control Officers Association.¹⁵

MCAQMD and Mendocino County have not adopted any plans specifically aimed at reducing GHG emissions. However, General Plan Policy RM-50 and associated action items address GHG emissions: California Climate Policies related to GHG emissions include but are not limited to SB 32, AB 32, AB 1493, SB 100, SB 350, SB 375, SB 743, SB 604, and SB 1383.

¹⁵ California Air Pollution Control Officers Association. (2022). *CalEEMod* (Version 2022.1). <https://www.caleemod.com/>.

- a) **Less Than Significant Impact:** CalEEMod was used to estimate daily emissions from construction and yearly operational emissions.¹⁶ Maximum daily emissions during construction were estimated to be 415 pounds of CO₂e per day. This would be equivalent to approximately 69 metric tons of CO₂e per year. Though no construction threshold has been adopted, this would be well below the operational threshold adopted by MCAQMD, and impacts would therefore be less than significant. Operational emissions were estimated to be 23 metric tons of CO₂e per year, which is also below the threshold.
- b) **Less Than Significant Impact:** No Climate Action Plan has been adopted covering the project site. According to the California Air Resources Board (CARB) 2022 Scoping Plan, lead agencies may analyze the GHG impact of proposed projects by employing a threshold of significance recommended by the applicable air district. As the project has been determined to result in less than significant impacts using MCAQMDs threshold described above, it is therefore consistent with CARBs recommendation for evaluating GHG impacts and aligns with State climate goals.¹⁷

MITIGATION MEASURES: None.

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

5.9 HAZARDS AND HAZARDOUS MATERIALS

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

¹⁶ Mendocino County Department of Planning & Building Services (2024). *CDP_2023-0039 Detailed Report*. Available on file at the Department of Planning & Building Services.

¹⁷ California Air Resources Board (2022). *2022 Scoping Plan for Achieving Carbon Neutrality*. Retrieved from <https://ww2.arb.ca.gov>.

DISCUSSION: California Health and Safety Code (HSC) Section 25501 defines “hazardous materials” as a material that, *“because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.”* The use, storage, and transport of hazardous materials are regulated by the California Department of Toxic Substances Control (DTSC) as provided by Title 22 California Code of Regulations Section 66001, et seq. Unless specifically exempted, it is unlawful for any person to transport hazardous waste unless the person holds a valid registration issued by DTSC.

Construction activities often involve the use of oils, fuels, solvents, gasoline, lubricants, and paint. These and other materials may be classified as hazardous materials. Commercial or residential operations may also involve the use of hazardous materials, particularly cleaning supplies, batteries, and electronics. Agricultural operations and landscaping may include hazardous materials such as fertilizer and pesticides.

The California Environmental Protection Agency (CalEPA) maintains several data resources that provide information regarding the facilities or sites identified as meeting the “Cortese List” requirements, including:

- List of Hazardous Waste and Substances sites from DTSC EnviroStor database.
- List of Leaking Underground Storage Tank Sites from the State Water Board’s GeoTracker database.
- List of Solid Waste Disposal Sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit (from CalEPA’s website).
- List of “active” CDO and CAO from the State Water Board.
- List of Hazardous Waste Facilities subject to corrective action pursuant to CA HSC §25187.5 as identified by DTSC (from CalEPA’s website).

The Mendocino Solid Waste Management Authority (MendoRecycle) was formed in 1990 as a joint powers authority between the County of Mendocino and the cities of Ukiah, Willits, and Fort Bragg. MendoRecycle provides administrative oversight and program implementation for solid waste and recycling in the County. MendoRecycle directly operates the household hazardous waste (HHW) facility in Ukiah. The Mendocino County Division of Environmental Health is responsible for administering hazardous waste generation and treatment regulations. General Plan Policy DE-203, DE-209 and DE-210 relate to hazardous materials and wastes.

