



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

FOR
**ALBION LITTLE RIVER FIRE PROTECTION
DISTRICT
COASTAL DEVELOPMENT USE PERMIT &
BOUNDARY LINE ADJUSTMENT
33870 Albion Little River South Side Road and 33900
West Street, Albion; APN(s): 123-150-45, 123-150-47,
and 123-150-48.**

File No. U_2023-0002 & B_2023-0001

LEAD AGENCY:
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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). 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: U_2023-0002 & B 2023-0001

OWNER/APPLICANT: ALBION LITTLE RIVER FIRE PROTECTION DISTRICT (ALRFPD)
PO BOX 634
ALBION, CA 95410

PROJECT LOCATION: In the Coastal Zone, within the Albion town center, 425± feet northeast of the intersection with Albion Ridge Road (CR 402) and State Route 1 (SR 1), 150± feet west of the intersection of Albion River South Side Road (CR 402A) and Albion Ridge Road (CR 402), located at 33870 Albion Little River South Side Road and 33900 West Street, Albion; APN(s): 123-150-45, 123-150-47, and 123-150-48.

TOTAL ACREAGE: 1.8± acres

GENERAL PLAN: Coastal Element Rural Village (RV:U)

ZONING: Coastal Element Rural Village RV:40K

PROJECT DESCRIPTION: Albion Little River Fire Protection District (ALRFPD) seeks a Coastal Development Use Permit for removal of an existing fire station, construction of a new fire station with an apparatus bay with roof mounted solar panels, a detached administration building with roof mounted solar panels, two (2) new asphalt encroachments onto Albion River South Side Road (CR 402A) and Albion Ridge Road (CR 402), new parking areas, underground utilities, the removal of an existing septic system, the installation of a new septic system, a propane tank, the relocation of a fence, grading for encroachments, driveways, and building footprints, compacted fill for new driveways, parking, and portions of a building footprint, new landscaping, water storage tanks, a storage building for a generator, a new gate, and a new address sign and Boundary Line Adjustment to merge seven (7) lots into one (1) lot of 1.8± acres. The development will be phased. The first phase shall consist of construction of the apparatus bay to house fire trucks, vehicles, and equipment while maintaining the existing fire station. The second phase shall consist of the demolition of the existing fire station, construction of the new administration building, and other appurtenant development listed above as funding is available. This description shall be known as “the Project” within this document.

SITE CHARACTERISTICS:

The property is situated along Albion Street, with its primary entrance located on the western side of the street. The entrance is notably wide, measuring approximately 30 feet across. This entrance leads to a 100 foot long corridor that serves as a shared access point for both the post office and the general store, which are adjacent to the property. The corridor itself is equipped with parking spaces designated for the post office and general store. At the end of this corridor lies the Albion Little River Fire Department, which has its own dedicated parking area. This parking area is sufficiently spacious, capable of accommodating 10 or more vehicles. Currently, the property houses a single structure, which is the operational facility for the Albion Little River Fire Department. This structure is positioned on the northeastern portion of the property.

The area surrounding the existing firehouse is relatively flat, providing a stable foundation for the structure. However, the property's topography varies, featuring gentle slopes towards the southern boundary and steeper inclines towards the far northern end. The property predominantly consists of grassland vegetation, with sparse shrubs and bushes scattered throughout the area. This contributes to the rural and natural aesthetic of the property. An *Environmentally Sensitive Habitat Area Report* has identified an Environmentally Sensitive Habitat Area (ESHA) at the northwestern corner of the property. This area will require special attention to ensure compliance with environmental regulations and Mendocino County Codes.

The property exhibits a range of characteristics as identified through various county-provided maps. It is situated within a critical water resource area, falling under the jurisdiction of the Local Coastal Plan that spans from Dark Gulch to Navarro River. The Agricultural Lands feature both Urban and Built-Up Land designated as "D," as well as Grazing Land marked as "G." In terms of fire safety, the property is categorized

within moderate Fire Hazard Severity Zones and falls under the State's responsibility area for fire management. Additionally, the property is recognized as a highly scenic area. The soil composition is varied, with parts of the property classified under soil class 139—Dystropepts with 30 to 75 percent slopes, and soil class 117—Cabrillo-Heeser complex with 0 to 5 percent slopes. The property is also part of the Wildland-Urban Interface Zones, specifically falling under the Medium Density Interface Zone Class. Further examination of the land capabilities and natural hazards map reveals that the northern end of the property contains a small section of non-prime agricultural land. Importantly, the property is not situated within a Coastal Commission appealable area, Lastly, the property is serviced by the Albion Mutual Water Company.

TABLE 1: ADJACENT LAND USE AND ZONING

| | GENERAL PLAN | ZONING | LOT SIZES | USES |
|---------------|----------------------|----------------------|--------------------------|----------------------|
| NORTH: | Rural Village (RV) | Rural Village (RV) | 0.27± Acres; 1.45± Acres | Residential |
| EAST: | Rural Village (RV) | Rural Village (RV) | 0.27± Acres; 1.00± Acres | Residential |
| SOUTH: | Range Land (RL) | Range Land (RL) | 19.0± Acres | Residential |
| WEST: | State Route 1 (SR 1) | State Route 1 (SR 1) | State Route 1 (SR 1) | State Route 1 (SR 1) |

PROJECT PLOT PLAN: See Page 6 of this document.

