PUBLIC DRAFT

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

SCH: XXXXXX

FOR

TOM AND KELLEY PARSONS STANDARD COASTAL DEVELOPMENT PERMIT AT 12200 S. HIGHWAY 1, ELK; APN: 131-070-06

File No. CDP_2020-0037

LEAD AGENCY:
County of Mendocino
Department of Planning & Building Services
860 North Bush Street, Ukiah, CA 95482
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July 25, 2024

TABLE OF CONTENTS

FIGURES AND TABLES

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the construction of a single-family residence, a breezeway, garage, a barn, fencing, gaveling a driveway, converting a test well to a production well, installing a septic tank and propane tank, and undergrounding utilities (Project) in the Coastal Zone, 4.8± miles south of Elk town center, lying on the west side of State Route 1 (SR 1); 2.5± miles north of its intersection with Cypress Point Road (CR 576), located at 12200 S. Highway 1, Elk; APN: 131-070-06. This Draft IS/MND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: CDP_2020-0037

OWNER/APPLICANT: Tom and Kelley Parsons
1617 Wood Road
Fulton, CA 95439

AGENT: Elee Tsai
1009 Russel Avenue
Santa Rosa, CA 95439

PROJECT LOCATION: In the Coastal Zone, 4.8± miles south of Elk town center, lying on the west side of State Route 1 (SR 1); 2.5± miles north of its intersection with Cypress Point Road (CR 576), located at 12200 S. Highway 1, Elk; APN: 131-070-06.

TOTAL ACREAGE: 11.5± Acres

GENERAL PLAN: Range Lands (RL160)

ZONING: Range Land (RL)

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests a Standard Coastal Development Permit to re-gravel an existing driveway approach, grade and gravel a driveway extension, construct a 2,663 square-foot single-family residence, a 742 square-foot garage, a 1,659 square-foot barn, five (5) feet in height loose-meshed fencing, installation of a well and pumphouse, two (2) 5,000-gallon water storage tanks, install a septic system, connect to utilities and associated infrastructure. The barn would support livestock animals and storage. In addition, the project request includes constructing a breezeway that connects the single-family residence to the garage. The fenced livestock area would be 5± acres.

The site is located within the Coastal Zone, 4.8± miles south of Elk, on the west side of State Route 1 (SR1); located at 12200 S. Highway 1, Elk; (APN: 131-070-06). The subject parcel is located on the west side of State Route 1 and situated within a designated highly scenic area.[1] The property is situated within a "moderate" fire hazard zone and is served by the Elk Community Services District.[2] The parcel is mapped as "marginal" ground water resources.[3] The LCP Land Use map indicates the subject parcel consists of "prime agricultural land".

The 11.5± acre blufftop parcel contains a test well (WW24416) and an existing partially graveled driveway. The adjacent property to the south consists of a single-family residence, a barn, and livestock animals. The adjacent properties to the north and east are undeveloped. The project site is situated on an uplifted marine terrace with a relatively steep descending bluff down to the Pacific Ocean shoreline at the western margin of the property. From west to east the property, the property rises in elevation from 240 feet above sea level to 300 feet above sea level.[4] The surrounding Land Uses and Zoning are detailed in the following table.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Range Lands (RL160)	Rangeland (RL160)	13± Acres	Undeveloped
EAST	Range Lands (RL160)	Rangeland (RL160)	30± Acres	Undeveloped
SOUTH	Range Lands (RL160)	Rangeland (RL160)	5± Acres	Undeveloped
WEST	Pacific Ocean	Pacific Ocean		Ocean

Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): None.

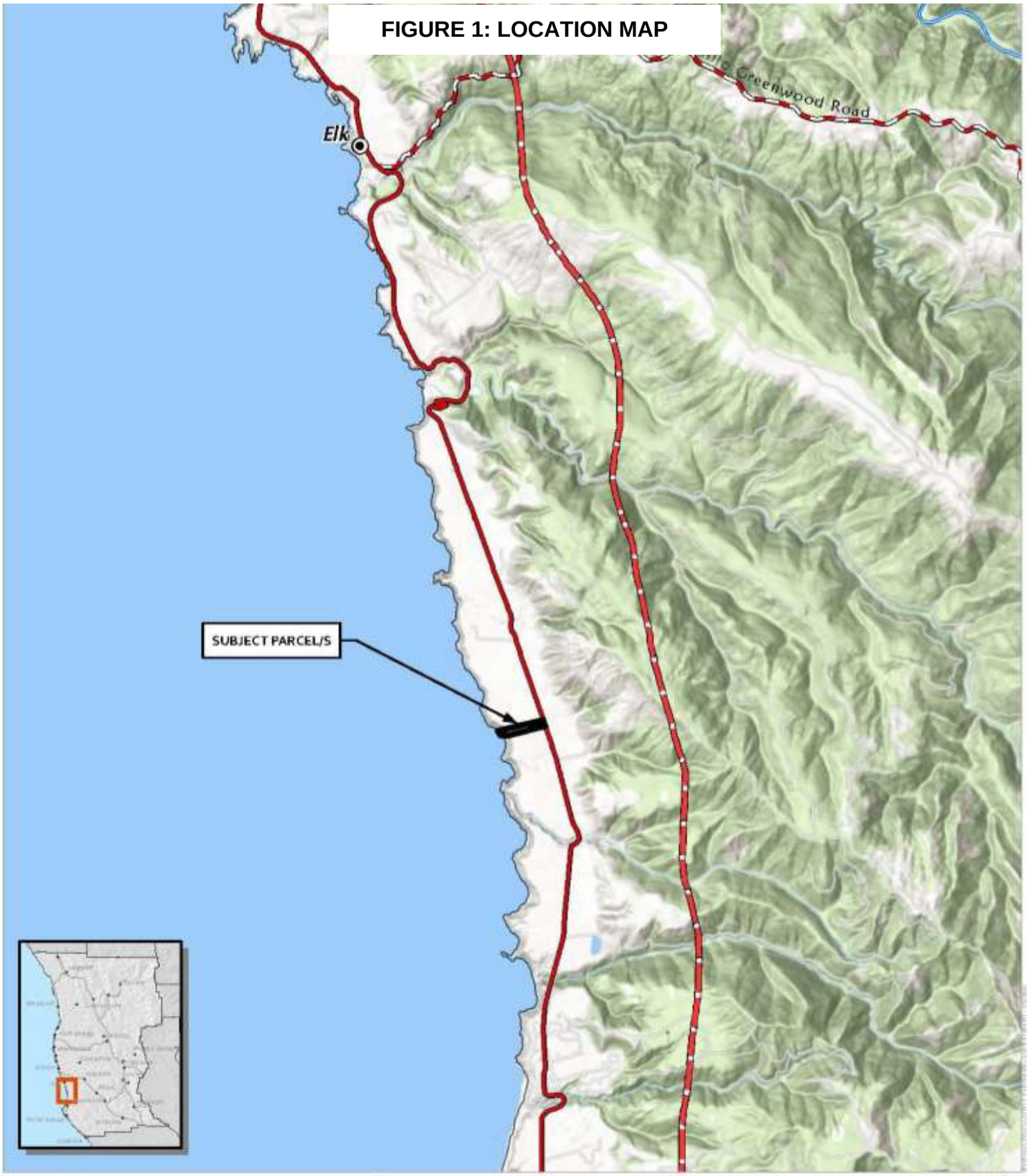
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural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

Pursuant to the consultation requirements of Assembly Bill (AB) 52, in July 2022, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The following tribes were notified Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. No Native American tribe has requested consultation in association with this Coastal Development Permit (CDP_2020-0037).

PROJECT PLOT PLAN: See Page 6 of this document.

[1] Highly Scenic Map.
[2] Fire Hazard Map.
[3] Coastal Groundwater Resources Map.
[4] Topographic Map.

