



PUBLIC DRAFT
**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**

SCH: **XXXXXX**

FOR
BARBARA FISHELSON
STANDARD COASTAL DEVELOPMENT PERMIT
AT 12825 SEA PINES LN, MENDOCINO;
APN: 118-210-29
File No. CDP_2022-0029

LEAD AGENCY:
County of Mendocino
Department of Planning & Building Services
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November 10, 2024

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INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed construction of a driveway, parking area, and single-family residence, installation of a culvert, a septic system, replace a well pump and implement a Mitigation Monitoring and Reporting Plan (Project). This Draft IS/MND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: CDP_2022-0029

OWNER/APPLICANT: Barbara Fishelson
PO 1623
Mendocino, Ca 95460

PROJECT LOCATION: In the Coastal Zone, 1.8± miles north of Mendocino Town Center, lying on the south side of Sea Pines Lane (private), 0.2± miles east of its intersection with State Route 1 (SR1), located at 12825 Sea Pines Lane, Mendocino; APN: 118-210-29.

TOTAL ACREAGE: 10± Acres

GENERAL PLAN: Rural Residential 10- Acre Minimum – Planned Development (RR10PD)

ZONING: Rural Residential 10-Acre Minimum (RR:10)

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 construct a driveway, a parking area for four vehicles, a 1,218 square foot single-family residence, install a culvert at the driveway approach, a septic system, replace a well pump, and implement a Mitigation Monitoring and Reporting Plan (MMRP). Additionally, the project anticipates temporarily installing a water tank, generator, and portable water pump for supplemental watering vegetation in mitigation site. Pursuant to California Public Resources Code Section 4291, thirty feet of defensible space from the proposed development is required by the State of California Department of Forestry and Fire Protection Agency (CAL FIRE) to act as a barrier to slow or halt the progress of fire. The proposed project includes clearing a total of 0.75± acre of vegetation for the building envelope.

The subject parcel was created in 1990 by a minor subdivision (MS 65-89) and approved by the County of Mendocino Planning Commission. The landowner subsequently applied for a Coastal Development Permit (CDP) from the California Coastal Commission (CDP No. 1-92-215), as the property is located in the Coastal Zone. A modification (LCP 92-141) to the minor subdivision (MS 65-89) included Special Condition of Approval No. 1 that stated, “a note shall be placed on the parcel map stating that development be confined to the building envelopes, given the building envelopes were carefully marked to avoid disturbance on rare plant communities”.¹ The proposed development would be constructed within the previously authorized building envelope. The CDP (No. 1-92-215) request included dividing a 147± acre parcel into four parcels, drilling wells on each parcel, and clearing trees from a portion of each parcel’s established building envelope. The CDP proposed a 2± acre building envelope and a 0.6± acre clearing area which included approximately ten (10) northern Bishop pines and six (6) Douglas fir, and six (6) tan oak trees.²

The proposed driveway would require the removal of twelve (12) trees greater than four inches diameter at breast height (DBH) including nine (9) tan oak (*Notholithocarpus densiflorus*), two (2) northern Bishop pines (*Pinus muricata*), and one (1) Douglas fir (*Pseudotsuga menziesii*) (See Table 2 for each tree species and its associated DBH). The proposed single-family residence would require the removal of approximately sixty (60) trees, including four (4) dead trees, forty (40) tan oak, eight (8) northern Bishop pine, and thirteen (13) grand fir (*Abies grandis*). Dark Gulch Environmental Consulting on April 4, 2024, concluded one habitat alliance northern Bishop pine – tan oak – huckleberry would be impacted by the proposed development.

Considering the proposed development, including the CAL FIRE defensible space requirement, would necessitate the clearing 0.75± acre of natural vegetation, a 0.75± acre area has been identified on the subject parcel for enhancement and restoration to offset impacts to the northern Bishop pine forest. The project includes a Mitigation, Monitoring, and Reporting Plan, which has been incorporated into the Conditions of Approval.

The project site is located within the Coastal Zone, 1.8± miles north of Mendocino town center, lying on the south side of Sea Pines Lane (private), 0.2± miles east of its intersection with State Route 1 (SR 1), located at 12825 Sea Pines Lane, Mendocino. The 10± acre parcel is undeveloped with the exception of the permitted well (WW 10551). Elevations on the subject parcel range from 371 feet above mean sea level (amsl) at the eastern boundary to 313 feet amsl at the western boundary, with slopes ranging between 0 to 32 percent³. The parcel is densely forested and contains several ESHAs and special status biological resources. Much of the parcel is mature/aging bishop pine forest - 20 percent of which are dead. The only young Bishop Pine trees are found along the side of Sea Pines Lane. A riparian area in the southwestern portion of the parcel supports red alder, though the red alder is not dense enough to merit a designation of red alder forest alliance⁴. All riparian vegetation is considered an environmentally sensitive habitat area (ESHA). A deed restriction has been recorded to prevent encroachment into the riparian area on site.

Sea Pines Lane is an existing 60 foot-wide roadway and public utilities easement that intersects with State Route 1 (SR 1) and runs adjacent to the subject parcel. As part of the application submitted for the proposed

¹ LCP 92-141 Local Coastal Program Consistency Review Form. September 29, 1992.

² California Coastal Commission. Coastal Development Permit No. 1-92-215. March 18, 1993.

³ Slope Map.

⁴ Kim Obermeyer and Alison Gardner. Biological Scoping Survey Report. December 14, 2023. Updated January 8, 2024.

project, supplemental studies were provided by the landowner, which are kept on file with the Mendocino County Department of Planning & Building Services, and include the following:

- Biological Scoping Survey Report, prepared by Kim Obermeyer and Alison Gardner, December 14, 2023 (Updated: January 8, 2024).
- Botanical Survey, prepared by Alison Gardner, December 12, 2023 (Updated: January 8, 2024).
- Biological Survey Memorandum and Mitigation Monitoring and Restoration Plan, prepared by Dark Gulch Environmental Consulting, April 5, 2024.
- CAL FIRE File #46-22. State Fire Regulations Application.

The surrounding Land Uses and Zoning are detailed in the following table.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential Planned Unit Development (RR10PD)	Rural Residential (RR:10)	23.4±, 10± Acres	Residential
SOUTH	Open Space-Department of Parks and Recreation (OSDPR)	Open Space (OS 0)	59± Acres	Open Space
EAST	Remote Residential (RMR20), Rangeland (RL160)	Remote Residential (RMR20), Rangeland: Planned Unit Development (RL:PD)	4.2±, 117± Acres	Residential, Undeveloped
WEST	Rural Residential-Planned Unit Development (RR10PD)	Rural Residential (RR 10)	10± Acres	Undeveloped

Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): N/A

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 Mitigated Negative Declarations within the County. The following tribes were notified Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians.

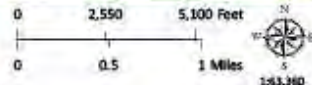
PROJECT PLOT PLAN: See Page 5 of this document.