FIGURE 1: LOCATION MAP



CASE: U 2023-0002 & B 2023-0001
OWNER: Albion Little River Fire Protection Dist
APN: 123-150-45, 47, 48
APLCT: Albion Little River Fire Protection Dist
AGENT: Pam Linstead
ADDRESS: 33900 West Street, Albion

Coastal Zone Boundary Major Roads
Highways



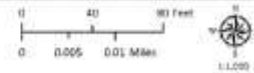
LOCATION

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

FIGURE 2: AERIAL IMAGERY



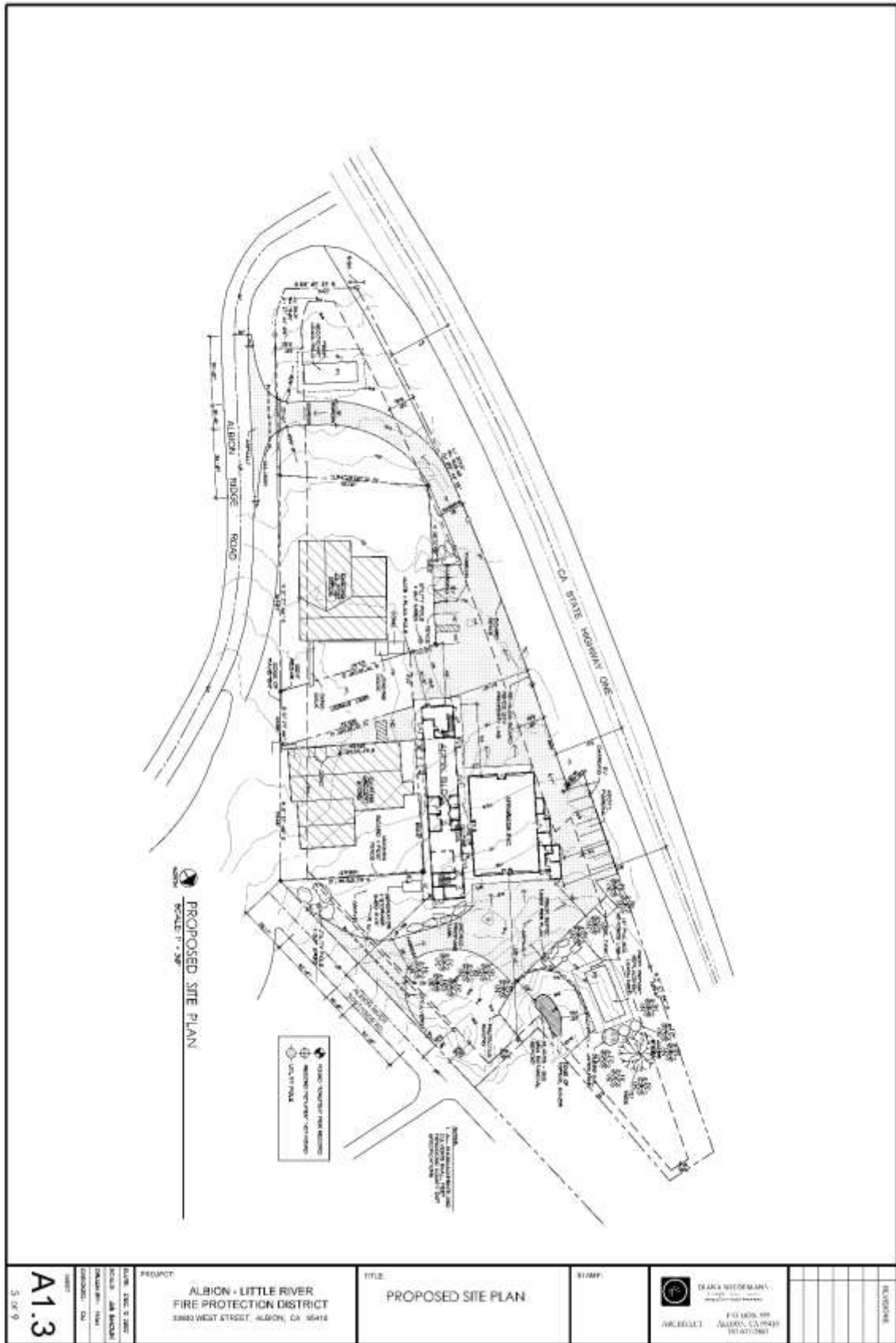
CASE: U 2023-0002 & B 2023-0001
OWNER: Albion Little River Fire Protection District
APN: 123-150-45, 47, 48
APLCT: Albion Little River Fire Protection District
AGENT: Pam Linstedt
ADDRESS: 33900 West Street, Albion



AERIAL IMAGERY

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

FIGURE 3: PLOT PLAN



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"/> Ag 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

Date

Printed Name

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

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

Discussion: A “scenic vista” is defined as a *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 Transportation³.

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

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

² Streets and Highways Code, CA SHC § 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>.

Plan Resource Management Goal RM-14's (Visual Character) objective is: *Protection of the visual quality of the county's natural and rural landscapes, scenic resources, and areas of significant natural beauty.*

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

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. Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact: For the purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The proposed Fire Department will be visible from portions of HWY 1, while the project vicinity has moderate scenic value and an appealing rural and agricultural character, it is not considered a scenic vista as it does not offer expansive views of a highly valued landscape and is not officially or unofficially designated as a scenic vista. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and less than significant impacts would occur.

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

Less Than Significant Impact: The project is not situated in a location that contains significant scenic resources like trees, rock outcroppings, or historic buildings. The location of the development is relatively barren and offers no visually interesting views. Moreover, the proposed project is already in a developed area that has been visually impacted with a backdrop of commercial and residential buildings. The project aims to replace an existing structure and does not involve the removal or alteration of any scenic resources. Therefore, the impact on scenic resources is less than significant.

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?

Less Than Significant Impact: The parcel is situated in a rural, non-urban area. The exterior finish materials and colors have been carefully selected to be visually compatible with the character of the surrounding area, in alignment with Mendocino County Coastal Element Policies 3.5-1 and Chapter 20.504.020 of the Mendocino County Code. Although the proposed fire department will be visible from State Route 1, it will not introduce new obstructions that substantially degrade the existing visual character or quality of public views of the site and its surroundings from this route or other publicly accessible areas.

The property is already part of a visually impacted, mixed-use zone. The project aims to replace an existing fire department building and is designed with visual appropriateness in mind. The project is fully compliant with applicable zoning and other regulations governing scenic quality. Therefore, it will not degrade the existing visual character or quality of public views.



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

Less Than Significant Impact: The project includes provisions for shielded exterior lighting, designed to ensure that light and glare do not extend beyond the parcel boundaries. Building materials and exterior colors have been selected to be compatible with existing structures and specifically chosen to minimize

glare. The project will adhere to Mendocino County Coastal Element Policy 3.5-1 and Mendocino County Code (MCC) Chapter 20.504, which governs development in scenic coastal areas. Importantly, the project aims to replace an existing fire department building that already has exterior lighting. In compliance with zoning code standards, the project will have a less than significant impact in terms of creating new sources of light or glare that could adversely affect day or nighttime views in the surrounding area.