FIGURE 1: LOCATION MAP

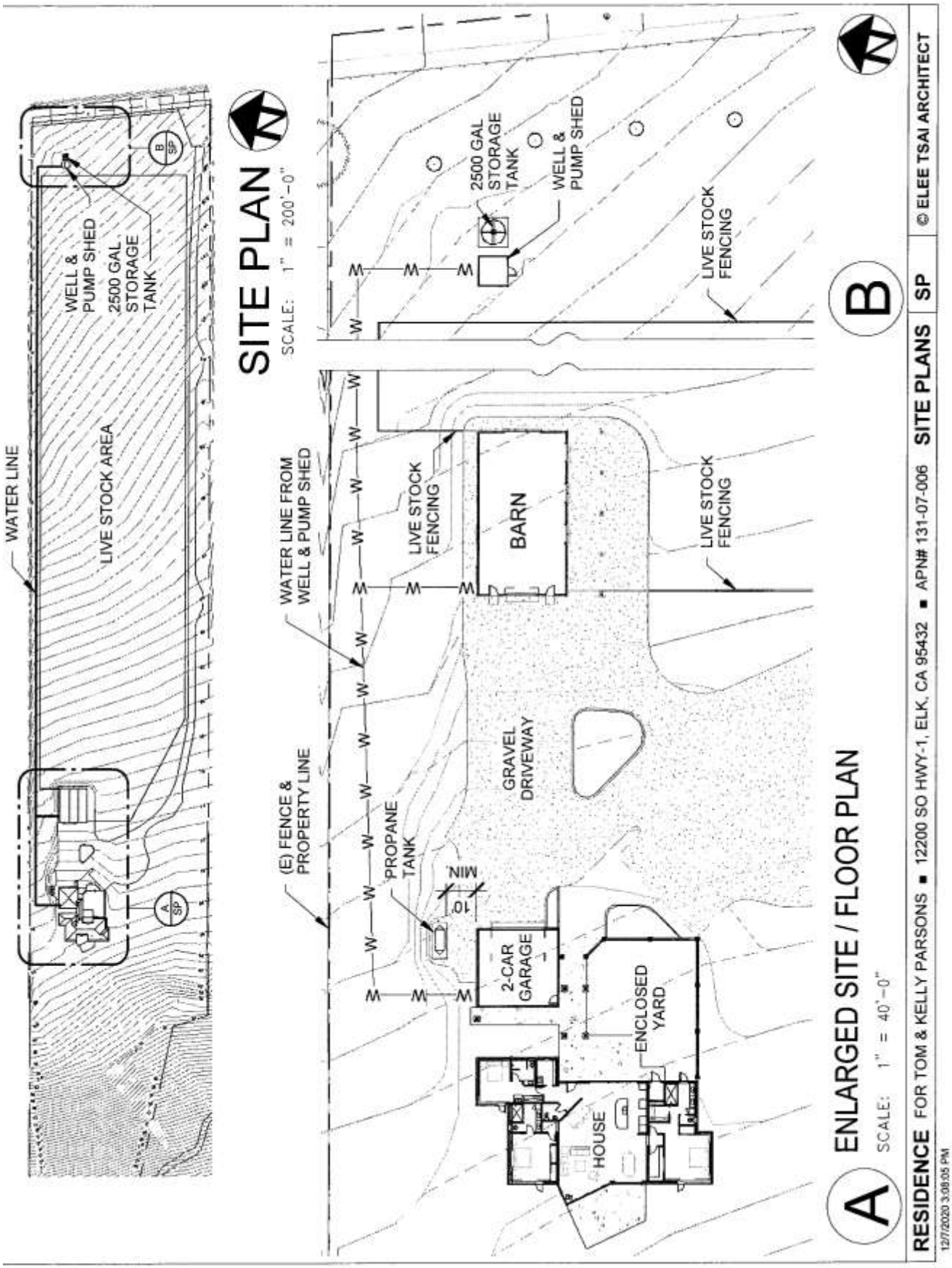


ATTACHMENT

FIGURE 2: AERIAL IMAGERY

ATTACHMENT

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.

☐ Aesthetics	☐ Ag and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhous Gas Emissions	☐ Hazards/Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ 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.

for Shelby Miller — Signature

7/30/2024 — Date

Shelby Miller — Printed Name

Planner II — Title

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?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

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

State Route 1 is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, is part of the National Highway System, a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. State Route 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a “scenic highway”, meaning that there are substantial sections of highway passing through a "memorable landscape" with no "visual intrusions."

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

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

a-b) **No Impact:** The project site is not located near or within a scenic vista. The project does not propose to damage scenic resources including trees, outcroppings, or historic resources. Therefore, the project would have no impact on a scenic vista or other aesthetic resources within a state scenic highway.

c-d) **Less Than a Significant Impact**: The project site is situated within a non-urbanized area and on an uplifted marine terrace with a relatively steep descending bluff down to the Pacific Ocean shoreline. The proposed residence, barn, and garage would be located on a downslope and would not obstruct public views. The two water storage tanks and well would be located behind native vegetation. The property is located the unique community of Elk, which is the coast's only linear historic town. Since lumbering operations stopped the vestiges of the lumber town gradually have disappeared. A few elegant houses, trees along the road, vacant highway frontage, the post office, small stores, and the garage with stamped metal "brick" siding combine to establish Elk's man-made character. It is difficult to imagine any change that would improve Elk; however, a few additional housing units could be built both east and west of the highway that would not be visible from the road.

The property to the south is developed with a single-family residence, barn, and pasture animals. As proposed, the project to construct a single-family residence, a barn, a garage, and fencing for pasture animals would be consistent with the town's character and create a minimal impact on the aesthetics. In addition, the project proposes three concealed lenses down facing lights on garage. Conditions of approval would include that light fixtures shall be installed in a way to not distract motorists and be shielded so that they do not shine or glare beyond the limits of the parcel.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a 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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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

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

The Williamson Act (officially the California Land Conservation Act of 1965) provides preferential tax assessments to owners of farmland and open-space land in exchange for a ten-year agreement that the land will not be developed or otherwise converted to another use. Since the early 1980’s participation in the program has hovered around 16 million acres enrolled under contract, constituting about one third of all privately held land in the state and about one half of the state’s agricultural land. The intent of the Williamson Act is to preserve a maximum amount of a limited supply of prime agricultural land to discourage premature and unnecessary conversion of prime agricultural land to urban uses.

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

a-e) **No Impact:** The project site is situated within a mapped Prime agricultural land classification. As proposed, the project consists of constructing a single-family residence, a barn, and associated structures. The project site is located within the Rangeland zoning district. The Rangeland district principally permits grazing, and forage for livestock and raising of crops. The applicant provided a pasture leasing agreement and would use the land for agricultural purposes. The single-family residence would be incidental and subordinate to the agricultural use. The project would not conflict with the existing zoning or with a Williamson Act contract.

The property is not situated within a Timberland Production Zone and no trees are proposed to be removed. The project would not result in a conflict with existing zoning or result in the loss of forest land. The applicant proposes to use the land for agricultural purposes and the project would not involve other changes in the existing environment. To conclude, the project would create no impact on the agricultural viability of the property.

MITIGATION MEASURES: None.

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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

DISCUSSION: Mendocino County is located within the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. Additionally, the Mendocino County Air

Quality Management District (MCAQMD) is responsible for enforcing state and federal clean air acts, as well as local air quality protection regulations. Any new emission point source is subject to an air quality permit, consistent with the District's air quality plan, prior to project construction. The MCAQMD also enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions.

MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM10). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM10 emissions, and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;

2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;

3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;

4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;

5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;

6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and

7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel-powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

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

a) **No Impact:** The project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD enforces standards requiring new construction,

including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed project to construct a single-family residence and associated structures would not conflict with the District's air quality plan.

b-d) **Less Than a Significant Impact:** The MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM10). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM10 emissions and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land. The applicant will be required to adhere to all MCAQMD recommendations.

The project site is currently undeveloped and is located approximately 300 feet north of an existing single-family residence. The proposed development has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. The project would not include any sources likely to create objectionable odors. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the minimal paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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

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

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

The following may also be considered a special status species:

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

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

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

The California Natural Diversity Database (CNDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, other agencies, and conservation organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes and provide baseline data helpful in recovering endangered species and for research

projects. Currently, the CNDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened, Threatened, or Endangered.