FIGURE 1: LOCATION MAP



CASE: CDP 2022-0029
 OWNER: FISHELSON, Barbara
 APN: 118-210-29
 APLCT: Brian Manning
 AGENT: Brian Manning
 ADDRESS: 12825 Sea Pines Lane, Mendocino

- Major Towns & Places
- ▭ City Limits
- ▭ Coastal Zone Boundary
- ▬ Highways
- ▬ Major Roads



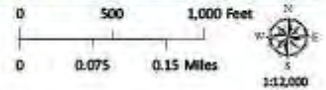
LOCATION MAP

FIGURE 2: AERIAL IMAGERY



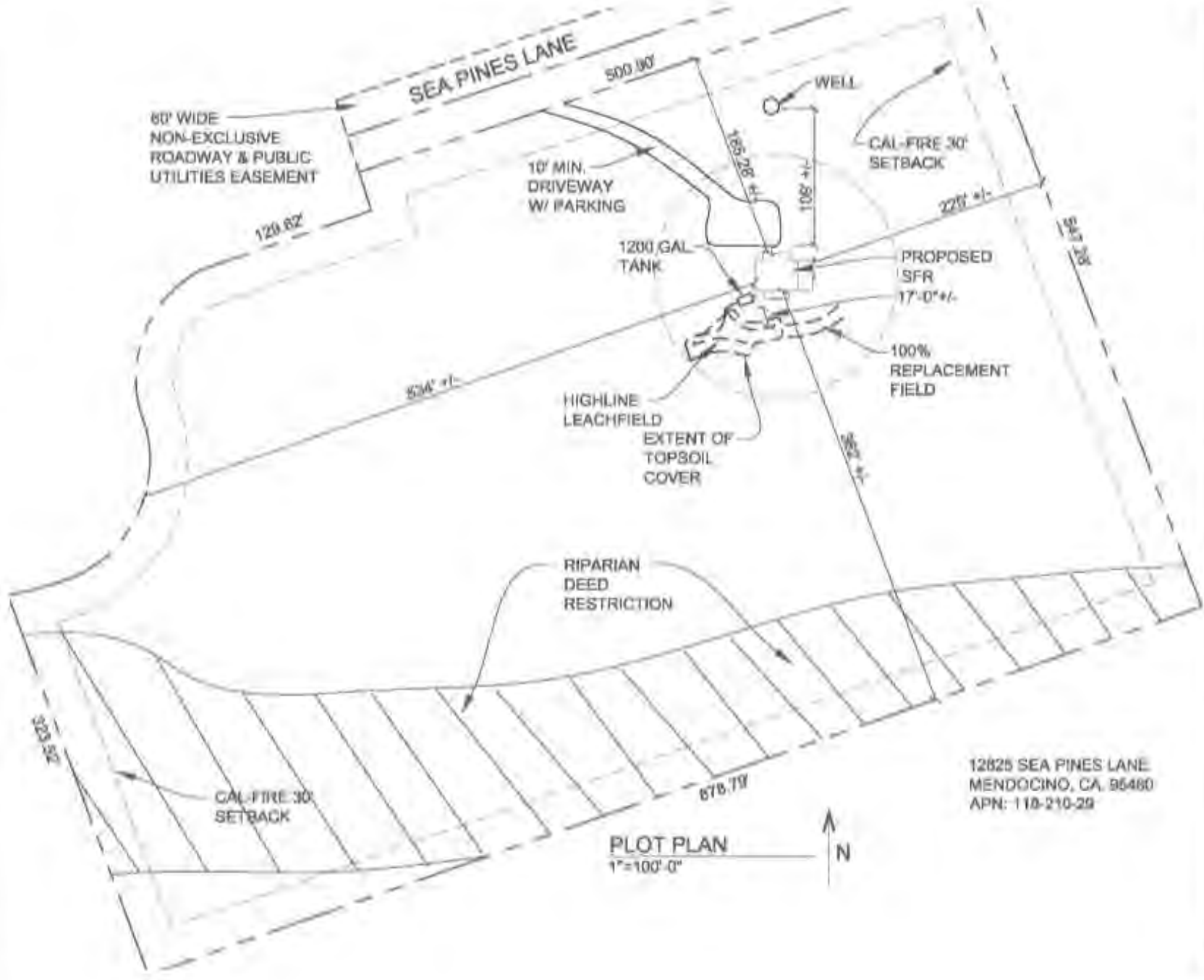
CASE: CDP 2022-0029
 OWNER: FISHELSON, Barbara
 APN: 118-210-29
 APLCT: Brian Manning
 AGENT: Brian Manning
 ADDRESS: 12825 Sea Pines Lane, Mendocino

— Public Roads
 - - - Private Roads



AERIAL IMAGERY

FIGURE 3: PLOT PLAN



12625 SEA PINES LANE
 MENDOCINO, CA, 95460
 APN: 110-210-29

PLOT PLAN
 1"=100'-0"
 N

DATE: 5-23-24	REVISION: FOR: APN: 110-210-29	3-D'S DESIGN P.O. BOX 1904 FORT BRASS, CA (707) 964-8625 (CELL) 707-734-3086
SCALE: AS NOTED	PRIOR SEA RESIDENT OF 12625 SEA PINES LN, MENDOCINO, CA 95460	
DRAWN BY: J.L.S.	PLOT PLAN	

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

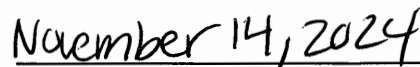
Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

Shelby Miller

Printed Name


Date

Date

Planner II

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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-c) **No Impact:** The proposed project would have no impact on a scenic vista or scenic resources within a state scenic highway. The project site is located to the east of State Route 1 (SR 1) and not within a Highly Scenic Area. Development would not be visible from SR 1, nor have any effect on a scenic vista including views of the coast. The development would not be visible from any point. No impact would occur.
- d) **Less Than a Significant Impact:** The proposed project to construct a single-family residence and associated structures would have a less than significant impact on day and nighttime views. The project proposes several low wattage light fixtures that would be downcast and shielded. Therefore, a less than significant impact would occur.

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

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) **No Impact:** Per FMMP, the subject parcel is designated Grazing Land⁵. The project site is currently undeveloped, except for an existing well. It is not anticipated that the proposed residential development would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Given the project's location and proximity to residential parcels, and history of non-grazing uses, it is anticipated that no impact would occur.
- b) **No Impact:** The proposed project would not conflict with existing zoning for an agricultural use, nor is the subject parcel under a Williamson Act Contract. The proposed project to construct a single-family residence and accessory structures aligns with the principally permitted residential land uses within the subject parcel's zoning district – Rural Residential. No impact is anticipated with the proposed project.
- c) **No Impact:** The project and its subject parcel are not adjacent to any parcel nor designation as Timber Production Zoning (TPZ) or Forest Lands (FL). No impact is anticipated with the existing zoning that would cause a 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)). Considering this, the project would no result in the loss of forest land or conversion of forest land to non-forest use.
- d) **No Impact:** The LCP Habitat and Resources map indicates the parcel is barren and no hardwoods or woodlands are present. Pursuant to PRC §12220(g), the subject parcel does not meet the criteria for a forest land designation. Therefore, the project site does not contain forest land, and the proposed project would not result in conversion of forest land to non-forest land.
- e) **No Impact:** The project would not 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. The subject parcel is currently zoned as Rural Residential and is currently undeveloped with the exception of a well. No impact is anticipated with the project as there would be no conversion of existing farmland or conversion of forestland to non-forest uses. Further, the subject parcel is not located adjacent to or near any lands designated as forestland or farmland.