Albion Little River Fire Protection District

Finish Schedule for Exterior Buildings Material and Color:

Exterior Walls: Stone cladding colors shall be Earth tones Gray and Tan




WIL CREEK PANELS (NATURAL CLEFT FINISH SHOWN)
Honey +

Exterior Walls: Stucco shall be tans with gray blues on Administration building:




426 STILL LIFE II
428 DRY GOODS

Exterior Walls: Stucco shall be earthen reddish maroon and tans for Fire Station Apparatus Bay with stone cladding defined above:



BRICK #118
R12

Roofing Material: Standing seam metal roofing: Gray in color







Old Iron Gray (075) Old Zinc Gray (022) Slate Gray (018)

Doors & Windows : Shall be dark Gray aluminum clad frames (2200/2004)

Canarm (L) Right Sky Oil Rubbed Bronze Outdoor Wall Light
www.canarm.com/Products/Products.aspx?cat=100




Extends 4"



11"
7"

Possini Egro Xena 11" Wide Bronze Dark Sky LED Wall Light - Style # Y7737




Up to 25% OFF with code NEWYEARS at checkout.

Kichler Lighting - 49607AZTLED - Estella - 1 Led Outdoor Wall Mount - With Contemporary Inspirations - 12 Inch Tall Bu 6 Inch Wide

NO MITIGATION MEASURES REQUIRED

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Thresholds of Significance: The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter “farmland”), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

Discussion: The 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. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact: In order to be shown on the FMMP maps as Prime Farmland or Farmland of Statewide Importance, land must have been used for irrigated agricultural production at some time during the four years prior to FMMP designation, and the soil must meet the physical and chemical criteria for Prime Farmland or Farmland of Statewide Importance as determined by the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). None of the soils in the area of disturbance meet the physical and chemical criteria for Prime Farmland under the Department of Conservation (DOC), based on historical aerial photographs and current mapping, it does not appear that the project site has been used for irrigated crop production. Since none of the soils on-site meet both of these criteria, there would be no impacts associated with the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP to non-agricultural use.

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

No Impact: The property is zoned under the "RURAL VILLAGE - COASTAL" Map Code (RV), which is intended to preserve the rural atmosphere and visual quality of specific coastal villages, including Albion, where the property is located. Importantly, the property is neither engaged in a Williamson Act contract nor is it situated in a location eligible for such a contract. Therefore, there is no conflict with existing zoning for agricultural use or a Williamson Act contract. The proposed fire department building falls under the category of "public and semi-public facilities and utilities," which are conditionally permitted under the RV zoning code. The project is also in alignment with Mendocino County Coastal Element Policies and Mendocino County Code (MCC) governing development in coastal areas. Given that the project is consistent with the zoning requirements for the RV category and does not conflict with any agricultural use or Williamson Act contract.

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

No Impact: The property is zoned under the "RURAL VILLAGE - COASTAL" Map Code (RV), which is primarily intended for preserving the rural atmosphere and visual quality of specific coastal villages, including the provision of community-oriented neighborhood commercial services and mixed residential and commercial activities. It does not fall under the categories 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). Given that the property's existing zoning does not pertain to forest land, timberland, or timberland zoned for Timberland Production, the proposed fire department building project will not conflict with or cause rezoning of such lands.

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

No Impact: The property is zoned as "RURAL VILLAGE - COASTAL" (RV), which does not fall under forest land categories. The project will not result in the loss of forest land or its conversion to non-forest use. Therefore, there will be no impact in this regard.

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

No Impact: The property zoned "RURAL VILLAGE - COASTAL" (RV) and does not extend to agricultural or forest lands. It will not result in any other changes in the existing environment that could lead to the conversion of Farmland to non-agricultural use or forestland to non-forest use, no off-site conversion of agricultural or forestland is anticipated.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have No 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"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state

ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Discussion: Mendocino County is located within the North Coast Air Basin. 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.”

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 serpentine. Serpentine 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

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

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

No Impact: The proposed project involves the construction of a new Fire department and administrative building on a parcel that is already developed with an existing fire department. The project falls within the jurisdiction of the Mendocino County Air Quality Management District (MCAQMD), which is responsible for enforcing both state and federal clean air acts, as well as local air quality regulations. Given that any new emission point source is subject to an air quality permit in line with the District's air quality plan, the project will be required to obtain all necessary permits prior to construction. This ensures that the project will be in compliance with MCAQMD regulations and will not conflict with or obstruct the implementation of the applicable air quality plan.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

No Impact: As mentioned above, the fire department development could produce emissions both during construction and operation of the development and activities may fall under the jurisdiction of MCAQMD and any necessary permits must be obtained. Therefore, no conflict with MCAQMD or obstruction of their rules and regulations is expected.

c. Expose sensitive receptors to substantial pollutant concentrations?

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

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

No Impact: The construction and operation of the fire station are not anticipated to produce lasting strong odors. While diesel exhaust from construction equipment may produce temporary odors, these are expected to be short-lived and not persistent. The Mendocino County Air Quality Management District (MCAQMD) has regulatory authority to address any odor complaints and can require the implementation of mitigation measures to correct any nuisance conditions. This ensures that any unanticipated odor sources that may arise from the project will be appropriately managed.

Additionally, the occasional starting of fire trucks may produce some odors, but these instances will be temporary and infrequent, thus not affecting a substantial number of people. Dust generation during grading activities will be controlled through Mendocino County's standard grading and erosion control requirements as outlined in MCC Chapter 20.492. These requirements limit ground disturbance and mandate immediate revegetation post-disturbance, thereby ensuring that PM10 emissions generated by the project will not be significant.

The project site is not located in an area known for serpentine or ultramafic rock, which could potentially release asbestos fibers into the air. Therefore, the project is in compliance with MCAQMD regulations and will not conflict with or obstruct the attainment of air quality plan PM10 reduction goals. Given these

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>.

considerations and the regulatory framework in place, the project is not expected to result in other emissions, such as odors or fumes, that would adversely affect a substantial number of people.

NO MITIGATION MEASURES REQUIRED

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"/> |
| 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"/> |

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

Discussion: 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.