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

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

a-f) **Less Than a Significant Impact:** The LCP Habitats and Natural Resources map indicates the subject parcel is situated on *Barren* land. A Biological Assessment and Botanical Survey was prepared by Jacobszoon & Associates, Inc. on September 20, 2019. The biological assessment and botanical survey were performed on May 22, 2019, and a Point Arena Mountain Beaver *(Aplodontia rufa nigra*) (PAMB) habitat assessment was performed on July 11 and August 6, 2019. Considering the parcel is blufftop and within the area in which Point Arena Mountain Beavers (PAMB) inhabit, there is a potentially suitable PAMB habitat within the coastal scrub along the bluff face.

All proposed development and construction activities would be greater than 100 feet east of the bluff edge. In addition, twenty-eight (28) special status species and eight (8) special status wildlife species have the potential to occur within the subject parcel. No Environmentally Sensitive Habitat Areas (ESHAs) were identified on the project site. Protective measures that include avoiding any adverse effects of incidental take of the PAMB have been included in the conditions of approval and mitigation measures.

The project site would be situated greater than 400 feet from any riparian habitat and wetland. The proposed project would have minimal impact on any wildlife species and would not impede the use of native wildlife nursery sites. In addition, the proposed project does not anticipate conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The proposed project to construct a single-family residence and associated structures would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

MITIGATION MEASURES:

BIO-1: Potential Impact to Point Arena Mountain Beaver: Construction activities that cause ground vibration may disturb PAMB behavior and collapse their burrows. Removal of vegetation with occupied habitat may limit PAMBs access to food and leave them vulnerable to predators. Removal of potential habitat contiguous with, or near, occupied habitat may limit dispersal into new areas and/or between areas where less related individuals may come in contact. Light direct toward PAMB habitat may affect their activity or increase predation. Domestic dogs and cats may catch, hurt or kill PAMB. The PAMB breeding season is December 1 through June 30.

BIO-2: Avoidance Measure: Follow all guidelines presented in the Draft Point Arena Mountain Beaver Standard Protection Measures for "No Take" Determinations. USFWS has prepared a list of mitigation that should prevent impact to the PAMB. Mitigation Measures presented in the Draft Point Arena Mountain

Beaver Standard Protection Measures for “No Take” Determinations have been included in this Initial Study report.

BIO-3: Avoidance Measure: 100-foot buffer around occupied and un-surveyed potential habitat. A 100-foot buffer shall be established around habitat with active burrows. Potential PAMB habitat that has not been surveyed for PAMB presence/ absence should be treated as it is occupied habitat. No vegetation removal, construct, ground vibration, or materials stockpiling shall occur within the buffer area during any portion of the year.

BIO-4: Avoidance Measure: Construction only during non-breeding season. Because the proposed development is within 100 feet of occupied habitat, construction activities with the potential to disrupt breeding should be conducted only during the non-breeding season, July 1 through November 30.

BIO-5: Avoidance Measure: No ground noise-generating equipment during breeding season. Operation of above ground noise-generating equipment (including gas powered chainsaws and weed eaters) should not occur within 100 feet of active burrows or un-surveyed suitable habitat during the breeding season. Hand tools and electric weed eaters may be used within 100 feet of active burrows during the breeding season.

BIO-6: Installation of lighting or extended use of nighttime illumination should not occur within 100 feet of active burrows or un-surveyed suitable habitat.

BIO-7: Avoidance Measure: No degradation (timber harvest, livestock grazing, herbicide application, removal of existing down wood, and burning) of suitable PAMB habitat that is contiguous with and within 200 feet of active burrows or un-surveyed suitable habitat. No removal of suitable PAMB habitat that is contiguous with and within 400 feet of active burrows or un-surveyed suitable habitat. Annual mowing of areas currently not considered PAMB habitat is not considered modification or removal.

BIO-8: Avoidance Measure: Ground vibration disturbance buffer. Operation of mechanical equipment that is in direct contact with, or below, the ground which causes ground vibrations (including water well drilling, heavy equipment such as graders, soil excavators, air compressors, and directional boring equipment) should not occur within 100 feet of active burrows or un-surveyed suitable habitat during the breeding season, and not within 50 feet during the remainder of the year. This includes the use of power mowers and ditch cleaning with motorized equipment; however, small mowers with rubber tires may be considered to only result in noise disturbance and not vibration disturbance. Directional boring beneath active burrows or un-surveyed suitable habitat should not occur at any time.

BIO-9: Avoidance Measure: Avoid pets encroaching into PAMB habitat. Domestic or feral dogs and cats are known to kill mountain beavers and should not be allowed within areas containing burrow systems or within un-surveyed suitable habitat.

BIO-10: Avoidance Measure: Avoid severe ground vibration disturbance. Operation of mechanical equipment that is in direct contact with the ground, or below ground, which causes severe ground vibrations (including log landings and soil compaction with vibrators) should not occur within 500 feet of active burrows or un-surveyed suitable habitat during the breeding season, and not within 100 feet during the remainder of the year.

BIO-11: Avoidance Measure: Damage to Burrow Systems. No vehicle use, human foot traffic, soil excavation, cattle grazing or movement, or other potential sources of burrow collapse should occur within 25 feet of active burrows or unsurveyed suitable habitat at any time. By necessity, surveyors may approach to within 25 feet of active burrows or unsurveyed suitable habitat. No activity should occur that alters water drainage or hydrology of areas contain burrow systems or in unsurveyed suitable habitat.

BIO-12: Mitigation Measure: Rodent Control. No rodent control measures (including trapping and application of poison bait or fumigants) should occur within 400 feet of active burrows or unsurveyed suitable habitat at any time. However, baits intended to kill commensal rodents (i.e., rodenticides) near human structures that are less than 400 feet from active burrows or unsurveyed suitable habitat, can be used when placed in tamper resistant bait boxes placed in areas inaccessible to PAMB. The purchase, possession, and use of second-generation anticoagulant rodenticides that contain the active ingredients

brodifacoum, bromodialone, difenacoum, or difethialone are prohibited in California except by certified pesticide applicators.[5]

BIO-13: No operation of mechanical equipment which is in direct contact with, or below, the ground which causes ground vibrations (including water drilling, heavy equipment such as graders, soil excavators, air compressors, and directional boring equipment) within 100 feet of active burrows or un-surveyed suitable habitat during the breeding season, and not within 50 feet during the remainder of the year. This includes the use of power mowers and ditch cleaning with motorized equipment; however, small mowers with rubber tires may be considered to only result in noise disturbance and not vibration noise. Directional boring beneath active burrows or un-surveyed suitable habitat shall not occur at any time.

BIO-14: Avoidance Measure: Pre-construction surveys for burrowing owls will be conducted in areas supporting potentially suitable habitat and within 30 days prior to the start of construction activities. If ground disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site will be resurveyed.

BIO-15: Avoidance Measure: If burrowing owls are detected, disturbance to burrows must be avoided during the nesting season (February 1 through August 31). Burrows around occupied burrows will be a minimum of 656 feet during the nesting season and 160 feet during the non-breeding season.

BIO-16: Avoidance Measure: Outside of the nesting season (February 1 through August 31), passive owl relocation techniques must be implemented. Owls would be excluded from burrows in the immediate impact zone within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors must be in place at least 48 hours prior to excavation to ensure the owls have departed. The work must be monitored daily for 1 week to confirm owl departure from burrows prior to any ground-disturbing activities.

BIO-17: Avoidance Measure: Where possible, burrows would be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe will be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.

BIO-18: If occupied burrows cannot be avoided during the non-breeding season (September 1 through January 31, landowner or contractor must contact the California Department of Fish and Wildlife for consultation regarding a monitoring and management plan or remedial actions.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** 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?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

DISCUSSION: According to California Code of Regulations Section 15064.5, buildings, structures, objects, sites and districts are historically significant if they are:

- Listed in, or eligible for listing in the California Register of Historic Resources (CRHR) (Public Resources Code 5024.1, Title 14 CCR, Section 4850 et. seq.);

[5] California Department of Pesticide Regulation. 2014.