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

⁵ Farmland Mapping and Monitoring Program, California Important Farmland 2020.

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 districts 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 PM_{2.5}. 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 is located within the North Coast Air Basin, which is governed by the Mendocino County Air Quality Management District (MCAQMD). MCAQMD enforces state and federal clean air acts, as well as local air quality protection regulations that require projects with new emission point sources to secure an air quality permit prior to project construction. Considering the project would be subject to the MCAQMD requirements, it is anticipated that the proposed development would not conflict with or obstruct implementation of the applicable air quality plan. Therefore, no impact would occur.
- b-d) **Less Than a Significant Impact:** The proposed project to construct a single-family residence, associated structures, and a driveway, is anticipated to create a minimal impact. The project includes clearing 1.5± acres of vegetation and trees and would be temporary. Mendocino 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). The nearest off-site sensitive receptors to the Project site are single-family residences located over 300± feet to the north, east, and southwest of the project site boundary. Mendocino K-8 School is the nearest school to the project site and is approximately 3 miles south. The nearest hospital is approximately 8 miles north and is the Mendocino Coast Adventist Health. The project would not conflict with the air quality plan and would not expose sensitive receptors to substantial pollutant concentrations.

As detailed in the discussion section above, the MCAQMD is in attainment for all Federal criteria air pollutants as well as all State standards except Particulate Matter less than 10 microns in size (PM₁₀). Compliance with the MCAQMD Particulate Matter Attainment Plan, including Rule 1-430 ensures that PM₁₀ generated by the project would be less than significant⁶. Though the project would not include a new point source for emissions, it may contribute to area source emissions by generating wood smoke from residential stoves and/or fireplaces. The County's building permit plan check process ensures, in a manner consistent with the current air quality plan, that combustion source requirements are fulfilled before construction activities can commence. The County's standard grading and erosion control requirements, as contained in MCC Chapter 20.492, limit the amount of dust generated during grading activities by limiting ground disturbance and requiring immediate revegetation after said disturbance. These existing County requirements ensure PM₁₀ generated by the project would not be significant, and that the project will not conflict with nor obstruct attainment of the Air Quality Plan PM₁₀ reduction goals.

According to the Air Quality and Land Use Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, and fiberglass molding⁷. The proposed

⁶ Mendocino County Air Quality Management District. *Regulation 4 Particulate Emissions Reduction Measures*. <https://www.co.mendocino.ca.us/aqmd/district-regulation-4.html>

⁷ California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. <https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf>

project involves development of a single-family residence and accessory structures and would not include any uses identified by the MCAQMD as being associated with odors.

Construction activities associated with the proposed project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment dust. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- Sections 670.2 or 670.5, Title 14, California Code of Regulations

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

The following may also be considered a special status species:

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

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

The California Natural Diversity Database (CNDDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, other agencies, and conservation organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes and provide baseline data helpful in recovering endangered species and for research projects. Currently, the CNDDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened, Threatened, or Endangered.

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

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

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

Mendocino County General Plan Policy RM-28 and RM-29 relate to Biological Resources, including Action Item RM-28.1 regarding oak woodlands.⁸ Mendocino County currently has two active Habitat Conservation Plans (HCPs) with the U.S. Fish and Wildlife Service, the first of which provides protections for the Point

⁸ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

Arena Mountain Beaver. The Fisher Family HCP (Permit #TE170629-0) covers 24 acres of coastal scrub and was adopted December 3, 2007, for a period of 50 years. The Fisher Family HCP applies to Assessor Parcel Number 027-211-02 located at 43400 Hathaway Crossing, Point Arena. The second HCP is Pacific Gas & Electric Company's Multiple Region Operations and Maintenance HCP. The HCP was issued in 2020 for a period of 30 years. The HCP includes protections for several species across multiple jurisdictions. Since 2003, the Mendocino Redwood Company (MRC) has managed the County's only Natural Community Conservation Plan which covers all lands owned by the MRC to preserve regionally important habitat.

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

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

a, b) **Less Than a Significant Impact with Mitigation:** The proposed project to construct a driveway from Sea Pines Lane, a 1,218 square-foot single-family residence, a parking area for four cars, replace a well pump, and to install a septic system would be situated entirely in the same location as a previously authorized 2± acre building envelope and 0.6± acre tree clearance area from a minor subdivision that created the parcel.⁹ Pursuant to CAL FIRE fire safety requirements, the project includes clearing 0.15± acres of vegetation around the residence for defensible space. In total, the proposed development would be sited within a 0.75± acre area adjacent to the existing well, the furthest distance from the deeded riparian open space area, and within the previously authorized building envelope.

In accordance with MCC Chapters 20.532 and 20.496, three biological studies were prepared for the proposed project (from 2022 to 2024—spanning multiple years) to identify sensitive natural communities on the parcel and to provide recommendations to avoid and reduce potential impacts on sensitive resources.

A Botanical Survey conducted by Allison Gardner in August 2023 identified rare plants and habitats that are considered Environmentally Sensitive Habitat Areas (ESHAs) including the California harebell (*Capanula californica*) located within the riparian area and the Pacific pea (*Lathyrus palustris*) located in the northeastern corner of the parcel, and Bolander's reedgrass (*Calamagrostis bolanderi*) and is located along the side of Sea Pines Lane. The Biological Scoping Report conducted by Kim Obermeyer in August 2023 identified the presence and boundaries of sensitive coastal resources (wetlands, natural communities, special-status plants and animals, etc.) that are considered ESHA, which includes, a northern Bishop pine forest (*Pinus muricata*), a riparian area (*Rhododendron columbianum* – western Labrador – tea thickets), and fringed false hellebore (*Veratrum fimbriatum*) and swamp harebell (*Eastwoodiella californica*). The northern Bishop pine trees present on the property are senescent and mature with no young trees. Due to discrepancies between these reports, County staff requested pre-consultation with the California Department of Fish and Wildlife (CDFW).

Mendocino County Code Chapter 20.496 requires that a sufficient buffer be established around all identified ESHA. Due to the presence of ESHA on the site, County and CDFW staff conducted a site visit with the landowner on January 30, 2024, to discuss the potential building envelope and driveway siting to avoid and minimize tree and vegetation impacts to the extent feasible. Upon arrival, the building site and driveway were not identified, and the project details were not clear. The biological studies conducted by Kim Obermeyer and Allison Gardner identified ESHAs onsite

⁹ California Coastal Commission Staff Report Application 1-92-215. March 18, 1993.

but did not identify the building envelope nor the proposed development's potential impacts. County and CDFW staff requested that the landowner identify and flag the building envelope features and address the potential environmental impacts of the proposed development.