- 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?***

Less Than Significant Impact With Mitigation Incorporated: The Environmental Sensitive Habitat Area Report, prepared by WRA, Inc., found that several special-status bat and bird species have the potential to occur on the site. The report recommends several avoidance measures and BMPs to avoid impacts to these species. These measures include bat habitat surveys and bird surveys. The implementation of these measures, as suggested in the report and concurred by the staff, indicates that the project would not have a substantial adverse effect on special status species. The avoidance measures and BMPs are recommended as Conditions of Approval.

- 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?***

Less Than Significant Impact With Mitigation Incorporated: The project avoids the literal extent of the identified ESHA, which includes a seasonal wetland that meets the criteria of an ESHA. It will encroach into the 100-foot and 50-foot ESHA buffers, but compliance with MCC Section 20.496.020(A)(4) and Coastal Element Policy 3.1-7 is assured. Specific measures to protect the seasonal wetland during construction and minimize the conversion of natural and native vegetation are outlined. The project's design to minimize environmental impact aligns with the local and regional policies and regulations regarding sensitive natural communities.

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

Less Than Significant Impact With Mitigation Incorporated: For the protection of the seasonal wetland, the report details specific measures like avoidance during construction and post-construction activities. The project adheres to MCC Section 20.496.020(A)(4)(a) and (d) to protect the wetland. CDFW's recommendation for high visibility fencing and silt fencing, and a low, permanent symbolic fence post-construction, further ensure minimal impact on the wetland. These measures collectively suggest that the project will not have a substantial adverse effect on wetlands.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact With Mitigation Incorporated: The project site does not contain any designated Critical Habitat or Essential Fish Habitat and is not within a designated wildlife corridor. The site, being a part of a larger tract of lightly-developed and semi-open land in rural Mendocino County, does not provide significant wildlife corridor functions. The recommendations in the ESHA Survey and HMMP are considered adequate to mitigate impacts to wildlife movement.

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

Less Than Significant Impact With Mitigation Incorporated: The project, by adhering to the regulations in MCC Chapter 20.496 and Coastal Element Policy 3.1-2, shows compliance with local policies or ordinances protecting biological resources. The site does not contain oak woodlands or special-status plant species, and the project's design minimizes the conversion of naturalized and native vegetation.

- Per MCC Section 20.496.020(A)(4)(a), the Project will deploy avoidance measures and best management practices to ensure protection of the seasonal wetland during construction. Post-construction activities are unlikely to affect the seasonal wetland.
- Per MCC Section 20.496.020(A)(4)(b), a U-shaped ingress/egress is necessary to provide access for emergency vehicles without creating a danger to pedestrians in the immediate vicinity of the fire house.
- Per MCC Section 20.496.020(A)(4)(c), the Project has been designed to minimize the conversion of naturalized and native vegetation to hardscape while creating the development necessary to provide the community with updated effective emergency services.
- Per MCC Section 20.496.020(A)(4)(d), the Project will deploy avoidance measures and best management practices to ensure protection of the seasonal wetland during construction. Post-construction activities are unlikely to affect the seasonal wetland.
- Per MCC Section 20.496.020(A)(4)(e), the Project is situated within the only available locations on the site. Avoidance measures and BMPs will be deployed to alleviate some of the vegetation loss.
- Per MCC Section 20.496.020(A)(4)(f), development will be similar to existing and surrounding development and is not expected to significantly increase existing levels of noise, artificial light, impervious surfaces, dust, or air pollution. Avoidance measures and BMPs will be incorporated into the Project to reduce soil removal to the greatest extent feasible, covering any exposed bare soil during development and seeding bare soil after completion of the structures. Project design will include light fixtures that will not significantly increase artificial light.
- Per MCC Section 20.496.020(A)(4)(g), no riparian vegetation will be impacted by the Project.
- Per MCC Section 20.496.020(A)(4)(h), the Project area is not located within or near a 100-year floodplain.
- Per MCC Section 20.496.020(A)(4)(i), the Project is unlikely to disrupt the hydraulic capacity of the project. Near-subsurface flows are unlikely due to the location and lack of a sizable watershed. The biological diversity will not be entirely disrupted; much of the on-site vegetation will remain intact and is common on the coast of Mendocino County. The vegetation between the Project and seasonal wetland is entirely dominated by non-native herbaceous species; planting native shrubs and perennial native herbs in the buffer will maintain water quality, capture sediment, and provide functional uplift. Avoidance measures and BMPs will be deployed to protect the seasonal wetland.
- Per MCC Section 20.496.020(A)(4)(j), development will allow for continuance of runoff to contribute to surface hydrology. Water from impervious surfaces will be shunted toward existing roadside ditches.
- Per MCC Section 20.496.020(A)(4)(k), through the implementation of avoidance measures and BMPs, impacts to the ESHA and ESHA buffer are not anticipated to have a long-term negative effect on the ESHA and will allow continuance of ESHA and functions of ESHA buffers. Proposed avoidance measures are anticipated to offset impacts to the ESHA and ESHA buffers.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant Impact With Mitigation Incorporated: The project is not within the boundaries of any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, it does not conflict with any such plans. The implementation of avoidance measures and BMPs as part of the project further ensures its consistency with local and regional environmental conservation objectives.

MITIGATION MEASURES

BIO-1: In accordance with the *Environmentally Sensitive Habitat Area Report* prepared for the Project, the applicant shall comply with the following measures:

1. The literal extent of the seasonal wetland shall be delineated and demarcated with high-visible construction fencing. All construction staff shall be made aware of the seasonal wetland and its status as a protected habitat.

No equipment or materials shall be laid down within the seasonal wetland or construction fencing barrier. All materials shall be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for development. Spill prevention devices shall be readily available during construction and utilized for all toxic liquids/materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials should be stored 100 feet or greater from the seasonal wetland though they may necessarily require use within 100 feet of the seasonal wetland.

Sediment migration and erosion control measures shall be deployed on the northern perimeter of the Proposed Project Area to protect the seasonal wetland (as shown in Appendix A, Figure A-4 of the *Environmentally Sensitive Habitat Area Report*). Such barriers may include weed-free hay bales, weed-free straw wattles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers shall be deployed and immediate remedies of damaged or compromised areas of the barriers.

Ground-disturbing construction and driveway installation shall occur during the dry season (May 15 through October 15) and should be suspended during unseasonable rainfalls of greater than one-half inch over a 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.