- Listed in, or eligible for listing in, the National Register of Historic Places (NRHP);
- Included in a local register of historical resources, as defined in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resource Code; or
- 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, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

Archeological resources are governed by MCC Sec. 22.12.090, which echoes state law regarding discovery of artifacts and states, in part, "*It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archeological site without complying with the provisions of this section*". MCC Section 22.12.090 governs discovery and treatment of archeological resources, while Section 22.12.100 speaks directly to the discovery of human remains and codifies the procedures by which said discovery shall be handled. Pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15064.5 "*If an archeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.*"

a-c) **No Impact:** The proposed project does not anticipate causing a substantial adverse change in the significance of a historical or archaeological resource pursuant to §15064.5 and does not anticipate disturbing any human remains, including those interred outside of formal cemeteries. The applicant provided one Archaeological Survey associated with the subject parcel. The Archaeological Survey stated that no evidence of a prehistoric or historic-era archaeological deposit was observed during field surveys. The proposed project was referred to the Northwest Information Center (NWIC) and the Archaeological Commission. NWIC reiterated that the Archaeological Survey covered 100% of the subject parcel and identified no cultural resources. Based on the Survey, the proposed project area has a low possibility of containing unrecorded archaeological sites.

Therefore, the project would not result in the disturbance of human remains including those interred outside of formal ceremonies. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified archaeologist has evaluated the situation and provided appropriate recommendations. The project was referred to Redwood Valley Rancheria, Cloverdale Rancheria, and Sherwood Valley Band of Pomo Indians. As of June 3, 2024, no comments were received.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Cultural Resources.

5.6 ENERGY

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

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."

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

a) **Less Than a Significant Impact:** The proposed project would be required to comply with applicable best management practices and energy code standards for construction of the residence. The 2022 Energy Code standards ensure that operation of the residence, including the use of appliances, space heating, wells, and other energy-consuming activities would not create a significant impact. The project may induce additional vehicle trips or miles traveled, but residential use is not anticipated to result in significant energy use from vehicle trips as discussed in the "Transportation/Traffic" section.

b) **No Impact:** Mendocino County does not have an allocated plan for renewable energy or energy efficiency. However, the project is consistent with applicable General Plan policies and SB 350 because it would be required to comply with Energy Code standards, including applicable renewable energy requirements for residential construction. Likewise, the project is consistent with CARB's 2022 Scoping Plan as discussed in the Greenhouse Gas Emissions section of this document.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT 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:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) 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?	☐	☒	☐	☐
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?	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) 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 very commonly cover the underlying bedrock throughout the county. Due to the weak and deformed nature of the Franciscan rocks, they are prone to deep weathering and development of thick overlying soils. Soil deposits in swales and on the flanks of slopes commonly contain substantial amounts of clay and weathered rock fragments up to boulder size. These soils can be unstable when wet and are prone to slides. Land sliding of such soils is widespread in Mendocino County, particularly in the eastern belt of the Franciscan Formation beneath the eastern portion of the county. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to landslides and erosion.

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on 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 (EQZapp), which allows a user to check whether a site is in an earthquake hazard zone. The

California Department of Conservation also houses a general-purpose map viewer that contains layers 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 cause 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 cause 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 (hydro compaction). 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.[6]

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

Unique geologic features are rocks or formations which:

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

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

a) **Less Than a Significant Impact:** The LCP Land Capabilities and Natural Hazards map associates the project site with Marine Terrace Deposits (Zone 2) Seismicity. Pursuant to the Mendocino County General Plan Coastal Element Policy 3.4-7, the proposed development would be situated greater than 150 feet from the bluff edge. A Geotechnical Investigation, Bluff Stability and Sea Level Rise Study was conducted PJC & Associates on September 2, 2021, for the proposed residence and barn. The closest active fault is the San Andreas located 2.7± miles to the southwest of the subject parcel. Two other active faults including the Maacama Fault and the Collayomi Fault are located within 50 miles of the subject parcel. The site is located with a zone of high seismic activity related to the active faults that transverse through the surrounding region.

   Three (3) exploratory test pits were excavated and PJC investigated the subsurface conditions. PJC & Associates concluded that “the principal engineering geology hazard affecting the site vicinity is the nearby active San Andreas Fault and the project site will likely experience severe seismic ground shaking during the life of the proposed structure”. Seismic design criteria in accordance with the 2019 California Building Code have been included in the Geotechnical Investigation that landowner/ contractor must adhere to.

[6] U.S. Geological Survey. Liquefaction Susceptibility. Retrieved from https://earthquake.usgs.gov/education/geologicmaps/liquefaction.php.

The site soils encountered during the exploration are not considered to be prone to liquefaction. PJC & Associates stated that the site does not contain evidence of landsliding or erosion. The project would not directly or indirectly cause potential strong seismic ground shaking.

b-d)**Less Than a Significant Impact with Mitigation:** The project site is situated within weak and compressible soils. There is a potential for the soil to collapse under the load of foundations, engineered fill, and/or concrete slabs when their moisture content increases and approaches saturation. PJC recommends that the structures be supported on deepened footings which extend through weak soils and into firm terrace deposits. Interior slab-on-grade floors should be structurally designed to span from footing to footing. Non-structural concrete slabs-on-grade may be used in the barn, garage and exterior flatwork provided they are underlain by 18 inches of non-expansive compacted engineered fill in conformance with the mitigation measures provided in the Geotechnical Investigation. As previously stated, the site soils encountered during the exploration are not considered to be prone to liquefaction. PJC & Associates stated that the site does not contain evidence of landsliding or erosion.

Grading is most economically performed during the summer months when on-site soils are usually dry of optimum moisture content. Delays should be anticipated in site grading performed during the rainy season or early spring due to excessive moisture in the on-site soils. Special and relatively expensive procedures should be anticipated if grading must be completed during the winter and early spring. Mitigation Measures GEO-1 through GEO-5 would ensure that the projects impact would be less than significant.

e-f) **No Impact:** There is no evidence of the parcel containing soil that is incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. In addition, the project site has not shown evidence of containing a paleontological resource or site or unique feature. Therefore, the proposed project would not directly or indirectly destroy any geologic resources.

MITIGATION MEASURES:

GEO-1: Structural areas must be stripped of stumps, surface vegetation, roots and the upper few inches of soil containing organic matter. These materials should be moved off site; some of them, if suitable, could be stockpiled for later use in landscape areas. If underground utilities pass through the site, we recommend that these utilities be removed in their entirety or rerouted where they exist outside an imaginary plane sloped two horizontals to one vertical (2H: 1 V) from the outside bottom edge of the nearest foundation element. Any existing wells or septic systems not included in the project should be abandoned in accordance with the requirements of the County of Mendocino Health Department. Voids left from the removal of utilities or other obstructions should be replaced with compacted engineered fill under the observation of the project geotechnical engineer.

GEO-2: The existing weak soils should be sub-excavated in areas requiring fill and firm soils exposed as determined by the geotechnical engineer on site during construction. A level bench extending the width of the fill should be excavated. The exposed surface should be scarified to a depth of eight inches, moisture conditioned to within two percent of the optimum moisture content and compacted to a minimum of 90 percent of the maximum dry density of the materials, as determined by the ASTM D 1557-09 laboratory compaction. Once exposed during site grading, the excavated soils may require further laboratory testing to determine the suitability for use as fill and should be approved by the geotechnical engineer in the field during construction. Importation of low to non-expansive, engineered fill may be necessary. The fill material should be spread in eight-inch-thick loose lifts, moisture conditioned to within two percent of the optimum moisture content and compacted to at least 90 percent of the maximum dry density of the materials. Imported fill, if required, should be evaluated and approved by the geotechnical engineer before

importation. The lateral extent of the low to non-expansive fill should be a minimum of three feet beyond the garage, barn, and exterior flatwork areas.

Any import fill to be used on site be of a low to non-expansive nature and should meet the following criteria:

Plasticity Index	Less than 12
Liquid Limit	Less than 35
Percent Soil Passing #200 Sieve	Between 15% and 40%
Maximum Aggregate Size	4 inches.

All fills should be placed in lifts no greater than eight inches in loose thickness and compacted to the general recommendations provided in the following mitigation measures.

GEO-3: Cut and Fill Slopes. Cut slopes should be graded to an inclination no steeper than 2H:1V. Steeper slopes should be retained. If potentially unstable subsurface conditions such as adverse bedding, joint planes, zones of weakness, weak clay zones, or exposed seepage are encountered, it may be necessary to flatten slopes or provide other treatment. We recommend that a geotechnical engineer observe the cut slopes and provide final recommendations for the control of adverse conditions during grading operations, if encountered. During the rainy season, the cut slopes must be checked for springs and seepage areas. The surfaces of the cut slopes should be treated as needed in order to minimize the possibility of slumping and erosion.