Following the January 30 site visit, the landowner collaborated with Dark Gulch Environmental Consulting to identify a building envelope and driveway in such a way that would avoid and minimize impacts to trees and surrounding sensitive natural communities. Dark Gulch Environmental Consulting prepared a Biological Scoping Memorandum (Memo) and a tentative Mitigation, Monitoring, and Reporting Plan (MMRP) in April 2024. The Memo identified a building envelope no greater than 0.75 acres including the driveway, the potential environmental impacts, and mitigation measures that would offset impacts to the northern Bishop pine natural community. There is no location on the parcel where development would not occur within 50 feet of the identified northern Bishop pine forest. The driveway path was selected to minimize the removal of large trees and the proposed homesite is circular in nature with a radius of 98 feet.¹⁰

A second site visit was conducted by CDFW staff, County staff, the landowner, and a Dark Gulch Biologist on April 5, 2024, to review the proposed building envelope location and discuss the proposed mitigation plan. The proposed driveway would require the removal of twelve (12) trees including nine (9) tan oak (*Notholithocarpus densiflorus*), two (2) northern Bishop pines, and one (1) Douglas fir (*Pseudotsuga menziesii*). The proposed single-family residence would require the removal of approximately sixty (60) trees, including four (4) dead trees, forty (40) tan oak, eight (8) northern Bishop pines, and thirteen (13) grand fir trees (*Abies grandis*). The understory's shrub cover is dominated by huckleberry (*Vaccinium ovatum* (50%) and immature tan oaks (20%). The forb/herb layer's cover is dominated by Salal (*Gaultheria shallon*) (65%).

According to the Memo prepared by Dark Gulch, the only habitat alliance impacted by the proposed development would be *Pinus muricata* – *Notholithocarpus densiflorus* – *Vaccinium ovatum* which has global and state rankings of G3/S3.2. In total, ten (10) senescent and mature northern Bishop pines would be removed for the proposed development. A total of ten (10) northern Bishop pines, including one (1) with a 7-inch DBH, one (1) with a 16-inch DBH and eight (8) with an 18-inch or greater DBH, will be removed. The northern Bishop pine forest on the subject parcel is struggling, with signs of decline and no evidence of new growth. Additionally, the Dark Gulch Memo noted that the biologist found no evidence of northern Bishop pine regeneration and observed very few saplings.

The project anticipates placing a temporary 1,000-gallon water tank, generator, and/or portable water pumps at the mitigation site for easy access to water when rain is not available. The water tank, generator, and/or portable water pumps would be located adjacent to the road and proposed symbolic fencing. The placement of the water tank, generator, and/or portable water pumps would be located greater than 100 feet from any ESHA and would not require base rock. The water tank, generator, and/or portable water pumps would be placed temporarily until mitigation site consists of all transplanted native shrubs, trees, and herbs.

In accordance with MCC Section 20.532.100(A)(1), no development shall be allowed in an ESHA unless it is found that "the resource as identified will not be significantly degraded by the proposed development." The Project would involve the direct modification of one identified ESHA through construction activities. Therefore, ESHA would be significantly degraded by the proposed development. In this situation, MCC Section 20.496.015(E) mandates that the development be denied.

However, when the County considers denial of a project, a question may arise as to whether the denial results in an unconstitutional regulatory taking of the applicant's property without just compensation. The proposed project has been analyzed to determine if denial would result in a taking, and a determination was made by the County that the Project must be approved to avoid a possible taking and ensure compliance with the California and U.S Constitutional requirements, as provided in Coastal Action Section 3001. However, this does not preclude the County from enforcing the Local Coastal Program (LCP) to the maximum extent feasible.

¹⁰ Dark Gulch Environmental Consulting. Biological Scoping Memorandum and Mitigation, Monitoring, and Restoration Plan. April 2024.

In addition, County Staff recommends a deed restriction on the 0.75± acre mitigation area to prohibit future development in the ESHAs. On September 26, 2024, CDFW provided a summary of extensive consultation and stated, “This CDP proposes to develop within Sensitive Natural Communities designated as ESHA under the local coastal plan. However, the site has some unusual considerations, which we’ve discussed since our first site visit on 1/30/2024.

- a. The forest type seems to be in transition from a northern Bishop pine (*P. muricata*) association to a grand fir (*A. grandies*) association. There is a lack of natural regeneration of northern Bishop pine on the property, but abundant presence of *A. grandies* saplings.
- b. On the western/southern end of the property there is a large stand of eucalyptus (invasive species). Typically, CDFW would recommend siting development within such an area; however, it is adjacent to a riparian area and an area previously recorded for protection under a deed restriction. Siting development in this area would, most likely, lead to incidental encroachment into the riparian and deed restriction area. This area is far from the existing infrastructure onsite, which would require disturbance across the property to install the house infrastructure and would, most likely, require repeat, temporary disturbance to the property’s Sensitive Natural Communities throughout the life of the development to maintain and/or repair the infrastructure.
- c. There is a pre-existing well and previous subdivision documents which documented the building envelope options and its allowable land clearing. The current development plan sites the building envelope as close as allowable (for well and septic), which would cluster development within the Sensitive Natural Community in the eastern portion of the site.

Since January 2023, the applicant has adjusted development several times to avoid and minimize impacts, to the greatest extent feasible, to Sensitive Natural Communities by siting the driveway to avoid trees, mature shrubs (*V. ovatum*, *N. densiflorus*, and *A. columbiana*), and rare plants by clustered development close as allowable to existing infrastructure (the well) and proposed to mitigate impacts to the Sensitive Natural Communities at a 1:1 ratio. The applicant has worked with the County and incorporate recommendations from CDFW (supplied through the County) to develop mitigation that is appropriate with monitoring, reporting, and success criteria that are measurable and achievable.

As mentioned above, there are some indications that the forest is in transition between forest types and without intervention, the invasive eucalyptus grove, would most likely, would persist and spread, resulting in reduced habitat health of the adjacent riparian and open space areas. The proposed mitigation area would be planted with northern Bishop pine trees (from stock acquired locally at a nursery like Jughandle Farms), grand fir trees and other native shrubs (mentioned above) harvested from the home and driveway site, and monitoring and maintained to prevent the introduction or spread of non-native invasive species. The mitigation area, which is adjacent to the other deed restriction area, would also be protected in perpetuity under a deed restriction and add to the area already conserved, providing an additional wildland buffer to the riparian area. It is CDFW’s understanding that the property is 10 acres in size and if the CDP is approved, the deed restriction open space areas increase to approximately half the property size (5 acres).

Based on the above, CDFW recognizes the challenges of developing this property. Removing the invasive eucalyptus grove and restoring it to a native forest association will most likely result in improved habitat quality in this area and the adjacent riparian and open space areas. It is more mitigation that I’ve previously seen proposed by CDP applicants. The monitoring and reporting will be a critical component of the project’s implementation. If the CDP and mitigation is implemented as proposed and is successful, CDFW concurs with the County that the impacts will be offset by the mitigation, improve the overall forest health, and prevent future, incidental encroachment into the riparian area and areas protected by the deed restriction.”