2. Any building demolition should be conducted from September through March, outside of the general bat maternity season. If demolition during this period is not feasible, it is recommended that a bat habitat assessment and survey effort (the latter if needed) be performed by a qualified biologist prior to demolition to determine if bats are present in the buildings. If no suitable roosting habitat for bats is found, then no further study is warranted.
3. If special-status bat species or bat maternity roosts are detected, then roosts should be avoided until the end of the maternity roosting season. If this avoidance is not feasible, appropriate species- and roost-specific mitigation measures should be developed in consultation with CDFW. Irrespective of time of year, demolition should remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats present within the felled structure to escape.
4. Prior to vegetation alteration/removal and initial ground disturbance occur from August 16 to January 31, outside of the general bird nesting season. If activities during this time are not feasible, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 14 days prior to the initiation of tree removal or ground disturbance is recommended. The survey should cover the Project Area (including tree removal areas) and surrounding areas within 500 feet. If active bird nests are found during the survey, an appropriate no-disturbance buffer should be established by the qualified biologist. Once it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation), the buffer may be lifted, and work may be initiated within the buffer.

BIO-2: In accordance with CDFW recommendations, the applicant shall install high-visibility fencing, silt fencing, and permanent low symbolic fencing on the northern perimeter of the Project area prior to ground disturbance to protect the seasonal wetland for the duration of the Project. To reduce encroachment into the seasonal wetland once construction is complete, the applicant shall maintain the low, permanent symbolic fence along the northern perimeter of the Project area.

FINDINGS

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

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to Cal. Code Regs tit. 14 §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to Cal. Code Regs tit. 14 §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

Discussion: 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.⁹

⁹ 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.

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

Less Than Significant Impact: The proposed development was referred to Northwest Information Center (NWIC) at Sonoma State University and the Mendocino County Archaeological Commission (ARCH), where ARCH responded with the request to schedule for the next available hearing, depending on comments submitted by NWIC. NWIC responded with comments noting the existence of a previous study, (#49653 (Haney 2015)). Study #49653 was completed in 2015 and the determination of NWIC was that the project area has a low possibility of containing unrecorded archaeological sites, and therefore no further studies are recommended. The applicant submitted an Archaeological Survey prepared by Archaeological Resources Services, dated March 23, 2023. The project and survey were reviewed by the Mendocino County Archaeological Commission, on April 12, 2023, where the survey was accepted. Since resources were not identified in the survey, the Archaeological Commission recommended a condition which advises the applicant of the “Discovery Clause.” The “Discovery Clause” prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

The project was referred to three local tribes for review and comment: Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. No comments were received.

As conditioned, the proposed project will be consistent with Mendocino County Coastal Element policies for the protection of the paleontological and archaeological resources Chapter 3.5 and will be consistent with MCC Title 22, Chapter 22.12 regulations.

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

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

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

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

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

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

| WOULD THE PROJECT: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

Discussion: 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.”*¹⁰

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 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-55.2.¹¹ Ukiah Public Utilities is the only municipal utility in Mendocino County. Most residents receive electric service from Pacific Gas and Electric (PG&E).

¹⁰ California Air Resources Board (2022). *2022 Scoping Plan for Achieving Carbon Neutrality*. Retrieved from <https://ww2.arb.ca.gov>.

¹¹ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?

No Impact: The project does not appear to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy during its construction or operation. The project is expected to comply with Title 24, Part 11 of the California Code of Regulations, known as 'CALGreen,' which mandates energy efficiency standards.

Factors that may influence energy impacts, such as energy-consuming equipment and processes, fuel type, and end use of energy, are expected to be managed in alignment with these standards. Energy conservation equipment and design features are likely to be implemented to minimize energy consumption. Furthermore, the project is expected to be served by Pacific Gas and Electric (PG&E), which has its own energy efficiency programs.

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

No Impact: The project does not appear to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. California Senate Bill (SB) 350 and the 2022 Scoping Plan for Achieving Carbon Neutrality set forth the state's goals for reducing greenhouse gas emissions and increasing energy efficiency. Mendocino County General Plan Policy RM-55 and RM-57 also relate to energy efficiency and are aligned with these state goals.

The project is expected to comply with the California Green Building Standards Code and the 2022 Energy Code, which are designed to help the state achieve its long-term climate goals. These codes encourage the use of energy-efficient equipment and renewable energy sources, thereby aligning with state and local plans for renewable energy and energy efficiency.

Given the project's expected compliance with state and local energy efficiency standards and policies, it is reasonable to conclude that it will not conflict with or obstruct any state or local plan for renewable energy or energy efficiency.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have No Impact on Energy.

5.7 GEOLOGY AND SOILS

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

| WOULD THE PROJECT: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

Discussion: 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.¹² The California Department of Conservation also houses a general-purpose map viewer that contains layers

¹² 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.¹³

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. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i-iv. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and/or landslides?*

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.*

No Impact: According to EQ Zapp mapping, the site is not located in an earthquake hazards zone or a fault zone.

ii. *Strong seismic ground shaking*

¹³ U.S. Geological Survey. *Liquefaction Susceptibility*. Retrieved from <https://earthquake.usgs.gov/education/geologicmaps/liquefaction.php>

Less Than Significant Impact: Despite the indication that the site is not located in an earthquake hazards zone or a fault zone, the presence of ancient faults cannot be ruled out. However, the inactivity of these ancient faults should not impact the proposed structures. Generally, structures built with proper foundation materials and designed in accordance with current building codes are well suited to resist the effects of ground shaking.

iii. Seismic-related ground failure, including liquefaction?

No Impact: Ground failure and liquefaction have not been surveyed in Mendocino County however, due to the location and the lack of waterlogged potential of the site do to the rounded and sloped area and mapping indication that the sites seismicity is bedrock (zone 1). Additionally, the only water supply that will be under or have the potential to cause liquefaction will be the newly installed water supply to the building, therefore the potential for these hazards will be little to none.

iv. Landslides?

Less Than Significant Impact: The project area is not located on a bluff top or any steep areas. According to the EQ Zapp mapping, the site has never had a landslide recorded. Furthermore, only location on the site that may have the potential for a landslide is the far west side of the property, this location has a sloping eight (8) foot tall dirt wall. However, this sloping wall is approximately fifty (50) feet west from the fire department and slopes down to HWY 1.