GEO-4: All site preparation and fill placement should be observed by aa representative of PJC. A geotechnical engineer must be present during the stripping, sub-excavation and grading scarifying processes to observe whether any undesirable material is encountered in the construction area.

GEO-5: The proposed structures must be supported by spread footings extending a minimum of 36 inches below the adjacent ground surface and at least 12 inches into firm terrace deposits. Deeper footing depths may be required where weak and compressible soils are encountered during construction. Footing excavations should be observed and approved by the geotechnical engineer before reinforcing steel is placed. All footings should be reinforced. PJC & Associates must be contacted for recommended bearing pressures, depth of embedment and minimum widths of spread footings.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** 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?	☐	☐	☒	☐
b) 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 CO2e per year or 4.5 Metric Tons of CO2e per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO2e per year.

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:

Senate Bill No. 32 (SB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. SB 32 established a state goal of reducing GHG emissions to 40% below the 1990 level by 2030. In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission, which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those, which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO2e (CO2 equivalent) of operation emission on an annual basis. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures.

a) **Less Than a Significant Impact:** Mendocino County Air Quality District is in attainment for all Federal criteria air pollutants and is also in attainment for all State standards except Particulate Matter less than 10 microns in size (PM10). The largest sources of PM10 include wildfires, residential wood burning, unpaved roads and construction activities. The proposed project to construct a single-family residence and associated structures would create a minimal and temporary impact on greenhouse gases. The proposed project does not anticipate exceeding the State's threshold on GHGs or create a direct or indirect significant impact on the environment.

b) **No Impact:** No Climate Action Plan has been adopted covering the project site. Therefore, a qualitative approach is used to determine whether the project is consistent with the State's climate goals by reviewing key project attributes. The project is not located on an infill site. The project would result in some conversion of natural and working lands. For example, tree removal may take place to accommodate a building site. The project would not incorporate EV charging infrastructure, would not consist of transit-supportive density, is not near a transit stop, does not reduce parking requirements, and is not expected to be included as affordable to lower-income residents. However, the small scale of the project does not lend itself to these standards. The construction of one (1) single-family residence is minimal in scale, and these measures would not significantly change emissions. The project is expected to use electric appliances which would work toward building decarbonization. Due to its small scale, the project is not expected to conflict with relevant attributes aligned with State climate goals.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

DISCUSSION: California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (California Health and Safety Code Section25501 (m)).

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

The California Air Resources Board classifies asbestos as a known human carcinogen. Asbestos of any type is considered hazardous and may cause asbestosis and lung cancer if inhaled, becoming permanently lodged in body tissues. Exposure to asbestos has also been shown to cause stomach and other cancers. Asbestos is the general name for a group of rock-forming minerals that consist of extremely strong and durable fibers. When asbestos fibers are disturbed, such as by grading and construction activities, they are released into the air where they remain for a long period of time. Naturally occurring asbestos is an issue of concern in Mendocino County, which contains areas where asbestos-containing rocks are found. The

presence of ultramafic rocks indicates the possible existence of asbestos mineral groups. Ultramafic rocks contain 90 percent or more of dark-colored, iron-magnesium-silicate minerals. Ultramafic rocks may be partially or completely altered to a rock known as serpentinite, more commonly called serpentine.

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

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

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

a, b) **Less Than a 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 Redwood Waste Solutions.

No significant concentrations of hazardous materials are expected to be used during construction or operation. The proposed project would make use of BMPs and site drainage measures addressing polluted stormwater, erosion, and sedimentation. This would limit accidental release of potentially hazardous materials into the surrounding environment.

c-f) **No Impact:** The nearest school is Greenwood Pre-School approximately 6.5 miles north of the 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. 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. In addition, the nearest airport is the Little River Airport approximately 20 miles northeast of the project site. The subject parcel is not within an airport zone as outlined in the Airport Land Use Plan. Therefore, no safety hazards or excessive noise are expected due to the airport at the project site.

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 standard utility and telecommunication infrastructure, which would allow receipt of alerts, notifications, or warnings. Therefore, the project is not expected to interfere with the adopted Emergency Operations Plan.

g) **Less Than a Significant Impact:** The project site is within the Elk Community Services District and is mapped as a "Moderate Fire Hazard" zone.[7] The project is subject to CAL FIRE standards per Title 14 California Code of Regulations, Division 1.5, Chapter 7, Sub-chapter 2, Article 1, §1270.03. CAL FIRE issued letter #30-23 outlining the State Fire Safe

[7] Fire Hazard Zone Map.

Regulations conditions of approval to be met prior to obtaining final clearance. This includes the Driveway Standard, Address Standard, and Maintain Defensible Space and Fuels Modification Standard. Standard conditions of approval within Coastal Development Permits require that the applicant follow the measures required by CAL FIRE. Compliance with existing regulations would minimize potential impacts due to wildfire.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for

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

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

a) **No Impact:** The project site contains an on-site well that was approved by the Division of Environmental Health on June 2, 2022. The standard regulations and Best Management Practices applicable to the project ensure that discharges due to construction would not degrade water quality or violate discharge requirements. Additionally, the previously mentioned requirements derived from recommendations within the Geotechnical Investigation, particularly those related to site drainage, would serve to minimize impacts. 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.

b) **Less Than a Significant Impact:** A Geotechnical Investigation was prepared by PJC & Associates on September 2, 2021. PJC & Associates stated "groundwater or seepage was not encountered in the exploratory test pits at the time of subsurface exploration on July 21, 2021. Based on our subsurface findings, we do not anticipate that the overall site surface runoff and ground water conditions will be adversely affected by the proposed development"[8]. As proposed, the project to construct a single-family residence, associated structures, and raise livestock would create a minimal impact on groundwater supplies. The project site contains an on-site well that produces sufficient water supply for all project features. The project would not interfere substantially with groundwater recharge.

c) **Less Than a Significant Impact with Mitigation:** The proposed project would not alter the course of a stream or river. However, construction and ground disturbance may result in erosion or siltation. As noted, the project would be required to implement BMPs, and recommendations outlined in the Geotechnical Investigation to reduce erosion or siltation during construction. All recommendations incorporated into the Geotechnical Investigation must be adhered to. Mitigation measures HYDRO-1 and HYDRO-2 would avoid or reduce the impact on drainage, erosion, and runoff.

d) **Less Than a Significant Impact:** The project site is not situated within a flood hazard or seiche area. The west portion of the property is 240 feet above mean sea level. PJC & Associates stated that the proposed building sites appear to be located above and outside of the tsunami run-up zone. Therefore, the risk release of pollutants due to project inundation is relatively low.

[8] PJC & Associates. Geotechnical Investigation, Bluff Stability, and Sea Level Rise Study. September 2, 2021.

e) **No Impact:** Applicable plans include the Mendocino County Coastal Element, Coastal Zoning Code, 1982 Coastal Ground Water Study, and Environmental Health standards. As discussed above and throughout the associated Staff Report, this Project has been found to be consistent with these plans.

MITIGATION MEASURES:

HYDRO-1: Avoid earthwork during the rainy season. If work is done during the rainy season, cut slopes should be checked for springs and seepage areas.

HYDRO-2: Drainage control design must include provisions for positive surface gradients so that surface runoff is not permitted to pond, particularly above slopes or adjacent to the building foundations or slabs or the garage entrance. Surface runoff should be directed away from the structures and bluff edge. If the drainage facilitates discharge onto the natural ground, adequate means should be provided to control erosion and to create sheet flow. Care must be taken so that discharges from the roof gutter and downspout systems are not allowed to infiltrate the subsurface near the structure or in the vicinity of slopes. PJC must approve all discharge locations.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

DISCUSSION: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, as well as several more locally derived specific plans, such as the Gualala Town Plan, or Ukiah Valley Area Plan. The proposed project is not within the boundaries of a locally derived specific plan. During project referrals, a number of agencies that may have jurisdiction over the project were contacted.

a) **No Impact:** The construction and operation of a single-family residence and associated structures is not expected to result in any physical divisions within the surrounding neighborhood. The residence would be located on a blufftop parcel and would not block travel from one parcel to another.

b) **No Impact:** The General Plan, Coastal Element, and Coastal Zoning Code contain policies and regulations aimed at avoiding or mitigating environment effects. The project has been determined to be consistent with relevant regulations as described elsewhere in the Initial Study.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Land Use and Planning.