The Mendocino County Airport Land Use Plan and Ukiah Municipal Airport Land Use Compatibility Plan establish regulations, implementation measures, and procedures for addressing safety hazards and noise concerns related to airports. Mendocino County’s Emergency Operations Plan and Multi-Jurisdictional Hazard Mitigation Plan establish regulations, implementation measures, and procedures related to emergency response and evacuation. The California Department of Forestry and Fire Protection (CALFIRE) has established Fire Safe Regulations for certain projects in the State Responsibility Area. CALFIRE designates areas of the County into fire severity zones, which inform recommendations for land use agencies and planning. Several fire agencies serve the Local Responsibility Areas in Mendocino County and have established fire safety regulations for development.

- a) **Less Than Significant Impact:** No transport or use of hazardous materials are proposed as part of the project. Some incidental use of hazardous materials may occur during construction or operation, but the transport and use of these materials would be temporary and at concentrations that do not pose a significant health risk. Household products and construction tools are expected to meet applicable local, state, and federal requirements for hazardous materials. Adequate facilities exist to handle disposal of waste through MendoRecycle.
- b) **Less Than Significant Impact:** No significant concentrations of hazardous materials are expected to be used during construction or operation. The proposed project would implement BMPs aimed at reducing stormwater pollution, erosion, and sedimentation. This would limit accidental release of potentially hazardous materials into the surrounding environment. These BMP requirements are applied to any project in this class, and as such are not considered mitigation measures.

- c) **Less Than Significant Impact:** The nearest existing or proposed school is Arena Union Elementary approximately 13 miles from the project site. Project construction and operation is not expected to utilize substantially hazardous materials. It is unlikely that such materials would be emitted beyond the project site.
- d) **No Impact:** The project site is not listed on any of the above referenced documents that would be considered part of the “Cortese List” compiled pursuant to Government Code Section 65962.5.
- e) **No Impact:** The nearest airport is the Ocean Ridge Airport about 3 miles from the site. The site is not within an airport zone as outlined in the Mendocino County Airport Land Use Plan. Therefore, no safety hazards or excessive noise are expected due to the airport at the project site.
- f) **No Impact:** As outlined in the Emergency Operations Plan, the County uses the California Standardized Emergency Management System and National Response Framework to guide emergency response. The project is not expected to interfere with the establishment of an Emergency Operations Center because it would not physically impair travel to and from a center. The project is expected to make use of existing utility and telecommunication infrastructure, which would allow receipt of alerts, notifications, or warnings. Therefore, the project is not expected to interfere with the adopted Emergency Operations Plan.
- g) **Less Than Significant Impact:** The project site is within the State Responsibility Area and is classified within the Moderate Fire Hazard Severity Zone. CAL FIRE and the South Coast Fire Protection District did not respond with any comments on the project. However, CAL FIRE did issue File #53-19 on February 6, 2019 for CDP_2019-0032. These Conditions of Approval remain valid because the scope of the project has not changed from that originally submitted to CAL FIRE. Standard conditions of approval require that the applicant follow the measures recommended by CAL FIRE. With standard conditions in place, the project would meet CAL FIRE standards, minimizing risk.

MITIGATION MEASURES: None.

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

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: Regulatory agencies include the 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. Certain activities may require a Construction General Permit from SWRCB.

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels*. Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems outside of the Ukiah Valley and contributes significantly to irrigation. The County’s groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, and irrigation. Specific information regarding recharge areas for Mendocino County’s groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock, 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.

Chapter 4.13 of the Mendocino County Coastal Element, Sustainability Policy Action number S-5.1, states new projects that *create or replace 2,500 square feet or more of impervious area shall implement site design measures to reduce stormwater runoff and increase groundwater recharge*. Mendocino County Code Title 16 establishes water and sewage regulations. It is primarily the responsibility of the Division of Environmental Health (EH) the implement these regulations, including permitting wells and septic systems. Chapter 16.30 establishes stormwater runoff pollution prevention procedures. The purpose of Chapter 16.30 is to *“protect and promote the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.), and the Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drainage system.”*

The National Flood Hazard Layer maintained by the Federal Emergency Management Agency (FEMA) can be used to review project impacts from flooding. The Department of Water Resources Division of Safety of

Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers and submitted by dam owners for hazardous dams and appurtenant structures. These maps are based on a hypothetical failure of a dam or appurtenant structure. DSOD maintains a web map that displays this information.