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

Less Than Significant Impact: Since the parcel is primarily less than 14% slope, with the only area greater than 14% being outside the project site, the risk of substantial soil erosion or loss of topsoil is minimized. The biological report and the Mendocino County guidelines indicate that slopes greater than 15% have a high erosion hazard. Since the project site itself does not include areas with slopes greater than 14%, it is less susceptible to high erosion risks.

Additionally, the project will adhere to Mendocino County's standard grading and erosion control requirements, which further mitigates the potential for significant soil erosion. These requirements include measures such as immediate revegetation after ground disturbance, thereby stabilizing the soil and reducing erosion potential.

Therefore, given the slope information and the mitigation measures in place, the project is not expected to result in substantial soil erosion or the loss of topsoil.

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?

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

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

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

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

No Impact: The project plans to utilize a pre-existing septic system, which implies that the soils on the site have already been evaluated and deemed suitable for wastewater disposal. The use of an existing system that has been functioning effectively reduces the risk of soil inadequacy for wastewater treatment. Additionally, the project falls under the jurisdiction of Mendocino County's Local Agency Management Plan, which establishes standards for on-site treatment of wastewater. This further ensures that the existing septic system complies with local regulations for wastewater disposal.

Therefore, given that the project will use a pre-existing septic system and is in compliance with local wastewater management standards, it is unlikely to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

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

No Impact: There is no information indicating that the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. However, if such features are discovered during construction, work should halt until proper mitigation can be implemented.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a Less Than Significant Impact on Geology and Soils.

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"/> |

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

Discussion: 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 CO_{2e} per year or 4.5 Metric Tons of CO_{2e} per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO_{2e} 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.¹⁴

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.

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

Less Than Significant Impact: CalEEMod was used to estimate daily emissions from construction and yearly operational emissions.¹⁵ Maximum daily emissions during construction were estimated to be 429 pounds of CO₂e per day. This would be equivalent to approximately 71 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 208 metric tons of CO₂e per year, which is also below the threshold.

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

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.¹⁶

NO MITIGATION MEASURES REQUIRED

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"/> |

¹⁴ California Air Pollution Control Officers Association. (2022). CalEEMod (Version 2022.1). <https://www.caleemod.com/>

¹⁵ Mendocino County Department of Planning & Building Services (2024). CDP_2023-0039 Detailed Report. Available on file at the Department of Planning & Building Services.

¹⁶ California Air Resources Board (2022). 2022 Scoping Plan for Achieving Carbon Neutrality. Retrieved from <https://ww2.arb.ca.gov>.

| WOULD THE PROJECT: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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"/> |

Thresholds of Significance: The project would have a significant effect on hazards and hazardous materials if it were to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Discussion: California Health and Safety Code (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. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

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. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact: 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. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact: The nearest existing or proposed school is The Albion School approximately 3.3 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. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact: The 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. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact: The nearest airport is the Little River Airport about 4.3 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. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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

Less Than Significant Impact: The project site is within the State Responsibility Area and is classified within the Moderate Fire Hazard Severity Zone. CAL FIRE did not respond with any comments on the project and the Albion Little River Fire Protection District is the applicant. However, CAL FIRE did issue File #166-22, which outlines those measures that must be implemented into the Project to comply with State Fire Safe Regulations. CAL FIRE also issued an exception to their Setback for Structure Defensible Space standard in a letter to the applicant on January 13, 2023, with certain conditions. 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.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have a Less Than Significant Impact on Hazards and 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"/> |
| 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"/> |

| WOULD THE PROJECT: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| 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"/> |

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

Discussion: Regulatory agencies include the State 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. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact: The Project would make use of an existing connection to Albion Mutual Water Company that supplies water. 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 and ESHA Survey ensure that illicit discharge during construction and operation is kept to a minimum. These documents are available one file with Planning & Building Services.

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

Less Than Significant Impact: The Project would make use of an existing connection to Albion Mutual Water Company. Therefore, impacts associated to groundwater supplies were previously addressed when Albion Mutual Water Company established a connection to the site.

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:

- i. Result in substantial erosion or siltation on- or off-site?***
- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?***
- 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?***
- iv. Impede or redirect flood flows?***

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. The site is not within a FEMA Flood Hazard Area and therefore is not expected to impede or redirect flood flows. According to the application materials, the Project would involve approximately 868 cubic yards of cut and 738 cubic yards of fill. The maximum height or fill slope would be between eight (8) and nine (9) feet. The maximum height of cut slope would be one (1) foot. No import or export of soils would occur. Grading would be required for encroachments, driveways, and building footprints. Compacted fill would also be required for driveways, parking, and portions of a building footprint. The Project is subject to the requirements contained in MCC Chapter 20.492.

Standard building permit and encroachment permit requirements, including their necessary inspections, will further limit post-project impacts. For example, the Department of Transportation can require any encroachment permit applicant to submit a Water Pollution Control Plan if the project may result in pollutants entering storm drainage systems or waters of the United States.

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

No Impact: The site is not within a FEMA Flood Hazard Area. Though the site is flat and contains a small seasonal wetland, 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. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

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.

NO MITIGATION MEASURES REQUIRED

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"/> |

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

Discussion: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance with regards to land use. 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. Physically divide an established community?

No Impact: Construction and operation of a fire station and administration building is not expected to result in any physical divisions within the surrounding neighborhood. The structures would not block travel from one lot to another or along roads.

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

No Impact: The 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.

NO MITIGATION MEASURES REQUIRED

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"/> |

Thresholds of Significance: The project would have a significant effect on mineral resources if it would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Discussion: The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy 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. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

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

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

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"/> |

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

Discussion: Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment. Mendocino County relies principally on standards in its Noise Element, its Zoning Ordinance, and other County ordinances, and the Mendocino County Airport Comprehensive Land Use Plan to evaluate noise-related impacts of development. Land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. 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-99.2.¹⁷

- a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less Than Significant Impact: Construction of the fire station and administration building 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. Roadway construction is planned, but the impacts of such construction would be intermittent and temporary.

