PUBLIC DRAFT

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

SCH: XXXXXX

FOR

SAVE THE REDWOODS LEAGUE COASTAL DEVELOPMENT PERMIT AT 49551 N. HIGHWAY 1, WESTPORT; APN: 013-390-15

File No. CDP_2024-0011

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

November 6, 2024

TABLE OF CONTENTS

FIGURES AND TABLES

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed demolition of three historic era sheds, a mobile home, a historic era barn, a water tank, a perched culvert, two propane tanks, and implementation of a Habitat Restoration Plan at 49551 Highway 1, Westport; APN: 013-390-15 (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_2024-0011

OWNER/APPLICANT: Save the Redwoods League,
111 Sutter Street, 11th Floor
San Francisco, CA 94101

AGENT: Alejandra Prendergast, NCRM, Inc.
2501 N. State Street, 11th Floor
Ukiah, CA 95482

PROJECT LOCATION: In the Coastal Zone, 8.5± miles north of the town of Westport, on the east side of State Route 1 (SR1), 0.2± miles south of its intersection with Usal

Road (CR 431), located at 49551 N. Highway 1, Westport; APN: 013-390-15.

TOTAL ACREAGE: 227± Acres

GENERAL PLAN: Range Lands (RL160)

ZONING: Range Lands (RL:160)

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 demolish five (5) structures which include a mobile home, three (3) sheds, and a barn-house. In addition, the applicant requests to remove a 5,000-gallon polyethylene water tank, associated water diversion infrastructure, two (2) propane tanks, and a 32-inch perched culvert from a mapped tributary. Additionally, the water tank is approximately one (1) foot from a mapped tributary.

The applicant has filed a Notice of Intent for a Water Quality Certification under the Clean Water Act Section 401 and has applied for a Lake and Streambed Alteration Agreement with the California Department of Fish and Wildlife. The project proposes a Habitat Restoration Plan to return the property to a natural state, enhance ecological function and habitat quality. Key components of the Habitat Restoration Plan include post-demolition cleanup, soil stabilization to prevent erosion, channel restoration to improve hydrological flow, and the re-establishment of native vegetation. By the end of 2024, the landowner intends to transfer the parcel to the Bureau of Land Management (BLM) for passive recreational use..

In the Coastal Zone, 8.5± miles north of Westport, on the east side of State Route 1, 0.2± miles south of its intersection with Usal Road (CR 431), located at 49551 N. Highway 1, Westport. The project area is heavily vegetated with native and non-native ground cover. A Freshwater Forested/ Shrub Wetland runs through the property and is adjacent to the project site.[1] The four sheds were constructed between the years 1910 and 1920 and the mobile home was installed approximately in the 1960s. The sheds are not considered historic resources or have any historic significance. The sheds and mobile home are dilapidated, including one shed that has fully collapsed.

The subject parcel ranges in slope from 0 to 86 degrees.[2] The project site is relatively flat and is approximately 118 feet above sea level.[3] The property is mapped as a “High Fire Hazard” area and is within the State Responsibility Area subject to the jurisdiction of California Department of Forestry and Fire (CAL FIRE). The designated soil type of the project site is mapped as “Carlain loam”.[4] The surrounding Land Uses and Zoning are detailed in the following table.

[1] Wetland Map.
[2] Slope Map.
[3] Topographic Map.
[4] Soil Map. Soil Survey of Mendocino County, California, Western Part.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Forest Lands (FL160)	Timber Production (TP:160)	315±, 292±, 27± Acres	Agriculture, Passive Recreation
EAST	Forest Lands (FL160)	Timber Production (TP:160)	280±, 77± Acres	Agriculture
SOUTH	Forest Lands (FL160)	Timber Production (TP:160)	452± Acres	Passive Recreation
WEST	Pacific Ocean	N/A	N/A	N/A