Projects may be subject to applicable regulations found in MCC Chapter 16.30. Section 16.30.040 prohibits elicit discharges. Section 16.30.070 requires implementation of Best Management Practices (BMPs) to the maximum extent practical for reducing pollutants in stormwater.

- a) **Less Than Significant Impact:** The Project would make use of an existing well that complies with Environmental Health standards. The standard regulations applicable to the Project ensure that discharges due to construction would not degrade water quality or violate discharge requirements. Though unlikely, the general prohibition on elicit discharges would ensure that potential violations during operation of the single-family residence would be remediated, inspected, monitored, or enforced appropriately in accordance with MCC Chapter 16.30. Standard construction practices and BMPs implemented in accordance with the submitted plans, Geotechnical Investigation, and Coastal Habitat Mitigation and Enhancement Plan ensure that illicit discharge during construction and operation is kept to a minimum. These documents are available one file with Planning & Building Services.
- b) **Less Than Significant Impact:** Per MCC Section 20.516.015(B) and Coastal Element Policies 3.8-1 and 3.9-1, a test well was drilled on the property after approval of CDP_2019-0032. On August 24th, 2023, a 17-hour Proof of Water test was conducted on this well. The well pumped at a flow rate of 0.62 gallons per minute (gpm). In accordance with the County of Mendocino Coastal Groundwater Development Guidelines, *“a minimum supply of 0.5 gpm may be acceptable for individual residences if supplemented with water storage capacity of 2,500 gallons or more.”* The Project would include the installation of a 5,000-gallon water storage tank. Thus, adequate proof of water supply during dry summer months has been demonstrated. Conformity with these standards ensures that groundwater supplies and quality are not significantly impacted.
- c) **Less Than Significant Impact:** As noted above, the project would implement BMPs that would reduce erosion or siltation during construction. The avoidance measures discussed in the “Biological Resources” section above would further limit erosion and siltation, particularly regarding the stream located north of the site. Civil Improvement Plans were submitted for the Project. According to these plans, the estimated quantity of cut and fill would be 110 and 50 cubic yards, respectively. The total area of disturbance, including the driveway, structures, utilities, stockpile areas, concrete wash out, staging area, demolition area, and material and wasted storage area would be 4,870 square feet. The average existing slope within grading limits is 9.4%, while the maximum existing slope within grading limits is 24.9%. The Civil Improvement Plans include several notes regarding Clearing, Stormwater Pollution Prevention, Grading, Dust Control, and Erosion & Sediment Control. A separate Grading & Drainage Plan, Utility Plan, and Erosion & Sediment Control Plan was provided. Staff reviewed these plans and found them to substantially conform to the standards outlined in Chapter 20.492. Compliance with this Chapter of the Mendocino County Coastal Zoning Code indicates that erosion, siltation, surface runoff, and stormwater pollution would be minimized. Therefore, no mitigation measures are necessary. The site is not within a FEMA Flood Hazard Area and therefore is not expected to impede or redirect flood flows.
- d) **No Impact:** The site is not within a FEMA Flood Hazard Area. Though the site is flat and contains a small stream, it is unlikely to be affected by seismic seiche because any standing water on the site would be shallow and interrupted by vegetation. The site is not within a dam breach inundation area as identified by the Division of Safety of Dams. The site is not within a Tsunami Hazard Area as identified by the California Geological Survey.
- e) **No Impact:** Applicable plans include the Mendocino County Coastal Element, Coastal Zoning Code, 1982 Coastal Ground Water Study, and Environmental Health standards. As discussed above and throughout the associated Staff Report, this Project has been found to be consistent with these plans.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have a **Less Than Significant Impact** on Hydrology and Water Quality.