Following a virtual meeting with California Coastal Commission (CCC), CDFW, and County staff on September 26, 2024, regarding the project details, ESHA constraints, and proposed mitigation measures, the CCC staff provided recommendations on October 9, 2024. The following recommendations include, requesting the applicant provide an ESHA map that depicts the ESHA constraints and proposed building envelope, mitigation area, area of disturbance, cluster the

development to the smallest footprint feasible, deed restrict the remainder of the property for open space, delineate approved building envelope around the residence with symbolic fencing, require applicant to provide a landscaping and fuels management plan, require applicant to provide a Final Mitigation and Monitoring Plan, and require applicant to adhere to appropriate pre- and post-construction related best management practices to protect water quality and surrounding environmentally sensitive habitat areas. CCC recommends the installation of symbolic fencing prior to construction to minimize traffic and trampling of sensitive natural communities outside the building envelope. Additionally, all mitigation measures presented in the three (3) biological reports and recommendations from CCC and CDFW have been incorporated into mitigation measures below. With the incorporation of all mitigation measures, the proposed development would create a less than significant impact on biological resources.

c) **No Impact:** The Coastal Act mandates the protection of riparian areas, but present regulations are limited in scope: the California Department of Fish and Game monitors stream alteration projects. The project site contains a riparian area (*Rhododendron columbianum* – *Western Labrador* – *tea thickets*) located to the southwest of the property. Upon the approval of a minor subdivision that created the subject parcel, a deed restriction was recorded to protect the riparian ESHA and its 50-foot buffer. No development would be permitted within this deed restricted area. In addition, the proposed project would be located greater than 100 feet from any wetland or riparian. Therefore, the proposed project would have no impact on any state or federally protected wetlands.

d-e) **Less Than Significant with Mitigation:** Pursuant to the LCP Policy 3.1-7 a buffer area shall be established adjacent to all environmentally sensitive habitat areas (ESHAs) to prevent significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and County Planning staff, that 100 feet is not necessary to protect the resources of that particular ESHA. The buffer area shall be measured from the outside edge of the ESHA and shall not be less than 50 feet in width. Developments permitted within a buffer area shall generally be the same as those uses permitted in the adjacent environmentally sensitive habitat area and must comply at a minimum with each of the following standards:

1. It shall be sited and designed to prevent impacts which would significantly degrade such areas;
2. It shall be compatible with the continuance of such habitat areas by maintaining their functional capacity and their ability to be self-sustaining and to maintain natural species diversity; and
3. Structures will be allowed within the buffer area only if there is no other feasible site available on the parcel. Mitigation measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution.

The proposed driveway would require the removal of two (2) northern Bishop pines (ESHA). The proposed single-family residence would require the removal of approximately seventy (70) trees, including four (4) dead trees, eight (8) northern Bishop pine, and thirteen (13) grand fir (*Abies grandis*). According to the MMRP prepared by Dark Gulch, the only habitat alliance impacted by the proposed development would be *Pinus muricata* – *Notholiticarpus densiflorus* – *Vaccinium ovatum* which has global and state rankings of G3/S3.2. Although the focused surveys found no evidence of presence, there is also potential habitat for sensitive animal species including the Pomo Bronze Shoulderband (*Helminthoglypta arrosa pomoensis*), Foothills yellow-legged Frog (*Rana boylei*), northern red-legged frog (*Rana aurora aurora*), Sonoma tree vole (*Arborimus pomo*), and bats.

The surrounding forest may provide habitat for resident and migratory birds within the study area. Some birds nest in burrows, other on the ground, in vegetation, brush, trees, rocky outcrops, or on man-made structures. Considering these factors, nesting requirements are highly variable. The bird nesting season typically extends from February to August. The Migratory Bird Treaty Act protects special status and common birds and their nests while they are in the process of nesting. If construction is to occur during the breeding season (February to August), a preconstruction survey is recommended to ensure that no nesting birds will be disturbed during development. No nesting

surveys are recommended if activity occurs in the non-breeding season. Mitigation and avoidance measures are indicated below to protect ESHAs and potential habitats.

- f) **No Impact:** There are no known Habitat Conservation Plans in effect for the project site property or surrounding area. As a result, no impact is anticipated.

MITIGATION MEASURES:

BIO-1 Protection of Bird Nesting Habitat Areas. Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds' nesting process if it occurs during the nesting season. No nesting bird surveys are recommended if activity occurs in the non-breeding season (September to January). If vegetation removal or development is to occur during the breeding season (February to August), a pre-construction survey is recommended within 14 days of the onset of vegetation removal or construction to ensure that no nesting birds will be disturbed during development. If active native bird nests are observed, no vegetation removal or construction activities with the potential to disrupt nesting shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance. Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

BIO-2 Avoidance Measure: Protect Bat Species. Tree removal and construction in the study area has the potential to impact special status bat species. Bats are vulnerable when roosting for reproduction when young are not yet able to fly, and during hibernation because they can die of cold or malnutrition if hibernation is disturbed. Temperatures on the Mendocino Coast usually do not drop low enough to necessitate bat hibernation. No special features such as hollow trees, abandoned buildings, or other cave analogs, which could serve as roosting or hibernation refugium, are present; therefore, the potential for negative impacts to bats is minimal. If the residence on one of the subject parcels is proposed for demolition, then a survey may be warranted.

BIO-2.1 Avoidance Measure: Pre-construction surveys for bats. Tree removal and construction will ideally occur between September 1st and October 31 after the young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

BIO-2.2 Avoidance Measure: Roost buffer. If active bat roosts are observed, no tree removal or construction activities with potential to disturb roosting shall occur within a minimum 50 foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

BIO-3 Avoidance Measure: Protect Sonoma Tree Voles. Sonoma tree voles are presumed to be present within the stand and there is a potential for incidental take. Bishop pine trees will be removed that may contain hidden nests. The microclimate within the tree canopy is likely to change adjacent to trees that are removed because they will no longer block wind, shade areas, collect fog, etc. Changes in microclimates in the tree canopy may reduce the habitat suitable for Sonoma tree voles.

BIO-4 Potential Impacts to Special Status Amphibians. Construction activities may involve driving vehicles and/or walking across areas where amphibians may be traveling. Staging of materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. Protection of the riparian buffer zone during development and construction will alleviate the potential impacts to aquatic invertebrate and amphibian habitat. Avoid placing debris and wood stockpiles within 100 feet from the deeded riparian area. Debris and wood stockpiles near the deeded riparian area should be removed carefully by hand to avoid accidental crushing or other damage to amphibians.

BIO-5 Mitigation Measure: Mitigation Site. The 0.75± acre eucalyptus grove will serve as the mitigation site. Clear the mitigation site of eucalyptus duff and smaller eucalyptus trees. Fall large eucalyptus trees in such a way to minimize the impacts on other species in the area. Eucalyptus trees would be felled one-at-a-time. All stumps would be left in place and the brush and duff would be stacked on top of the stumps and tarped.

BIO-5.1: Following the eucalyptus tree cleanup, native seed shall be cast to prevent erosion in the mitigation site.

BIO-6 Mitigation Measure: Avoid Loss of Sensitive Natural Communities. A replanting ratio of 3:1 seedlings shall be implemented for each northern Bishop pine tree removed. The seedlings should be watered approximately once a month over the first two to three summers, until their root systems are established, and they are putting on at least 3 inches of new growth a year. If any new tree dies, replacement is required. Removal and replacement of trees shall also be coordinated with CAL FIRE with applicable approvals obtained prior to removal. The replanting of the northern Bishop pines would be located within the proposed mitigation site.

BIO-7 Mitigation Measure: Driveway Clearance. Prior to driveway clearance, take inventory and identify cover percentage of vegetation within the 12 by 319-foot driveway footprint. Harvest native saplings, shrubs and herb species from this area and replant in the mitigation site and/or pots in a proportion equal to what would be removed.