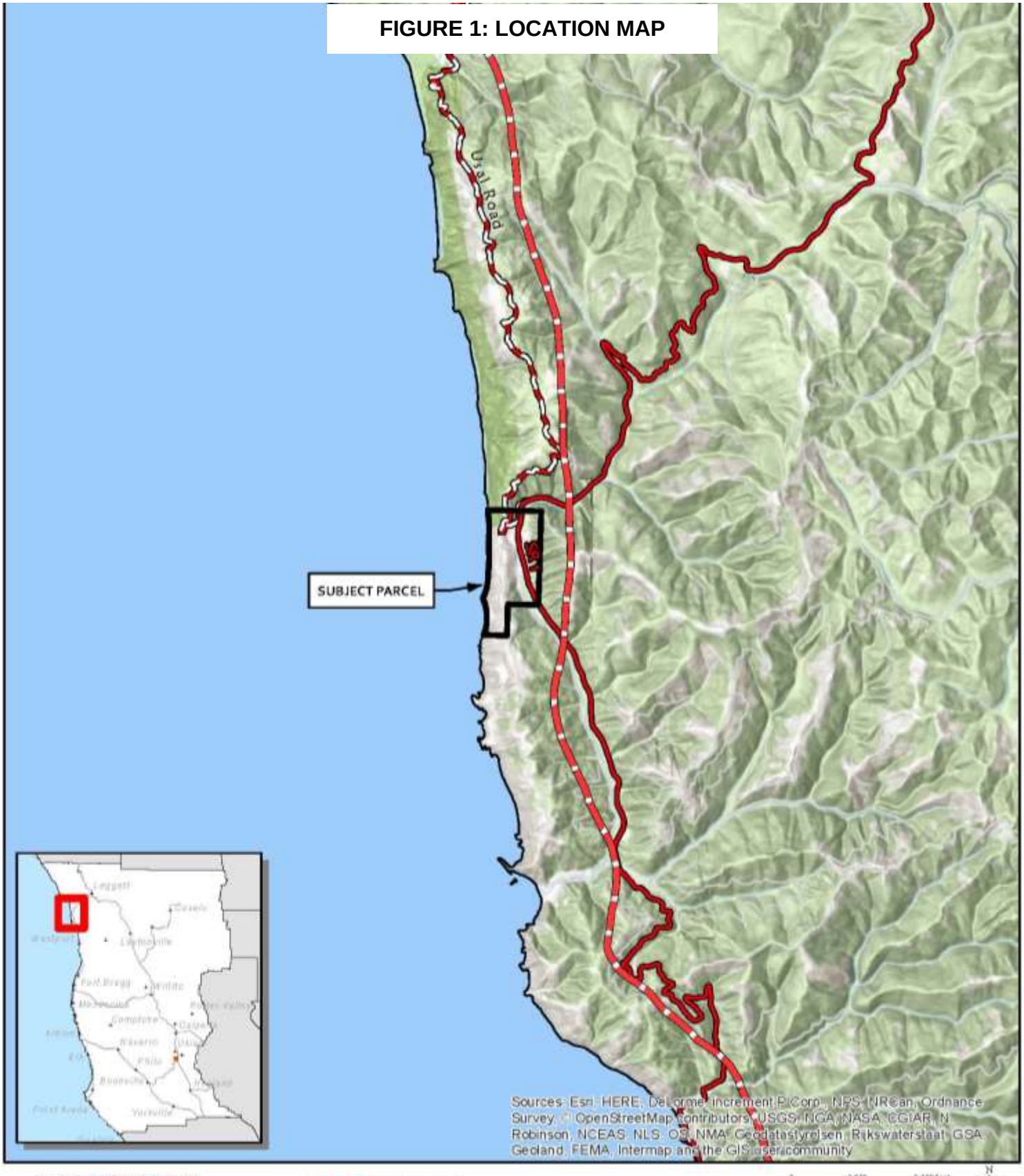
Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): California Department of Fish and Wildlife and North Coast Regional Water Quality Control Board

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

Pursuant to the consultation requirements of Assembly Bill (AB) 52, in July 2022, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The following tribes were notified Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, Sherwood Valley Band of Pomo Indians, and Round Valley Reservation.

PROJECT PLOT PLAN: See Page 6 of this document.

FIGURE 1: LOCATION MAP



CASE: CDP 2024-0011
OWNER: Soper Company
APN: 013-390-15
APLCT: Save the Redwoods League
AGENT: NCRM
ADDRESS: 49551 N Hwy 1, Westport

Coastal Zone Boundary
Highways
Major Roads

0 0.5 1 Miles
1:63,360

LOCATION

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

FIGURE 73: AERIAL IMAGERY

CASE: CDP 2024-0011
OWNER: Soper Company
APN: 013-390-15
APLCT: Save the Redwoods League
AGENT: NCRM
ADDRESS: 49551 N Hwy 1, Westport