5.11 LAND USE AND PLANNING

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance with regards to land use. Several localized plans also regulate land uses in the County, including the Mendocino Town Plan, Ukiah Valley Area Plan, Gualala Town Plan, and community-specific policies contained within the General Plan. Discretionary projects are referred to several agencies with jurisdiction over aspects of the project as well as other interested parties.

- a) **No Impact:** Construction and operation of a single-family residence is not expected to result in any physical divisions within the surrounding neighborhood. The residence would not block travel from one lot to another or along roads.
- b) **No Impact:** The General Plan, Coastal Element, and Coastal Zoning Code contain policies and regulations aimed at avoiding or mitigating environmental impacts. The Project has been determined to be consistent with applicable regulations as described elsewhere in this document and the associated Staff Report.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>

DISCUSSION: The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy 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 policies for the reclamation of mined lands and the conservation of mineral resources. SMARA also directs the State Geologist to identify and map non-fuel mineral resources of the state to show where

economically significant mineral deposits occur and where they are likely to occur based upon the best available scientific data. No SMARA classification has yet occurred in Mendocino County.

The California Division of Mine Reclamation houses the Mines Online database, which maps the location and provides access to documents for several mines in Mendocino County. 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. However, no specific sites have been identified in the General Plan or Coastal Element as locally important mineral resource recovery sites beyond the general identification of quarries, instream gravel, and terrace gravel operations.

- a) **No Impact:** The site does not contain any known mineral resources of value. Ground disturbance would be limited near-surface soils.
- b) **No Impact:** No locally important mineral resources are known to occur on the project site. Ground disturbance would be limited near-surface soils.

MITIGATION MEASURES: None.

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

5.13 NOISE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>

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. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise sensitive.

Major noise sources in Mendocino County consist of highway and local traffic, railroad operations, airports, commercial and industrial uses, recreation, and community facilities. Highways with traffic that generates significant noise include State Route 101, 1, 20, 128, 162, 175, and 253. The only active railroad is the

Skunk Train which runs between Fort Bragg and Willits. Public Airports include Ukiah Municipal, Willits Municipal (Ells Field), Round Valley Airport, Boonville Airport, Little River Airport, and Ocean Ridge Airport (Gualala). Major industrial sources of noise include lumber mills and timber production facilities. Other noise sources are identified in the General Plan. General Plan Policy DE-98, DE-99, and DE-105 relate to noise, including Action Item DE-99.2.¹⁸

- a) **Less Than Significant Impact:** Construction of the residence is not expected to create substantial noise beyond the standards outlined in the General Plan and the Exterior Noise Limit Standards found in Appendix C of the County Code. Some temporary noise impacts may occur, but existing regulations limiting allowable noise would restrict construction noise. Operation is not expected to be a significant new source of noise. The proposed residence would be considered a noise-sensitive land use, but it not located in an area of excessive noise. Limited roadway construction is planned, but the impacts of such construction would be intermittent and temporary.
- b) **Less Than Significant Impact:** Excessive ground borne vibration may occur from pile driving, pavement breaking, demolition of old structures, and blasting.¹⁹ The proposed project is unlikely to include these activities. Heavy industrial or mining operations that use vibratory equipment would not occur as part of the project. Any vibration-inducing activities are expected to be temporary and intermittent. Therefore, they would not be considered excessive. The project is not immediately adjacent to US 101 and does not include overly sensitive uses such as laboratory equipment. No railroads exist near the project site.
- c) **No Impact:** The nearest airport is the Ocean Ridge Airport about 3 miles from the site. The site is not within an airport zone as outlined in the Mendocino County Airport Land Use Plan. Therefore, the Project site is not expected to be exposed to excessive noise due to the airport.

MITIGATION MEASURES: None.

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

5.14 POPULATION AND HOUSING

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

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.

¹⁸ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

¹⁹ California Department of Transportation (2013). Division of Environmental Analysis. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. Retrieved from <https://dot.ca.gov/programs/environmental-analysis/noise-vibration>.

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 to facilitate the development of these housing units at a range of sizes and types to address this need.