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

Less Than Significant Impact: Excessive ground borne vibration may occur from pile driving, pavement breaking, demolition of old structures, and blasting.¹⁸ 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 does not include overly sensitive uses such as laboratory equipment. No railroads exist near the project site.

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

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

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

¹⁷ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

¹⁸ 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>.

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

Discussion: The most recent census for Mendocino County was in 2020, with an estimated population of 91,305. The county has undergone cycles of population boom followed by periods of slower growth. For example, the county population increased by approximately 25 percent between 1950 and 1960, but barely grew from 1960 to 1970. Between 1990 and 2000, the population of Mendocino County increased 7.4 percent, a much slower rate of growth than the 20 percent increase from 1980 to 1990. Population growth further slowed from 2000 to 2010, increasing by only 1.8 percent. The growth rate rebounded somewhat between 2010 and 2020, during which the population increased by 4.3 percent.

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

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

No Impact: The project does not propose any residential development and therefore would not induce population growth. Expanded fire station infrastructure and the development of driveways within the site are not expected to induce population growth because fire protection services are only one of several community services required to support the geographic area. Other support infrastructure must be developed to potentially induce population growth.

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

No Impact: The project would not involve the demolition or relocation of housing.

NO MITIGATION MEASURES REQUIRED

FINDINGS

The proposed project would have No 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 checked="" type="checkbox"/> | <input 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"/> |

| 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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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"/> |

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

Discussion: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. 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.¹⁹

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire Protection, Police Protection, Schools, Parks, and/or Other Public Facilities?

1. Fire protection?

Less Than Significant Impact: The Project involves the provision of new fire protection facilities, but the impacts of these facilities have been shown to be Less Than Significant with Mitigation Incorporated as discussed throughout the other sections of this document. Those mitigation measures are discussed elsewhere in this document.

2. Police Protection?

No Impact: The nearest police station is the Mendocino County Sheriff’s Office Fort Bragg Substation 16± miles north of the site. The addition of fire protection infrastructure would induce minimal to no population growth. Therefore, the Project is not expected to require the provision of new police facilities.

3. Schools?

No Impact: The site is within the Mendocino Unified school district. The addition of fire protection infrastructure would induce minimal to no population growth. Therefore, the Project is not expected to require the provision of new school facilities.

4. Parks?

¹⁹ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

No Impact: The nearest county park is Bower Park in Gualala. The project site is within the vicinity of several other parks, including the Navarro Point Preserve and Van Damme State Park. The available nearby parkland is consistent with General Plan Policy DE-179. The addition of fire protection infrastructure would induce minimal to no population growth. Therefore, the Project is not expected to require the provision of new park facilities.

5. Other public facilities?

No Impact: The addition of fire protection infrastructure would induce minimal to no population growth. Therefore, the Project is not expected to require the provision of other new public facilities.

MITIGATION MEASURES None

FINDINGS

The proposed project would have a Less Than Significant Impact with Mitigation Incorporated 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"/> |

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

Discussion: The County of Mendocino manages a variety of public recreation areas including 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. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact: The nearest county park is Bower Park in Gualala. The project site is within the vicinity of several other parks, including the Navarro Point Preserve and Van Damme State Park. The available nearby parkland is consistent with General Plan Policy DE-179. The addition of fire protection infrastructure would induce minimal to no population growth. Therefore, the Project is not expected to require the provision of new park facilities.

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

No Impact: 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.

NO MITIGATION MEASURES REQUIRED

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |

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

Discussion: General Plan Policy DE-131, DE-148, DE-149, and DE-157 relate to transportation, including Action Item DE-138.1.²⁰ 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.*”²¹ The 2010 MCOG Travel Demand Forecasting Model

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

²¹ State of California. Governor’s Office of Planning and Research. (2018). *Technical Advisory on Evaluating Transportation Impacts in CEQA*.

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.²²

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

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

Less Than Significant Impact: The Project does not conflict with General Plan or 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 two County maintained roads and State Route 1. The Project was referred to the Department of Transportation (DOT), who responded with comments recommending conditional approval of the Project. DOT recommended that commercial driveway approached be constructed to connect the Project driveways to the County roads. DOT also recommended that an encroachment permit be obtained for this work. However, these recommendations are standard recommendations for projects that abut County roads and are applied to a broad class of development. Therefore, conditions of approval related to these requirements are not considered mitigation measures. The Project is expected to conform to DOT standards for encroachments. Therefore, no conflicts are anticipated.

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

Less Than Significant Impact: According to the MCOG Travel Demand Forecasting Model, the project would be expected to generate between 9 and 40 trips per day.²³ This range is below the screening threshold described in the OPR Technical Advisory.

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

No Impact: As mentioned above, the Project would be required to comply with DOT standards related to encroachments. The project would not make use of farm equipment. No sharp curves or other dangerous circulation elements are proposed as shown in the Plot Plan.

d. Result in inadequate emergency access?

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 two County roads.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

5.18 TRIBAL CULTURAL RESOURCES

²² Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*.

²³ Mendocino Council of 1Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*.

| 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. (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"/> |

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

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

- 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. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:***
- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?***
 - 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.***

No Impact: The proposed development was referred to Northwest Information Center (NWIC) at Sonoma State University and the Mendocino County Archaeological Commission (ARCH), where ARCH responded with the request to schedule for the next available hearing, depending on comments submitted by NWIC. NWIC responded with comments noting the existence of a previous study, (#49653 (Haney 2015)). Study #49653 was completed in 2015 and the determination of NWIC was that the project area has a low possibility of containing unrecorded archaeological sites, and therefore no further studies are recommended. The applicant submitted an Archaeological Survey prepared by Archaeological Resources Services, dated March 23, 2023. The project and survey were reviewed by the Mendocino County Archaeological Commission, on April 12, 2023, where the survey was accepted. Since resources were not identified in the survey, the Archaeological Commission recommended a condition which advises the applicant of the “Discovery Clause.” The “Discovery Clause” prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

The project was referred to three local tribes for review and comment: Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. No comments were received.

As conditioned, the proposed project will be consistent with Mendocino County Coastal Element policies for the protection of the paleontological and archaeological resources Chapter 3.5 and will be consistent with MCC Title 22, Chapter 22.12 regulations.