BIO-8 Mitigation Measure: Residence and Associated Structures Clearance: Prior to homesite (residence and associated structures) clearance, take inventory and identify cover percentage of vegetation within the 0.7± acre. Harvest native saplings, shrubs and herb species from this area.

BIO-9 Mitigation Measure: Removal of Non-Native Invasive Species. Target all non-native invasive species for removal in the proposed mitigation site until the mitigation site has the same species composition and percent cover as the proposed building envelope.

BIO-10 Mitigation Measure: Appropriate maintenance and removal of invasive species will be conducted on an annual basis for a minimum of ten years, or until such time as the mitigation site achieves a species composition and density equivalent to that of the original building envelope.

BIO-11 Mitigation Measure: Prior to ground or vegetation disturbing activities, clearly delineate the boundaries of the Project Area with fencing, stakes, or flags. Maintain fencing, stakes, and/or flags until the completion of the project in that area. Orange construction fencing paired with straw wattles shall be installed between the wetland and riparian buffer areas and the proposed development, separating the wetlands/riparian and their buffer zones from construction related impact area. No materials storage, heavy equipment use or other impacts shall occur within the fenced off wetlands area. Straw wattles shall be properly installed to intercept liquids leaving the construction area. All fencing shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized. Fencing shall be checked, and appropriate maintenance shall occur on a weekly basis and after every rain event.

BIO-12 Mitigation Measure: Prior to ground or vegetation disturbing activities and throughout the entire project, clearly delineate the boundaries of the deeded riparian area with posted signs, posting stakes, flags, and/or rope to act as a visual reminder not to encroach.

BIO-13 Mitigation Measure: The landowner is required to follow the Final Mitigation, Monitoring and Reporting Plan for a minimum of ten (10) years or until the mitigation site achieves the same species composition and percent cover as the original building site. The landowner must submit an annual monitoring report via in-person or mail to the County of Mendocino Planning and Building Services Department Attention: Senior Planner by December 1 of each year.

BIO-14 Mitigation Measure: Construction Best Management Practices: appropriate Best Management Practices (BMPs) shall be incorporated pre- and post-construction to protect water quality and the surrounding environmentally sensitive habitat areas. Low symbolic fencing shall minimize traffic and trampling of ESHAs outside of the building envelope.

FINDINGS: The proposed project would have a **LESS THAN 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: Archeological resources are governed by MCC Sec. 22.12.090, which echoes state law regarding discovery of artifacts and states, in part, “*It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an 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, Sub Section 15064.5(c)(4), “*If an archeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.*”

a-c) **Less Than a Significant Impact:** No historical or cultural resources have been identified as being directly or indirectly impacted as a result of the proposed project. No component of the proposed intends to allow for or facilitate disturbance of sites that contain human remains or internment locations. The project was referred to Northwest Information Systems. The proposed project was referred to Northwest Information Center (NWIC) and the Mendocino County Archaeological Commission (ARCH). NWIC responded recommending no further survey. On June 12, 2024, the project was sent to the ARCH Commission, which recommended that the Discovery Clause be included as a condition of approval.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Cultural Resources.

5.6 ENERGY

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

DISCUSSION: On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

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

- a-b) **Less Than Significant Impact:** The proposed project would not 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, nor would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As noted above, permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The proposed project is not anticipated to use or waste significant amounts of energy or conflict with or obstruct a state or local plan for renewable energy or energy efficiency. A less than significant impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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.

The California Geological Survey (CGS) houses the web-based California Earthquake Hazards Zone Application (EQ Zapp), which allows a user to check whether a site is in an earthquake hazard zone.¹¹ 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 caused by liquefaction, which in turn is triggered by rapid ground motion from earthquakes or artificial activities. Bedrock or soil resting on materials that liquefy can undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow.

- a) **Less Than Significant Impact:** The LCP Land Capabilities map indicates the eastern portion of the parcel contains “Beach Deposits and Stream Alluvium and Terraces (Zone 3)” which indicates the parcel would experience intermediate seismic shaking. According to EQ Zapp mapping, the site is not located within an Earthquake Fault Zone. The nearest fault zone is

¹¹ California Department of Conservation (2021). California Geological Survey. EQ Zapp: California Earthquake Hazards Zone Application. Retrieved from <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>.

associated with the San Andreas Fault about twenty-five (25) miles south.¹² The project site is not considered geologically significant or associated with liquefaction. Mapping does not associate the project site with any of the following: significant flood plains, faults, bluffs, landslides, or erosion hazards.

- b) **Less Than Significant Impact:** The project proposes to remove approximately seventy trees, eucalyptus duff, remove invasive species, and construct a single-family residence, a driveway and associated structures. The vegetation removal would create a minimal impact on topsoil. The proposed grading for the driveway would also create a minimal impact on the topsoil. The proposed project would not result in substantial soil erosion or loss of topsoil.
- c) **No Impact:** The project site is situated on Shinglemill-Gibney Complex which is very deep and poorly drained.¹³ The Soil Survey of Mendocino County, California states that this soil type is used for homesite development. Therefore, the proposed project would have no impact on the geologic unit or soil type.
- d) **No Impact:** The proposed project would not be situated on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994). The project, as proposed, would not create a direct or indirect risk to property or life.
- e) **Less Than a Significant Impact:** The Shinglemill-Gibney complex soil contains some limitations to support the use of septic tanks. The restricted permeability in the subsoil and the saturated soil conditions increase the possibility of failure of septic tank absorption fields. Alternative systems may be needed, such as those in which leach lines are placed in a mound above the soil surface.¹⁴ The proposed septic system and leach lines were designed by a licensed septic system designed to ensure that the proposed development would not fail. Therefore, the proposed project would have a less than significant impact on the environment.
- f) **No Impact:** The project, as proposed, would not directly nor indirectly destroy a unique paleontological resource or site or unique geologic feature.

MITIGATION MEASURES: None.

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

5.8 GREENHOUSE GAS EMISSIONS

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

DISCUSSION: 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

¹² Ibid.

¹³ Soil Survey of Mendocino County, California, Western Part.

¹⁴ Ibid.

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:** This project as proposed will have no impact and be below the threshold for project significance of 1,100 metric tons CO₂e. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures. Given the limited scale of the new house, the GHG generated by the project will not have a significant impact on the environment. Given the relatively small size of the project scale, the project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional, or State level. The project will not generate a significant amount of additional vehicle miles traveled.
- b) **No Impact:** There are no adopted local plans for reducing the emission of greenhouse gases.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 Section 25501 (m)).

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

The California Air Resources Board classifies asbestos as a known human carcinogen. Asbestos of any type is considered hazardous and may cause asbestosis and lung cancer if inhaled, becoming permanently lodged in body tissues. Exposure to asbestos has also been shown to cause stomach and other cancers. Asbestos is the general name for a group of rock-forming minerals that consist of extremely strong and durable fibers. When asbestos fibers are disturbed, such as by grading and construction activities, they are released into the air where they remain for a long period of time. Naturally occurring asbestos is an issue of concern in Mendocino County, which contains areas where asbestos-containing rocks are found. The presence of ultramafic rocks indicates the possible existence of asbestos mineral groups. Ultramafic rocks contain 90 percent or more of dark-colored, iron-magnesium-silicate minerals. Ultramafic rocks may be partially or completely altered to a rock known as serpentinite, more commonly called serpentine.