- a) **Less Than Significant Impact:** The addition of one (1) single-family residence would not induce substantial population growth. The only additional road and infrastructure proposed are driveways and utilities supporting only the proposed residence.
- b) **No Impact:** The Project would not demolish or otherwise displace people or housing.

MITIGATION MEASURES: None.

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

5.15 PUBLIC SERVICES

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:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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. Fire protection services are provided by the California Department of Forestry and Fire Protection (CALFIRE) or one of several local fire districts. Police protection is provided by the County Sheriff, California Highway Patrol, or city police. Several school districts and parks are located throughout the County. Other public facilities include roads, libraries, water and sewage treatment plants, airports, and animal control facilities. Projects may have an impact if they would cumulatively contribute to significant increased demand for public services such that new facilities would be required. General Plan Policy DE-179 establishes standards for the provision of parkland in the county. The amount of sufficient park space is determined by population.²⁰

- a) **No Impact:** Fire protection services would be provided by the South Coast Fire Protection District and CAL FIRE. The Project would be required to comply with CAL FIRE Fire Safe Regulations Conditions of Approval Letter #53-19, including defensible space and driveway requirements. The addition of one (1) single-family residence as a principal permitted use would induce minimal population growth that has already been addressed when the land use classification and zoning district were assigned to the site. Therefore, the Project is not expected to require the provision of new fire facilities.

²⁰ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

- b) **No Impact:** The nearest police station is the Mendocino County Sheriff's Office Fort Bragg Substation 56± miles north of the site. The addition of one (1) single-family residence as a principal permitted use would induce minimal population growth that has already been addressed when the land use classification and zoning district were assigned to the site. Therefore, the Project is not expected to require the provision of new police facilities.
- c) **No Impact:** The site is within the Arena Union Elementary school district. The addition of one (1) single-family residence as a principal permitted use would induce minimal population growth that has already been addressed when the land use classification and zoning district were assigned to the site. Therefore, the Project is not expected to require the provision of new school facilities.
- d) **No Impact:** The nearest County park is Bower Park in Gualala. The project site is within the vicinity of several other parks, including Gualala River Redwood Park and Gualala Point Regional Park. The available nearby parkland is consistent with General Plan Policy DE-179. The addition of one (1) single-family residence as a principal permitted use would induce minimal population growth that has already been addressed when the land use classification and zoning district were assigned to the site. Therefore, the Project is not expected to require the provision of new park facilities.
- e) **No Impact:** The addition of one (1) single-family residence as a principal permitted use would induce minimal population growth that has already been addressed when the land use classification and zoning district were assigned to the site. Therefore, the Project is not expected to require the provision of additional public facilities.

MITIGATION MEASURES: None.

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

5.16 RECREATION

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

DISCUSSION: The County of Mendocino manages a variety of public recreation areas including Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion's Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of state parks, reserves, and other state protected areas used for the purpose of recreation, with thirteen (13) locations along the coast and eight (8) in the inland areas.

- a) **No Impact:** The nearest County park is Bower Park in Gualala. The project site is within the vicinity of several other parks, including Gualala River Redwood Park and Gualala Point Regional Park. The available nearby parkland is consistent with General Plan Policy DE-179. The addition of one (1) single-family residence as a principal permitted use would induce minimal population growth that has already been addressed when the land use classification and zoning district were assigned to the site. Therefore, the Project is not expected to require the provision of new park facilities.

- b) **No Impact:** No recreational facilities are proposed as part of the Project. The Project would not require the construction or expansion of recreational facilities because it would not require the provision of new park facilities.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Recreation.

5.17 TRANSPORTATION

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

DISCUSSION: General Plan Policy DE-131, DE-148, DE-149, and DE-157 relate to transportation, including Action Item DE-138.1.²¹ The Mendocino Council of Governments (MCOG) most recently adopted a Regional Transportation Plan on April 7, 2022. The Regional Transportation Plan is a long-range planning document that provides a vision of regional transportation goals, policies, objectives, and strategies. These may be relevant to individual projects when conducting environmental review.