NO MITIGATION MEASURES REQUIRED

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

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

Discussion: Public sewer systems in Mendocino County are provided by cities, special districts, and some private water purveyors. There are thirteen (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 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 of the General Plan 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 covers solid 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 solid waste facilities in Mendocino County, including: five (5) closed/inactive municipal landfills, three (3) wood-waste disposal sites, two (2) composting facilities, and eleven (11) transfer stations.

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Less Than Significant Impact: Per MCC Section 20.516.015(A) and Coastal Element Policy 3.8-1, 3.8-7, & 3.9-1, the Environmental Health Division responded to the Project referral with no comment regarding the proposed relocation and newly designed septic system. A Non-Standard Sewage System Permit for the Project was tentatively issued by the Environmental Health Division on April 10, 2023 (Permit No. SP24035). The permit is currently on hold pending approval of U_2023-0002. Therefore, a satisfactory site of an individual sewage system and leach field exists for the Project and has been tentatively approved by the Environmental Health Division. The potential effects of this system and other associated infrastructure are considered part of the "Project" and have been analyzed throughout the other section of this document.

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

Less Than Significant Impact: The Project would make use of an existing connection to Albion Mutual Water Company. Therefore, impacts associated to groundwater supplies were previously addressed when Albion Mutual Water Company established a connection to the site.

Per MCC Section 20.516.015(B) and Coastal Element Policy 3.8-1 & 3.9-1, the site is located within the service area of the Albion Mutual Water Company, who did not respond with any comments on the Project. However, the applicant did provide a statement from the Water Company from October 2022 showing that the Fire District is connected to Water Company service. Therefore, staff finds that adequate water supply is available to serve the Project because service exists to a local water district and no concerns were raised by the district.

- c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

No Impact: The Project would make use of an on-site septic system.

- d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Less Than Significant Impact: 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 commercial operation. 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 commercial use is expected to produce 10.53 pounds of solid waste per household per day.²⁴ The daily throughput of the Potrero Hills Landfill is 4,330 tons per day. Though the Project is a Civil use type, the addition of fire protection infrastructure is not expected to vastly exceed that normally generated by commercial uses and is expected to contribute minimally to throughput.

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

²⁴ City of Los Angeles (2006). *L.A. CEQA Thresholds Guide*. Retrieved from <https://planning.lacity.org/>.

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.

NO MITIGATION MEASURES REQUIRED

FINDINGS

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

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"/> |

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

Discussion: California law requires the California Department of Forestry and Fire Protection to designate areas, or make recommendations for local agency designation of areas, that are at risk from significant fire hazards based on fuels, terrain, weather, and other relevant factors. 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.²⁵

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

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.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant Impact: 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 #166-22. However, risk of wildfire is still present regardless of protections afforded by these existing regulations.

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?

No Impact: The Project is not expected to include any elements that would exacerbate wildfire risk upon implementation of CAL FIRE standards. Development of the fire station and associated infrastructure is expected to reduce fire risk for the community and is expected to be well-equipped to respond to fire on the site.

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?

Less Than Significant Impact: Standard BMPs implemented during construction and the measures included in the ESHA Report recommendations discussed above would ensure that drainage challenges are minimized. Operation of the site is not expected to result in significant impacts because of the relatively flat nature of the site.

NO MITIGATION MEASURES REQUIRED

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

²⁵ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/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 |
|--|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| 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? | | | | |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

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

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

Potential environmental impacts from the approval of a Coastal Development Permit to legalize after-the-fact demolition of an existing 1,366 square foot residence and permit construction of a new residence in the same location have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

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

Less Than Significant Impact With Mitigation Incorporated: 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. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).**

Less Than Significant Impact: 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. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less Than Significant Impact 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

BIO-1: In accordance with the *Environmentally Sensitive Habitat Area Report* prepared for the Project, the applicant shall comply with the following measures:

1. The literal extent of the seasonal wetland shall be delineated and demarcated with high-visible construction fencing. All construction staff shall be made aware of the seasonal wetland and its status as a protected habitat.

No equipment or materials shall be laid down within the seasonal wetland or construction fencing barrier. All materials shall be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for development. Spill prevention devices shall be readily available during construction and utilized for all toxic liquids/materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials should be stored 100 feet or greater from the seasonal wetland though they may necessarily require use within 100 feet of the seasonal wetland.

Sediment migration and erosion control measures shall be deployed on the northern perimeter of the Proposed Project Area to protect the seasonal wetland (as shown in Appendix A, Figure A-4 of the *Environmentally Sensitive Habitat Area Report*). Such barriers may include weed-free hay bales, weed-free straw waddles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers shall be deployed and immediate remedies of damaged or compromised areas of the barriers.

Ground-disturbing construction and driveway installation shall occur during the dry season (May 15 through October 15) and should be suspended during unseasonable rainfalls of greater than one-half inch over a 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.

2. Any building demolition should be conducted from September through March, outside of the general bat maternity season. If demolition during this period is not feasible, it is recommended that a bat habitat assessment and survey effort (the latter if needed) be performed by a qualified biologist prior to demolition to determine if bats are present in the buildings. If no suitable roosting habitat for bats is found, then no further study is warranted.
3. If special-status bat species or bat maternity roosts are detected, then roosts should be avoided

until the end of the maternity roosting season. If this avoidance is not feasible, appropriate species- and roost-specific mitigation measures should be developed in consultation with CDFW. Irrespective of time of year, demolition should remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats present within the felled structure to escape.

4. Prior to vegetation alteration/removal and initial ground disturbance occur from August 16 to January 31, outside of the general bird nesting season. If activities during this time are not feasible, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 14 days prior to the initiation of tree removal or ground disturbance is recommended. The survey should cover the Project Area (including tree removal areas) and surrounding areas within 500 feet. If active bird nests are found during the survey, an appropriate no-disturbance buffer should be established by the qualified biologist. Once it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation), the buffer may be lifted, and work may be initiated within the buffer.

BIO-2: In accordance with CDFW recommendations, the applicant shall install high-visibility fencing, silt fencing, and permanent low symbolic fencing on the northern perimeter of the Project area prior to ground disturbance to protect the seasonal wetland for the duration of the Project. To reduce encroachment into the seasonal wetland once construction is complete, the applicant shall maintain the low, permanent symbolic fence along the northern perimeter of the Project area.

FINDINGS

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