The Mendocino County Air Quality Management District enforces state regulations to reduce the effects of development projects involving construction sites and unpaved roads in areas tested and determined by a state-registered geologist to contain naturally occurring asbestos. Serpentine and ultramafic rocks are common in the eastern belt of the Franciscan Formation in Mendocino County. Small, localized areas of 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:** The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. Storage of these materials in the open may result in contaminated storm water runoff being discharged into nearby water bodies, including the Pacific Ocean. This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site, and then disposed at an approved collection facility. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities.
- c-f) **No Impact:** The proposed project will not emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school, Mendocino K-8 School, is approximately 3 miles southeast of the project site. Due to the project location, and residential nature, there will be no impact.

The proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the development of a single-family residence, and associated improvements on the subject parcel would not create a significant hazard to the public, or the environment.

The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. As a result of the project's location outside of any airport influence area, or private airstrip, there will be no impact in terms of safety hazards for people residing or working in the project area. The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. As a result of the project's location outside of any airport influence area, or private airstrip, there will be no impact in terms of safety hazards for people residing or working in the project area.

- g) **Less Than a Significant Impact:** The proposed project will not increase any existing wildland fire hazard in the area. Residential development is located on surrounding properties, and the addition of one new single-family residence will not substantially increase the existing hazard in the area. The parcel is located in an area classified with a "High Fire Hazard" severity rating. Fire protection services are provided by the California Department of Forestry and Fire Protection (CAL FIRE). The project application was referred to the Mendocino Fire Protection District for input; the fire district had no comment. The project application was referred to CAL FIRE for input; however, no responses related to fire risk were received. Staff finds the project would not result in significant impacts. The applicant will be required to comply with the minimum fire safety standards for Hazardous Fire Areas, per the Public Resources Code, and CAL FIRE address, driveway, and defensible space standards and recommendations. With adherence to the CAL FIRE recommendations the project will have a less than significant impact in terms of exposure of people to risks related to wildland fires.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: Regulatory agencies include the state 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) **Less Than a Significant Impact:** The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The permanent structures proposed on-site would be constructed in accordance with the most recent standards set by all regulatory agencies, including but not limited to the County and state and local water quality control boards [State Water Resources Control Board (SWRCB) and the North Coast Regional Quality Control Board (NCRWQCB)]. Best Management Practices (BMPs) should be implemented to ensure the project would not violate any water quality standards or waste discharge requirements.

- b) **Less Than a Significant Impact:** The subject parcel is situated within a Critical coastal groundwater area.¹⁵ The proposed project includes constructing a single-family residence and associated structures. The subject parcel was created in 1993 following a Coastal Development Permit, issued by the California Coastal Commission. The 1993 CDP divided a 147± acre parcel into four parcels, drilled a well on each parcel, and established building envelopes. The existing well was installed in 1993 with the intention that the subject parcel would supply water to a residence. The project, as proposed, would not interfere with groundwater recharge. The proposed development would rely on the existing well and would create a minimal impact on groundwater supply.

- c-e) **No Impact:** Although the existing drainage patterns of the site may be slightly altered through the addition of impervious surfaces associated with the permanent structures proposed on the site, the project would not result in substantial erosion or siltation on- or off-site as the project would be subject to Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30). Chapter 16.30 requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system (off-site). In addition, due to the small development footprint of the project, infiltration into the site's soils would continue, reducing the potential for increased peak runoff flow and removing potential pollutants from stormwater flow. As a result, the introduction of limited impervious surfaces and the slight modification to existing topography resulting from the development and driveway construction would not result in substantial erosion or siltation.

The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Storm drainage infrastructure within the vicinity of the site is limited. Although development is proposed on-site, due to the proposed development footprint, site drainage would continue follow a natural flow pattern and infiltrate into the ground.

The project site is not located in a mapped flood zone area by FEMA, though there is a flood zone area noted along the bluff edge (farthest from the development). As a result, the project would not impede or redirect flood flows and no impact would occur. There are no large bodies of water in close proximity that may result in a seiche affecting the parcel. As a result, the project would not risk the release of pollutants due to inundation and no impact would occur.

¹⁵ Critical Groundwater Map.

As previously discussed, the project would be required to comply with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Hydrology and Water Quality.

5.11 LAND USE AND PLANNING

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

DISCUSSION: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, 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 subject parcel was created by a minor subdivision in 1990 by the County of Mendocino Planning and Building Department. Considering the project site is situated in an established residential area and adjacent to existing residential development, the low-density development would not physically divide an established community.
- b) **No Impact:** The proposed project is consistent with all the policies of the Local Coastal Program of the General Plan, including Coastal Element Chapter 4.6 Jug Handle Creek to Russian Gulch Planning Area (includes Caspar). The intent of the plan is to comply with Coastal Act policies channeling development to already developed areas, preserving the quality of the landscape, and retaining agricultural land. The subject parcel was created by a minor subdivision in 1990. The project site contains an existing well installed in 1992. The project, as proposed, would not cause a significant environmental impact due to a conflict with any land use plan, policy or regulation.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy 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 subject parcel is not located in an area of known mineral resources.
- b) **No Impact:** The proposed project is not located in an area designated a locally important resource recovery site.

MITIGATION MEASURES: None.

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

5.13 NOISE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining

the compatibility of a particular use with its noise environment. Mendocino County relies principally on standards in its Noise Element, its Zoning Ordinance, and other County ordinances, and the Mendocino County Airport Comprehensive Land Use Plan to evaluate noise-related impacts of development. Land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. 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 would not create a new source of noise that would impact the community. Noise created by the construction of a single-family residence, associated structures, and vegetation removal 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 proposed development and use of construction equipment would cause temporary increases in noise; however, these impacts would only be associated with construction, and would be temporary in nature.

- 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 site is not located within the vicinity of a private airstrip or an airport land use. The nearest airport is the Little River Airport and is located 7.5± miles from 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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, b) **No Impact:** The proposed project to construct a single-family residence and associated structures would not induce substantial unplanned population growth in an area, either directly or indirectly. The subject parcel was created in 1990 by a minor subdivision. The proposed development would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement house anywhere. The proposed development would not directly or indirectly induce demand for roads or other infrastructure. Therefore, the proposed development would create no impact on population and housing.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Population and Housing.

5.15 PUBLIC SERVICES

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

DISCUSSION: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. 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-e) **Less Than a Significant Impact:** The proposed project to construct a single-family residence would not result in substantial adverse physical impacts on fire protection, police protection, schools, schools, parks, or other public facilities. A single-family residence is a low-density development and would create a less than significant impact on public services.

MITIGATION MEASURES: None.

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

5.16 RECREATION

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

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.

- a) **Less Than a Significant Impact:** The proposed project to construct a single-family residence and associated structures would create a minimal impact on the use of the existing neighborhood, regional parks, and recreational facilities. The nearest shoreline access point is Russian Gulch State Park approximately 0.5 mile from the project site. The proposed project would not result in the substantial physical deterioration of recreational facilities.
- b) **No Impact:** The proposed development does not include recreational facilities or would not require the construction or expansion of recreational facilities. Russian Gulch State Park is the nearest recreational facility to the project site. The proposed project would have no impact on recreational facilities.