CEQA Guidelines Section 15064.3 recommends “*specific considerations for evaluating a project’s transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, “vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel.*” This section details appropriate methods for determining the significance of transportation impacts.

According to the 2018 Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, “*many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.*”²² The 2010 MCOG Travel Demand Forecasting Model estimates daily trip generation values for various land uses and geographic areas in Mendocino County and may be used to assist in determining whether projects exceed the screening threshold.²³

The Mendocino County Department of Transportation (DOT) is responsible for the maintenance and operation of County maintained roads, bridges, and related features. The County Roads and Development Standards apply to road improvements, project-related improvements in subdivisions, and other land development projects that require County approval. On state highways under CALTRANS jurisdiction, the Highway Design Manual establishes policies and procedures that guide state highway design functions.

²¹ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

²² State of California. Governor’s Office of Planning and Research. (2018). *Technical Advisory on Evaluating Transportation Impacts in CEQA*.

²³ Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*.

Mendocino County Code Section 17-52, 53, and 54 establish lot design, configuration, access, and private road requirements for subdivisions.

- a) **No Impact:** The Project does not conflict with General Plan and Regional Transportation Plan policies regarding circulation. The Project is not a land division or major development application, and thus would not require substantial road improvements or traffic studies. The Project site abuts a private road which is accessed from a County maintained road. The Project was referred to the Department of Transportation (DOT), who responded with no comment on the Project. Therefore, no conflicts are anticipated.
- b) **Less Than Significant Impact:** According to the MCOG Travel Demand Forecasting Model, the project would be expected to generate 9.22 trips per day.²⁴ This is below the screening threshold described in the OPR Technical Advisory.
- c) **No Impact:** The Project would not make use of farm equipment and would not change the existing circulation patten of the site and its surroundings. The entrance to the property is not a blind driveway, sharp curve, or other hazardous feature. The proposed driveway would connect directly to Big Gulch Road in a straight line.
- d) **No Impact:** As described above in the response to the Public Services and Hazards & Hazardous Materials sections, the Project would not result in inadequate emergency access. The site would be accessible through a driveway abutting Big Gulch Road

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: According to Public Resources Code (PRC) Section 21074, "Tribal cultural resources" are either of the following:

²⁴ Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*.

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. (“a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.”)
- 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 Section 5024.1 ((1) *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;* (2) *Is associated with the lives of persons important in our past;* (3) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;* (4) *Has yielded, or may be likely to yield, information important in prehistory or history*). In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) or Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

PRC Section 5020.1(k) defines a “local register of historical resources” as “a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.”

PRC Section 5024.1(c) establishes the following: “A resource may be listed as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria:

- *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.*
- *Is associated with the lives of persons important in our past.*
- *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*
- *Has yielded, or may be likely to yield, information important in prehistory or history.”*

- a) **No Impact:** Per MCC Chapter 22.12 and Coastal Element Policy 3.5-10, an Archaeological Survey Report completed in August 2020 was submitted for the Project. This same report was submitted for CDP_2019-0032. The survey covered the entirety of the project site. No cultural resources were identified as a result of the survey. The report concluded that “*the project, as presently designed, is not anticipated to have an adverse effect on significant cultural resources and should be allowed to proceed as designed.*” This report was discussed at the December 9, 2020 Mendocino County Archaeological Commission Meeting, where the Commission moved to accept the survey with the application of the “Discovery Clause”. The Project was referred to the Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. No response was received. The Discovery Clause merely memorializes existing requirements within Chapter 22.12, and as such is not considered a mitigation measure. Therefore, no impact is expected.

MITIGATION MEASURES: None.