5.12 MINERAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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

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

a) **No Impact:** The site does not contain any known mineral resources of value. Limited ground disturbance would occur.

b) **No Impact:** No locally important mineral resources are known to occur on the project site. Limited ground disturbance would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Mineral Resources.

5.13 NOISE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

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

a) **Less Than a Significant Impact:** With the exception of short-term construction related noise, the proposed development will not create a new source of noise that will impact the community. Noise created by the construction of the two-car garage, removal of existing driveway, and paving of new driveway approach are not anticipated to be significant, and no mitigation is required. The proposed development is similar to and compatible with the uses that already exist in the area. Construction of the single-family residence, the detached driveway, grading and paving the driveway, and associated structures would cause temporary increases in noise; however, these impacts would only be associated with construction, and would be temporary in nature.

b) **Less Than a Significant Impact:** Given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.

Upon build-out of the project, operational noise would be associated with use of the site for residential purposes. Due to the location of the project is a residential neighborhood, and since a single-family residence is all that is proposed at the site under this project, it is determined that a less than significant impact would occur.

c) **No Impact:** The project is not located within the vicinity of a private airstrip or an airport land use. The nearest airport is the Little River Airport located approximately 19.5 miles northeast of the project site.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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

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

a) **Less Than a Significant Impact:** The proposed project to construct a single-family residence and associated structures would not induce substantial unplanned population growth in the area, either directly or indirectly. The single-family residence would be accessed by State Route 1. The project site is within a rural neighborhood located to the west of SR 1. The project was referred to CALTRANS and the Mendocino County Department of Transportation. Comments received from CALTRANS stated that if applicant proposes a new access point, an engineered plan would be required. In addition, the MCDOT responded and stated, "the current access will need to be brought up to Caltrans current minimum standards including a minimum throat width of twelve feet. Any work done within Caltrans right of way would require an encroachment permit from Caltrans". The subject parcel contains an existing 14-foot-wide driveway gate. Therefore, the project would not induce unplanned population growth in an area directly or indirectly through the expansion of roads or other infrastructure.

b) **No Impact:** The proposed development would not displace people or existing housing or necessitate the construction of replacement housing anywhere else.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Population and Housing.

5.15 PUBLIC SERVICES

WOULD THE PROJECT result in substantial adverse Physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

DISCUSSION: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is serviced by the Round Valley Unified School District, Round Valley Indian Health Center, Round Valley County Water District, and the Covelo Fire Protection District.

a) **Less Than a Significant Impact:** Fire protection services would be provided by Elk Community Services District and CALFIRE. The project was referred to said agencies for comments. On August 8, 2022, Cal Fire stated, "this project will have to conform to the applicable sections of the SRA/VHFHSZ Fire Safe Regulations found in Title 14 of the California Code of Regulations". As of July 1, 2024, Elk Community Services District has not responded.

b) **Less Than a Significant Impact:** The nearest police station is the Fort Bragg police station located approximately 32 miles north of the project site. The addition of one (1) single-family residence would induce minimal population growth and is not expected to require the provision of new police facilities.

c) **No Impact:** The project is located within the Manchester Union Elementary School District. The addition of one (1) single-family residence would induce minimal population growth and is not expected to require the provision of new school facilities.

d) **No Impact:** There are six county-maintained parks throughout the County of Mendocino. There are many parks throughout Mendocino County that are operated by other agencies such as cities, townships, recreation districts, California State Parks, US Army Corps of Engineers and the Bureau of Land Management (BLM). The nearest state park is Manchester State Park located 7± miles south of the project site. The nearest county park is Bower Park and is located 26± miles south of the project site. The proposed project would not require the provisions of new parks.

e) **No Impact:** The single-family residence would be served by an on-site well, on-site septic system, electricity, gas, and solid waste would be serviced by local agencies. The proposed development would induce minimal population growth and is not expected to require the provision of other additional public facilities.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Public Services.

5.16 RECREATION

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

DISCUSSION: The County of Mendocino manages a variety of public recreation areas including the Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion's Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of state parks, reserves, other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The closest protected area to the proposed project is the Mendocino National Forest, located 9± miles east of the subject parcel.

a) **No Impact:** There are six county-maintained parks throughout the County of Mendocino. There are many parks throughout Mendocino County that are operated by other agencies such as cities, townships, recreation districts, California State Parks, US Army Corps of Engineers, and the Bureau of Land Management (BLM). The nearest state park is Manchester State Park located 7± miles south of the project site. The nearest county park is Bower Park and is located 26± miles south of the project site. The project would create a minimal use of existing neighborhood and regional parks or other recreational facilities. The project is not anticipated to require the provision of new park facilities or to cause substantial physical deterioration of existing facilities.

b) **No Impact:** The proposed development would not include recreational facilities or require the construction or expansion of recreational facilities.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Recreation.

5.17 TRANSPORTATION

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

DISCUSSION: As with most California communities, transportation is an essential issue in Mendocino County. Residents need to travel to work, school, or shopping. Businesses rely on the transportation system to move workers, products, and services. The movement of workers to their jobs is critical. Mendocino County is a predominantly rural county, limiting the opportunity for bikeways to serve large segments of the population or provide a practical means of transportation for commuting purposes. General Plan Policy DE-131, DE-148, DE-149, and DE-157 relate to transportation, including Action Item DE-138.1. 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." The 2010 MCOG Travel Demand Forecasting Model estimates daily trip generation values for various land uses and geographic areas in Mendocino County and may be used to assist in determining whether projects exceed the screening threshold.

The Mendocino County Department of Transportation (DOT) is responsible for the maintenance and operation of County maintained roads, bridges, and related features. The County Roads and Development Standards apply to road improvements, project-related improvements in subdivisions, and other land development projects that require County approval. On state highways under CALTRANS jurisdiction, the Highway Design Manual establishes policies and procedures that guide state highway design functions. Mendocino County Code Section 17-52, 53, and 54 establish lot design, configuration, access, and private road requirements for subdivisions.

a) **Less Than a Significant Impact:** The property is accessed by a private driveway via State Route 1. Considering the project site is not within a half mile of any transit stop, the project would have less than a significant impact on transportation. The proposed project to construct a single-family residence and associated structures is not expected to significantly impact the capacity of the street system or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities as a substantial increase in traffic trips or use of alternative transportation facilities is not anticipated.

b) **Less Than a Significant Impact:** A significant impact may occur if a project's vehicle miles traveled (VMT) substantially increase compared to existing VMT. SB 743 updates the way transportation impacts are measured in California for new development projects. This change will help California achieve climate commitments, preserve the environment, and improve health and safety. Among the changes to the guidelines was the removal of vehicle delay and level of service (LOS) from consideration for transportation impacts under CEQA. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on VMT. Under SB 743, over 50 percent of development within the state could forego transportation analysis and mitigation entirely. Development projects that can forego transportation analysis include affordable housing, housing within ½ mile of transit, and housing projects generating fewer than 110 trips per day. Considering the project site is not within a half mile of any transit stop, the project would have less than a significant impact on transportation.

c) **No Impact:** The project site is located west of State Route 1 and is accessed via an existing driveway. The project does not propose any activities, or development that would substantially increase hazards due to a design feature (sharp curves or dangerous intersections), or incompatible uses.

d) **No Impact:** The proposed project includes grading and graveling a turnaround area within the driveway extension for emergency vehicles. In addition, the landowner shall adhere to all CALFIRE requirements for new development including posting address at the front of the driveway. The project would have no impact on emergency access.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Transportation.