MITIGATION MEASURES: None.

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

5.17 TRANSPORTATION

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

DISCUSSION: Since the site is currently undeveloped, there will be an increase in traffic to and from the site for any future development of the land. It is expected that construction of any project will result in a slight increase in traffic to and from the site, as construction workers arrive and leave the site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the site. Once construction is complete, these workers would no longer be required at the site. While the project would contribute incrementally to traffic volumes on local and regional roadways, such incremental increases were considered when the land use designations were assigned to the site. The development proposed on-site is not expected to significantly impact the capacity of the street system, level of service standards established by the County, or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as a substantial increase in traffic trips or use of alternative transportation facilities is not anticipated. A less than significant impact would occur.

- a) **No Impact:** The subject parcel is accessed via Sea Pines Lane (private). Sea Pines Lane serves approximately eleven parcels access. The proposed project to construct a single-family residence 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. However, the proposed garage would not increase the density of the neighborhood, but instead would act as a place to store the applicants' vehicles.
- c-d) **No Impact:** The proposed project would not substantially increase hazards due to a geometric design feature. The subject parcel is accessed from State Route 1 provided by a 16 foot road, Sea Pines Lane. Sea Pines Lane is a road permitted by Coastal Commission Permit No. 1-90-182 (Marquadt and Bruce).¹⁶ A Coastal Development Permit (1-92-215A), issued by the California Coastal Commission in 1993, constructed a 16-foot-wide cul-de-sac access road starting at the northeast corner of the subject parcel to ensure adequate access to adjacent parcels and a CAL FIRE turnaround area. The project, as proposed, would not result in inadequate emergency access. Therefore, the project would have no impact on emergency access nor increase hazards to street designs.

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

¹⁶ Coastal Commission Permit 1-92-215. Adopted Findings. 1993.

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: 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. dissertation¹⁷ and 1984 regional synthesis.¹⁸ This research provides a baseline archaeological information 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) **Less Than a Significant Impact:** The proposed project was referred to Northwest Information Center (NWIC) and the Mendocino County Archaeological Commission (ARCH). NWIC

¹⁷ Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

¹⁸ Fredrickson, David, A. 1984. *The North Coastal Region, California Archaeology*

responded by stating that the proposed project area has the possibility of containing unrecorded archaeological sites due to the proximity of known archaeological sites located in similar environments as the proposed project area. The proposed project was scheduled for the Archaeological Commission public hearing on June 12, 2024. The Archaeological Commission determined no further study for archaeological resources is recommended, and to recommend the inclusion of the Discovery Clause as a condition of approval.

The project site is not 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), nor has it been deemed to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1.

The project was referred to Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians on January 11, 2023, and October 10, 2023. On January 17, 2023, Sherwood Valley Band of Pomo Indians responded stating that the tribe has no further cultural information to add at this time and is formally requesting any Archaeological Survey Report. In addition, “the tribe will wait on the Mendocino County Archaeological Commission meeting for any action taken by the Commission. Cultural resources could be affected or uncovered during the proposed 18-foot excavation for the house foundation footings and septic system installation. The Tribe may formally request on-site cultural monitoring as project moves forward.”

On October 17, 2023, Sherwood Valley Band of Pomo Indians responded to the second referral and stated that the Tribe will accept NWICs response and not require monitoring for this project. Sherwood Valley Band of Pomo Indians then stated, “as this proposed project moves forward the Tribe is requesting in an inadvertent discovery that the Sherwood Tribe be contacted immediately, and work stopped until tribal appointed monitor is on site. The absence of specific site information does not indicate the absence of cultural resources in any project area. Sherwood Valley is the MLDs of the area. The tribal contact is Valerie Stanley, Sherwood Valley THPO at svrthpo@sherwoodband.com and Josh Gravier, Tribal Administrator, jgravier@sherwoodband.com”

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Tribal Cultural Resources.

5.19 UTILITIES AND SERVICE SYSTEMS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 subject parcel contains an existing well located to the northeast portion of the property. The proposed single-family residence, septic system, and associated structures would require construction of utility connection. However, the project would create a minimal impact on the environment, as the proposed development would be in a confined area and would not cause significant environmental impacts.
- b) **No Impact:** The project site is served by an on-site existing well that was installed in 1992. The landowner tested the water supply during a dry season. The project would be served by an adequate supply of water during dry, wet, and normal years.
- c) **No Impact:** The proposed project includes installing a septic system. The proposed development would not be served by a wastewater treatment provider nor would result in creating an impact on any wastewater treatment provider.
- d) **No Impact:** The project would not 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) **No Impact:** The low-density development is not expected to generate a substantial amount of solid waste. The property would be serviced by a local provider. Therefore, the project would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 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 state 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).

As discussed under Section IX, Hazards and Hazardous Materials, above, there are no components of the project that would impair an adopted emergency response plan or emergency evaluation plan, including the adopted County EOP. The applicant will be required to adhere to all CAL FIRE recommendations regarding address standards, driveway standards, and defensible space standards. With adherence to the CAL FIRE recommendations the project will have a less than significant impact in terms of emergency access.

- b) **Less Than a Significant Impact:** Under the proposed project, it is not anticipated that wildfire risks would be exacerbated due to slope, prevailing winds, and other factors. The site is relatively level and would be cleared of vegetation for defensible space. The project would require compliance with CAL FIRE's Fire Safe Regulations to ensure adequate fire protection measures and access.
- c) **Less Than a Significant Impact:** The proposed project to construct a single-family residence and associated structures requires a 30-foot setback of defensible space from all structures. The project proposes to remove 0.75± acre of vegetation which would include 30 feet of defensible space from the proposed structures. Sea Pines Lane was adequately constructed to include CAL FIRE road requirements. Therefore, the proposed project would not require additional installation or maintenance to reduce fire risk. Landowners shall maintain the 30 feet defensible space.
- d) **Less Than a Significant Impact:** The proposed project would not 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, as the site is relatively level and located in a rural area with similar residential development on surrounding parcels.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;

- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
 - Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.
- a) **Less Than a Significant Impact with Mitigation:** The project, as proposed, would create temporary impacts to biological resources. With the incorporation of mitigation measures BIO-1 through BIO-14, the project would induce a less than a significant impact. The project would not substantially degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels. The one habitat alliance *Pinus muricata* – *Notholiticarpus densiflorus* – *Vaccinium ovatum* would be impacted by the proposed development. However, a Mitigation, Monitoring and Reporting Plan has been incorporated to the conditions of approval and mitigation measures. The project proposes to replant northern Bishop pine trees (*Pinus Muricata*) at a 3:1 mitigation ratio to account for the ten (10) northern Bishop pines to be removed.
- b) **Less Than a Significant Impact:** A condition of approval on the staff report consists of a Deed Restriction that would restrict development within the 0.75± acre mitigation site. The project would not have impacts that are cumulatively considerable.
- c) **No Impact:** The project, as proposed, would not have environmental effects which would cause substantial adverse effects on human beings directly nor indirectly.

MITIGATION MEASURES: See Section 5.4 – Biological Resources for Mitigation Measures.