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

5.19 UTILITIES AND SERVICE SYSTEMS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

Solid waste management in Mendocino County has undergone a significant transformation from waste disposal in landfills supplemented by transfer stations to a focus on transfer stations and waste stream diversion. These changes have responded to rigorous water quality and environmental laws, particularly the California Integrated Waste Management Act of 1989 (AB 939). The Act required each city and county to divert 50 percent of its waste stream from landfill disposal by the year 2000 through source reduction, recycling, composting, and other programs. Chapter 3 (Development Element) of the Mendocino County General Plan (2009) notes there are no remaining operating landfills in Mendocino County, and as a result, solid waste generated within the County is exported for disposal to the Potrero Hills Landfill in Solano County. The Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day and a remaining capacity of 13.872 million cubic yards and is estimated to remain in operation until February 2048.

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

- a) **No Impact:** The Project would utilize an existing well and connection to Gualala Community Services District septic system. The Project would not result in the relocation or construction of water or wastewater treatment facilities. Pacific Gas & Electric (PG&E) would provide electric service to the parcel. No new telecommunications facilities are proposed, and none would be required due to the Project. Existing telecommunications facilities are considered sufficient to serve the site.

- b) **Less Than Significant Impact:** As described above in response to checklist questions regarding Hydrology & Water Quality, the existing well has been tested and exceeds Environmental Health standards for recovery rate to service the single-family residence. Future development may require a Coastal Development Permit, which in turn would require a determination that sufficient water supplies are available to serve future proposed development. This regulatory structure ensures that sufficient water supplies are available should future development occur.
- c) **Less Than Significant Impact with Mitigation Incorporated:** The Gualala Community Services District responded to referral of CDP_2019-0032 for the same scope of work and did not respond to the current Project referral. The District's response to CDP_2019-0032 indicated that a service connection could be established upon proper payment of fees and other conditions. Therefore, these conditions required by the District would be mitigation measures preventing the Project from resulting in a determination by the District that wastewater treatment could not be provided to the site. Those mitigation measures are listed below.
- d) **Less Than Significant Impact:** The nearest transfer station is the South Coast Transfer Station approximately 7.5 miles north of the site. The project is not expected to generate excessive solid waste beyond that of a typical single-family residence. The project would incrementally contribute to throughput at the Potrero Hills Landfill, but the estimated remaining operational lifespan of the facility (2048) indicates that this contribution is minimal and less than significant. According to the City of Los Angeles Thresholds Guide, a residential use is expected to produce 12.23 pounds of solid waste per household per day.²⁵ The daily throughput of the Potrero Hills Landfill is 4,330 tons per day. The addition of one single-family residence would contribute minimally to throughput.
- a) **No Impact:** The Project is expected to comply with all federal, state, and local regulations related to solid waste, including MendoRecycle requirements, Mendocino County Code Title 9A, and US Resource Conservation and Recovery Act (RCRA), and CalRecycle.

MITIGATION MEASURES:

USS-1: In accordance with the Gualala Community Services District letter regarding the site, the following conditions of approval shall be required to establish a sewer connection:

- 5. The owner shall pay to GCSD all fees and charges in effect as established by either Resolution or by Ordinance before connecting to the District sewer mains and shall adhere to the rules and regulations set forth by the District.
- 6. The District reserves the right to modify the following conditions based on changes to future projects or changes to the project site plan. The proposed project shall be subject to the following conditions of approval:
 - a. A plan showing the septic tank placement, conforming to all codes required by the District and Mendocino County shall be submitted to the District for approval.
 - b. All plumbing fixtures while in the process of building shall not be connected to the sanitary sewer system until the District deems it is safe to connect.
 - c. The proposed project will be subject to the following fees:²⁵
 - i. Sewer Application Fee - \$250.00 or current fee.
 - ii. Capital Expansion Fee - \$17,135 or current fee.
 - iii. Annexation Fee - \$350.00 plus \$200 per acre (if applicable).
These fees must be paid prior to the start of the project.
 - d. A sewer application permit must be filled out and returned to the District before work can commence.

FINDINGS: The proposed project would have a **Less Than Significant Impact** on Utilities and Service Systems **with Mitigation Incorporated**.

²⁵ City of Los Angeles (2006). *L.A. CEQA Thresholds Guide*. Retrieved from <https://planning.lacity.org/>.