5.18 TRIBAL CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☐	☐	☒
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.	☐	☐	☐	☒

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation[9] and 1984 regional synthesis.[10] This research provides a baseline archaeological information

[9] Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California,* UC Davis
[10] Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

From this understanding, ten (10) Native American tribes had territory within the County's current borders. The southern third of the County was the home Native Americans speaking the Central Pomo languages. To the north of the Central Pomo groups were the Northern Pomo, who controlled a strip of land extending from the coast to Clear Lake in Lake County. The Coast Yuki occupied a portion of the coast extending from Fort Bragg north to an area slightly north of Rockport. They were linguistically related to a small group, called the Huchnom, living along the South Eel River north of Potter Valley. Both of these smaller groups were related to the Yuki, who were centered in Round Valley. At the far northern end of the county, several groups extended south from Humboldt County. The territory of the Cahto was bounded by Branscomb, Laytonville, and Cummings. The North Fork Wailaki was almost entirely in Mendocino County, along the North Fork of the Eel River. Other groups in this area included the Shelter Cove Sinkyone, the Eel River, and the Pitch Wailaki.

a) **No Impact:** As discussed in the Cultural Resources section, the Archaeological Survey Report prepared in association with the project did not identify any historical resources listed or eligible for listing. Mendocino County does not house a local register of historical resources.

As discussed in the Cultural Resources section, the Archaeological Survey Report prepared in association with the project did not identify any significant cultural resources pursuant. Therefore, Mendocino County determines that there is no substantial evidence to suggest the presence of significant resources on the site.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Tribal Cultural Resources.

5.19 UTILITIES AND SERVICE SYSTEMS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

DISCUSSION: Public sewer systems in Mendocino County are provided by cities, special districts, and some private water purveyors. There are 13 major wastewater systems in the county, four of which primarily serve the incorporated cities, but also serve some unincorporated areas. Sewage collected by the Brooktrails Township Community Services District and Meadowbrook Manor Sanitation District is treated at the City of Willits Wastewater Treatment Plant. The City of Ukiah's Wastewater Treatment Plant also

processes wastewater collected by the Ukiah Valley Sanitation District. Sewage disposal in the remainder of the county is generally handled by private onsite facilities, primarily septic tank and leach field systems, although alternative engineered wastewater systems may be used.

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

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

a) **Less Than a Significant Impact:** The proposed project would not result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage. The proposed project involves undergrounding electric and gas utilities, converting a test well into a production well and installing a septic tank. The project, as proposed, would create a minimal impact on utilities and service systems. No new telecommunications facilities are proposed, and additional facilities would not be required due to the Project. The potential effects of trenching and septic system development have been assessed elsewhere in the Initial Study, particularly within the Biological Resources section. It was found that these activities would not result in significant impacts.

b) **No Impact:** As described above in response to checklist questions regarding Hydrology & Water Quality, the existing well has been tested and exceeds Environmental Health standards for recovery rate to serve the single-family residence. Future development may require a Coastal Development Permit, which in turn would require a subsequent determination that sufficient water supplies are available to serve such development. This regulatory structure ensures that sufficient water supplies are available should future development occur.

c) **No Impact:** The project is not served by a wastewater treatment provider. If a wastewater treatment provider were to serve the site in the future, it is expected to have discretion to permit new connections and therefore the ability to determine whether adequate capacity exists.

d) **Less Than a Significant Impact:** The project is not expected to generate excessive solid waste beyond that of a typical single-family residence. The project would incrementally contribute to throughput at the Potrero Hills Landfill, but the estimated remaining operational lifespan of the facility (2048) indicates that this contribution is minimal and less than significant. According to the City of Los Angeles Thresholds Guide, a residential use is expected to produce 12.23 pounds of solid waste per household per day.[11] The daily throughput of the Potrero Hills Landfill is 4,330 tons per day. The addition of one single-family residence would contribute minimally to local infrastructure.

e) **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.

[11] City of Los Angeles (2006). *L.A. CEQA Thresholds Guide*. Retrieved from https://planning.lacity.org/.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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

a) **Less Than a Significant Impact:** The project is in the State Responsibility Area and served by the Elk Community Services District. 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 power and telecommunication infrastructure, which would allow receipt of alerts, notifications, or warnings. Therefore, the project is not expected to interfere with the adopted Emergency Operations Plan.

The project was referred to CalFire and the Elk Community Services District. On August 8, 2022, Cal Fire stated, "this project will have to conform to the applicable sections of the SRA/VHFHSZ Fire Safe Regulations found in Title 14 of the California Code of Regulations". As of July 1, 2024, Elk Community Services District has not responded.

b) **Less Than a Significant Impact:** Little impact is expected because the Project site is on a relatively moderate 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 #30-23. However, some risk of wildfire is still present regardless of protections afforded by these existing regulations.

c) **Less Than a Significant Impact:** The project proposes to store two (2) 5,000 water tanks on-site for emergency water resources and underground utilities to reduce fire risks. The proposed project would be situated greater than 200 feet from structures on adjacent properties. As proposed, the project would not exacerbate fire risk.

d) **Less Than a Significant Impact:** Standard BMPs, Geotechnical Investigation recommendations, and CAL FIRE standards implemented during construction would ensure that drainage challenges are addressed. As noted, the Geotechnical Investigation recommended a bluff setback of 150 feet. Therefore, potentially increased landslide and slope instability risk due to the residence's proximity to the bluff would be minimal. Operation of the single-family residence is not expected to result in significant impacts because of the flat nature of the site.

MITIGATION MEASURES: None.

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

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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).	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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

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

a) **Less Than a Significant Impact with Mitigation:** Based on discussion throughout the report, particularly in Section 5.4 – Biological Resources, there is some potential for impacts. However, with mitigation incorporated, the evidence does not support a finding that the project would

result in significant impacts regarding the quality of the environment, habitat of fish or wildlife species, fish or wildlife populations, plant, or animal communities, rare or endangered species, or important examples of major periods of California history or prehistory.

b) **Less Than a Significant Impact:** Cumulative impacts were considered for applicable potential impacts as discussed throughout the report, including but not limited to Section 5.3 – Air Quality and 5.8 – Greenhouse Gas Emissions. Potential impacts were identified in these sections where it was determined that no significant cumulative effects would occur because of the project.

c) **Less Than a Significant Impact with Mitigation:** Based on discussion throughout this initial study, potential adverse effects on human beings, both directly and indirectly, have been considered and found to be less than significant or less than significant with mitigation measures implemented.

MITIGATION MEASURES:

BIO-1: Potential Impact to Point Arena Mountain Beaver: Construction activities that cause ground vibration may disturb PAMB behavior and collapse their burrows. Removal of vegetation with occupied habitat may limit PAMBs access to food and leave them vulnerable to predators. Removal of potential habitat contiguous with, or near, occupied habitat may limit dispersal into new areas and/or between areas where less related individuals may come in contact. Light direct toward PAMB habitat may affect their activity or increase predation. Domestic dogs and cats may catch, hurt or kill PAMB. The PAMB breeding season is December 1 through June 30.

BIO-2: Avoidance Measure: Follow all guidelines presented in the Draft Point Arena Mountain Beaver Standard Protection Measures for "No Take" Determinations. USFWS has prepared a list of mitigation that should prevent impact to the PAMB. Mitigation Measures presented in the Draft Point Arena Mountain Beaver Standard Protection Measures for "No Take" Determinations have been included in this Initial Study report.

BIO-3: Avoidance Measure: 100-foot buffer around occupied and un-surveyed potential habitat. A 100-foot buffer shall be established around habitat with active burrows. Potential PAMB habitat that has not been surveyed for PAMB presence/ absence should be treated as it is occupied habitat. No vegetation removal, construct, ground vibration, or materials stockpiling shall occur within the buffer area during any portion of the year.

BIO-4: Avoidance Measure: Construction only during non-breeding season. Because the proposed development is within 100 feet of occupied habitat, construction activities with the potential to disrupt breeding should be conducted only during the non-breeding season, July 1 through November 30.

BIO-5: Avoidance Measure: No ground noise-generating equipment during breeding season. Operation of above ground noise-generating equipment (including gas powered chainsaws and weed eaters) should not occur within 100 feet of active burrows or un-surveyed suitable habitat during the breeding season. Hand tools and electric weed eaters may be used within 100 feet of active burrows during the breeding season.

BIO-6: Installation of lighting or extended use of nighttime illumination should not occur within 100 feet of active burrows or un-surveyed suitable habitat.