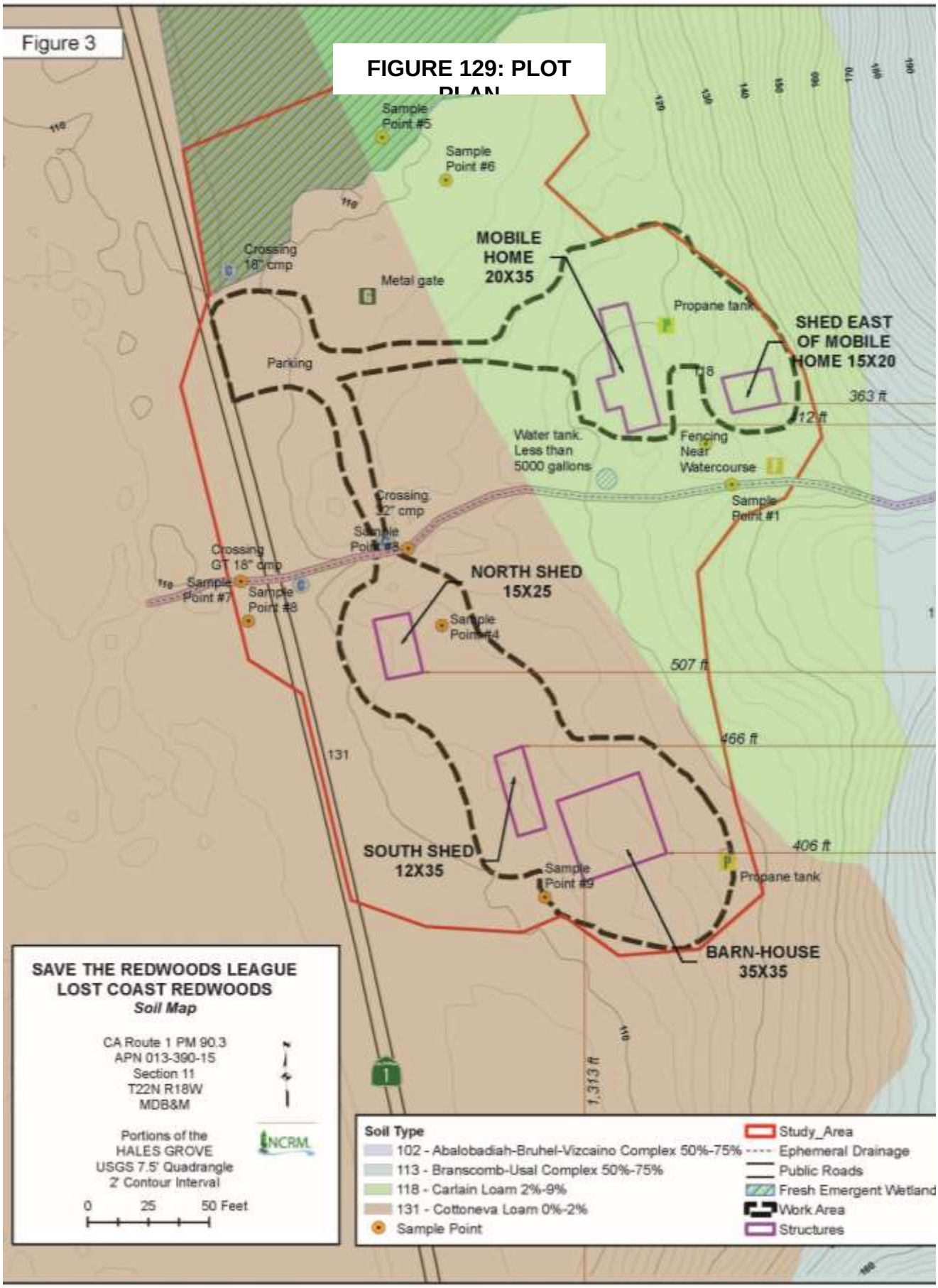
Coastal Zone Boundary
Highways
Major Roads