5.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 type="checkbox"/>	<input checked="" 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"/>

DISCUSSION: California law requires the California Department of Forestry and Fire Protection to designate areas, or make recommendations for local agency designation of areas, that are at risk from significant fire hazards based on fuels, terrain, weather, and other relevant factors. These areas at risk of interface fire losses are referred to by law as "Fire Hazard Severity Zones" (FHSZ). The law requires different zones to be identified (Moderate to Very High). But with limited exception, the same wildfire protection building construction and defensible space regulations apply to all "State Responsibility Areas" and any "Fire Hazard Severity Zone" designation.

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

For certain projects, the California Fire Code, Section R337 of the California Residential Code, and Chapter 7A of the California Building Code may apply to provide structural protections against fire. General Plan Policy DE-214, DE-215, DE-216, DE-217, DE-220, DE-222, and Action Item DE-222.2 relate to fire.²⁶

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 x 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).

²⁶ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

- a) **No Impact:** The project is in the State Responsibility Area. As outlined in the Emergency Operations Plan, the County uses the California Standardized Emergency Management System and National Response Framework to guide emergency response. The project is not expected to interfere with the establishment of an Emergency Operations Center because it would not physically impair travel to and from such a center. The project is expected to make use of existing utility and telecommunication infrastructure, which would allow receipt of alerts, notifications, or warnings. Therefore, the project is not expected to interfere with the adopted Emergency Operations Plan. The project was referred to the South Coast Fire Protection District. No response has been received. The project site would be accessed through a short driveway from Big Gulch Road, which is approximately 450 feet west of Old Coast Highway (CR 513). The Project is expected to be accessible to emergency vehicles. The short distance from the project site to Old Coast Highway would allow swift evacuation.
- b) **Less Than Significant Impact:** Little impact is expected because the project site is on a relatively flat slope. The project would be required to comply with applicable Building Code and Fire Code standards as well as CALFIRE Fire Safe Regulations. As discussed previously, standard conditions would require the applicant to comply with CAL FIRE letter #53-19. However, risk of wildfire is still present regardless of protections afforded by these existing regulations.
- c) **No Impact:** The Project is not expected to include any elements that would exacerbate wildlife risk upon implementation of CAL FIRE standards.
- d) **Less Than Significant Impact:** Standard BMPs implemented during construction, the measures included in the Civil Improvement Plans, Geotechnical Investigation recommendations, and avoidance measures recommended by the HMMP would ensure that drainage challenges are minimized. Operation of the single-family residence is not expected to result in significant impacts because of the relatively flat nature of the site.

MITIGATION MEASURES: None.

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

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	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 eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- Substantially degrade environmental quality;
 - Substantially reduce fish or wildlife habitat;
 - Cause a fish or wildlife population to fall below self-sustaining levels;
 - Threaten to eliminate a plant or animal community;
 - 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.
- a) **Less Than Significant Impacts with Mitigation Incorporated:** Based on discussion throughout this document, particularly in Section 5.4 – Biological Resources and 5.18 Tribal Cultural Resources, there is some potential for impacts. However, with mitigation incorporated, there is not sufficient evidence to support a finding that the Project would result in significant impacts regarding the quality of the environment, habitat of fish or wildlife species, fish or wildlife populations, plant or animal communities, rare or endangered species, or important examples of major periods of California history or prehistory.
- b) **Less Than Significant Impact:** Cumulative impacts were considered for applicable potential impacts as discussed throughout this document, including but not limited to Section 5.3 – Air Quality and 5.8 – Greenhouse Gas Emissions. Potential impacts were identified in these sections where it was determined that no significant cumulative effects would occur because of the Project.
- c) **Less Than Significant Impacts with Mitigation Incorporated:** Based on discussion throughout this document, potential adverse effects on human beings, both directly and indirectly, have been considered and found to be less than significant or less than significant with mitigation measures implemented.

MITIGATION MEASURES: None beyond those discussed elsewhere in this document.

FINDINGS: The proposed project would have a **Less Than Significant Impact** on Mandatory Findings of Significance **with Mitigation Incorporated**.