BIO-7: Avoidance Measure: No degradation (timber harvest, livestock grazing, herbicide application, removal of existing down wood, and burning) of suitable PAMB habitat that is contiguous with and within 200 feet of active burrows or un-surveyed suitable habitat. No removal of suitable PAMB habitat that is contiguous with and within 400 feet of active burrows or un-surveyed suitable habitat. Annual mowing of areas currently not considered PAMB habitat is not considered modification or removal.

BIO-8: Avoidance Measure: Ground vibration disturbance buffer. Operation of mechanical equipment that is in direct contact with, or below, the ground which causes ground vibrations (including water well drilling, heavy equipment such as graders, soil excavators, air compressors, and directional boring equipment) should not occur within 100 feet of active burrows or un-surveyed suitable habitat during the breeding season, and not within 50 feet during the remainder of the year. This includes the use of power mowers and ditch cleaning with motorized equipment; however, small mowers with rubber tires may be considered

to only result in noise disturbance and not vibration disturbance. Directional boring beneath active burrows or un-surveyed suitable habitat should not occur at any time.

BIO-9: Avoidance Measure: Avoid pets encroaching into PAMB habitat. Domestic or feral dogs and cats are known to kill mountain beavers and should not be allowed within areas containing burrow systems or within un-surveyed suitable habitat.

BIO-10: Avoidance Measure: Avoid severe ground vibration disturbance. Operation of mechanical equipment that is in direct contact with the ground, or below ground, which causes severe ground vibrations (including log landings and soil compaction with vibrators) should not occur within 500 feet of active burrows or un-surveyed suitable habitat during the breeding season, and not within 100 feet during the remainder of the year.

BIO-11: Avoidance Measure: Damage to Burrow Systems. No vehicle use, human foot traffic, soil excavation, cattle grazing or movement, or other potential sources of burrow collapse should occur within 25 feet of active burrows or unsurveyed suitable habitat at any time. By necessity, surveyors may approach to within 25 feet of active burrows or unsurveyed suitable habitat. No activity should occur that alters water drainage or hydrology of areas contain burrow systems or in unsurveyed suitable habitat.

BIO-12: Mitigation Measure: Rodent Control. No rodent control measures (including trapping and application of poison bait or fumigants) should occur within 400 feet of active burrows or unsurveyed suitable habitat at any time. However, baits intended to kill commensal rodents (i.e., rodenticides) near human structures that are less than 400 feet from active burrows or unsurveyed suitable habitat, can be used when placed in tamper resistant bait boxes placed in areas inaccessible to PAMB. The purchase, possession, and use of second-generation anticoagulant rodenticides that contain the active ingredients brodifacoum, bromodialone, difenacoum, or difethialone are prohibited in California except by certified pesticide applicators.[12]

BIO-13: No operation of mechanical equipment which is in direct contact with, or below, the ground which causes ground vibrations (including water drilling, heavy equipment such as graders, soil excavators, air compressors, and directional boring equipment) within 100 feet of active burrows or un-surveyed suitable habitat during the breeding season, and not within 50 feet during the remainder of the year. This includes the use of power mowers and ditch cleaning with motorized equipment; however, small mowers with rubber tires may be considered to only result in noise disturbance and not vibration noise. Directional boring beneath active burrows or un-surveyed suitable habitat shall not occur at any time.

BIO-14: Avoidance Measure: Pre-construction surveys for burrowing owls will be conducted in areas supporting potentially suitable habitat and within 30 days prior to the start of construction activities. If ground disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site will be resurveyed.

BIO-15: Avoidance Measure: If burrowing owls are detected, disturbance to burrows must be avoided during the nesting season (February 1 through August 31). Burrows around occupied burrows will be a minimum of 656 feet during the nesting season and 160 feet during the non-breeding season.

BIO-16: Avoidance Measure: Outside of the nesting season (February 1 through August 31), passive owl relocation techniques must be implemented. Owls would be excluded from burrows in the immediate impact zone within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors must be in place at least 48 hours prior to excavation to ensure the owls have departed. The work must be monitored daily for 1 week to confirm owl departure from burrows prior to any ground-disturbing activities.

BIO-17: Avoidance Measure: Where possible, burrows would be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe will be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.

[12] California Department of Pesticide Regulation. 2014.

BIO-18: If occupied burrows cannot be avoided during the non-breeding season (September 1 through January 31, landowner or contractor must contact the California Department of Fish and Wildlife for consultation regarding a monitoring and management plan or remedial actions.

GEO-1: Structural areas must be stripped of stumps, surface vegetation, roots and the upper few inches of soil containing organic matter. These materials should be moved off site; some of them, if suitable, could be stockpiled for later use in landscape areas. If underground utilities pass through the site, we recommend that these utilities be removed in their entirety or rerouted where they exist outside an imaginary plane sloped two horizontals to one vertical (2H: 1 V) from the outside bottom edge of the nearest foundation element. Any existing wells or septic systems not included in the project should be abandoned in accordance with the requirements of the County of Mendocino Health Department. Voids left from the removal of utilities or other obstructions should be replaced with compacted engineered fill under the observation of the project geotechnical engineer.

GEO-2: The existing weak soils should be sub-excavated in areas requiring fill and firm soils exposed as determined by the geotechnical engineer on site during construction. A level bench extending the width of the fill should be excavated. The exposed surface should be scarified to a depth of eight inches, moisture conditioned to within two percent of the optimum moisture content and compacted to a minimum of 90 percent of the maximum dry density of the materials, as determined by the ASTM D 1557-09 laboratory compaction. Once exposed during site grading, the excavated soils may require further laboratory testing to determine the suitability for use as fill and should be approved by the geotechnical engineer in the field during construction. Importation of low to non-expansive, engineered fill may be necessary. The fill material should be spread in eight-inch-thick loose lifts, moisture conditioned to within two percent of the optimum moisture content and compacted to at least 90 percent of the maximum dry density of the materials. Imported fill, if required, should be evaluated and approved by the geotechnical engineer before importation. The lateral extent of the low to non-expansive fill should be a minimum of three feet beyond the garage, barn, and exterior flatwork areas.

Any import fill to be used on site be of a low to non-expansive nature and should meet the following criteria:

Plasticity Index	Less than 12
Liquid Limit	Less than 35
Percent Soil Passing #200 Sieve	Between 15% and 40%
Maximum Aggregate Size	4 inches.

All fills should be placed in lifts no greater than eight inches in loose thickness and compacted to the general recommendations provided in the following mitigation measures.

GEO-3: Cut and Fill Slopes. Cut slopes should be graded to an inclination no steeper than 2H:1V. Steeper slopes should be retained. If potentially unstable subsurface conditions such as adverse bedding, joint planes, zones of weakness, weak clay zones, or exposed seepage are encountered, it may be necessary to flatten slopes or provide other treatment. We recommend that a geotechnical engineer observe the cut slopes and provide final recommendations for the control of adverse conditions during grading operations, if encountered. During the rainy season, the cut slopes must be checked for springs and seepage areas. The surfaces of the cut slopes should be treated as needed in order to minimize the possibility of slumping and erosion.

GEO-4: All site preparation and fill placement should be observed by aa representative of PJC. A geotechnical engineer must be present during the stripping, sub-excavation and grading scarifying processes to observe whether any undesirable material is encountered in the construction area.

GEO-5: The proposed structures must be supported by spread footings extending a minimum of 36 inches below the adjacent ground surface and at least 12 inches into firm terrace deposits. Deeper footing depths may be required where weak and compressible soils are encountered during construction. Footing excavations should be observed and approved by the geotechnical engineer before reinforcing steel is

placed. All footings should be reinforced. PJC & Associates must be contacted for recommended bearing pressures, depth of embedment and minimum widths of spread footings.

HYDRO-1: Avoid earthwork during the rainy season. If work is done during the rainy season, cut slopes should be checked for springs and seepage areas.

HYDRO-2: Drainage control design must include provisions for positive surface gradients so that surface runoff is not permitted to pond, particularly above slopes or adjacent to the building foundations or slabs or the garage entrance. Surface runoff should be directed away from the structures and bluff edge. If the drainage facilitates discharge onto the natural ground, adequate means should be provided to control erosion and to create sheet flow. Care must be taken so that discharges from the roof gutter and downspout systems are not allowed to infiltrate the subsurface near the structure or in the vicinity of slopes. PJC must approve all discharge locations.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** on Mandatory Findings of Significance.