0 0.2 0.4 Miles
0 1,100 2,200 Feet
1:25,000

AERIAL IMAGERY

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

FIGURE 129: PLOT PLAN



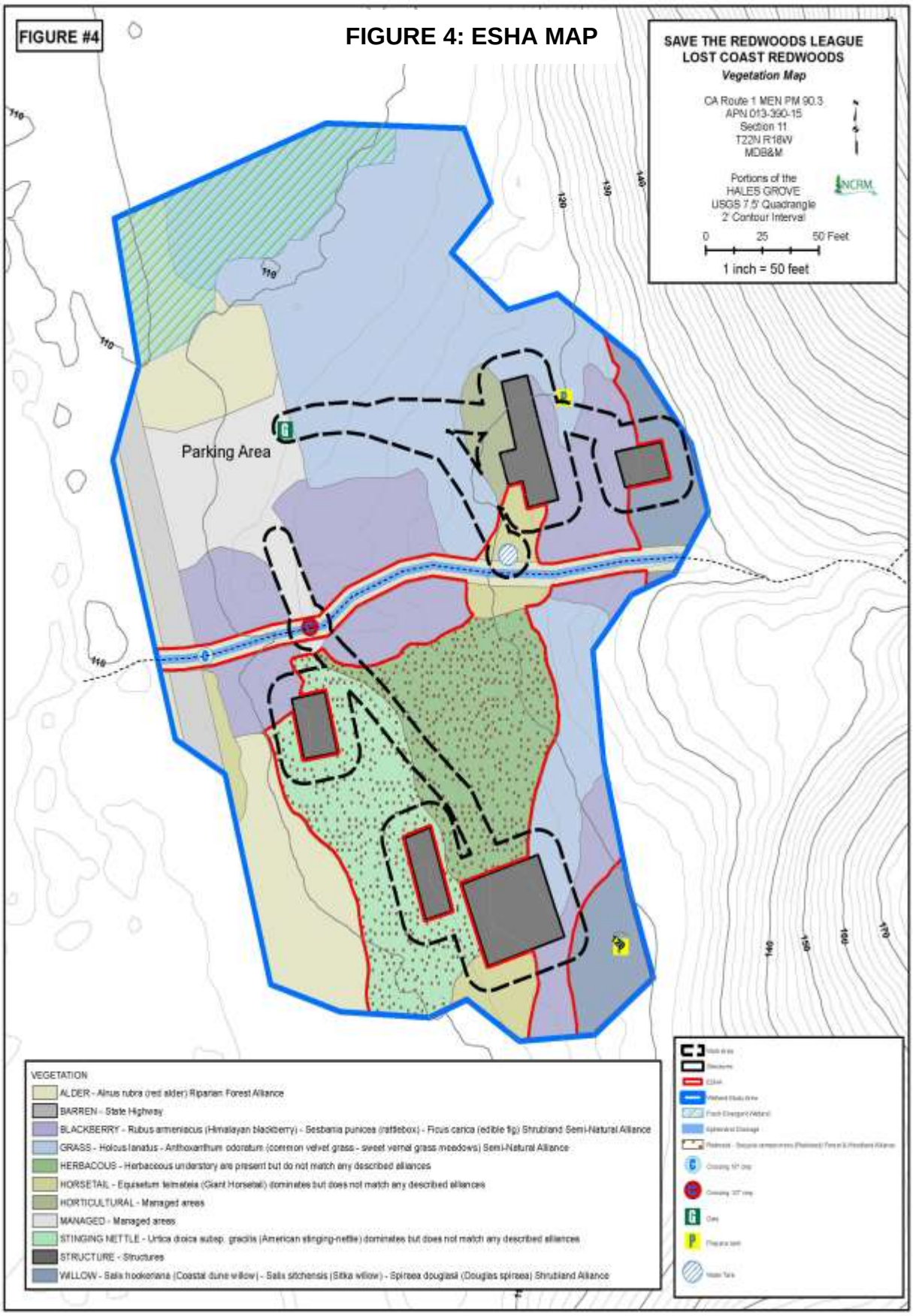


FIGURE #4
FIGURE 4: ESHA MAP
SAVE THE REDWOODS LEAGUE
LOST COAST REDWOODS
Vegetation Map
CA Route 1 MEN PM 90.3
APN 013-390-15
Section 11
T22N R18W
MDB&M
Portions of the
HALES GROVE
USGS 7.5' Quadrangle
2' Contour Interval
0 25 50 Feet
1 inch = 50 feet
Parking Area
VEGETATION
ALDER - Alnus rubra (red alder) Riparian Forest Alliance
BARREN - State Highway
BLACKBERRY - Rubus armeniacus (Himalayan blackberry) - Sesbania punicea (rattlebox) - Ficus carica (edible fig) Shrubland Semi-Natural Alliance
GRASS - Holcus lanatus - Anthoxanthum odoratum (common velvet grass - sweet vernal grass meadows) Semi-Natural Alliance
HERBACOUS - Herbaceous understory are present but do not match any described alliances
HORSETAIL - Equisetum telmateia (Giant Horsetail) dominates but does not match any described alliances
HORTICULTURAL - Managed areas
MANAGED - Managed areas
STINGING NETTLE - Urtica dioica subsp. gracilis (American stinging-nettle) dominates but does not match any described alliances
STRUCTURE - Structures
WILLOW - Salix hookeriana (Coastal dune willow) - Salix sitchensis (Sitka willow) - Spiraea douglasii (Douglas spiraea) Shrubland Alliance

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

November 14, 2024

Date

Shelby Miller

Printed Name

Planner II

Title

5.1 AESTHETICS

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

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

"Scenic resources" include objects, features, or patterns within the landscape which are visually interesting or pleasing. Scenic resources can include trees, rock outcroppings, historic buildings, or other features. California Streets and Highways Code (SHC) Sections 260-284 establish the State Scenic Highway program for *"the protection and enhancement of California's natural scenic beauty"*.[5] The Department of Transportation (CALTRANS) oversees this program, including a list of officially designated Scenic Highways and those deemed "eligible" for incorporation into the program. No highways in Mendocino County have been officially incorporated into the State Scenic Highway system. As such, there are no adopted Corridor Protection Programs in the county. However, the entirety of State Route 1 (SR-1) in Mendocino County, the portion of U.S. Route 101 (US-101) between Ukiah and Willits, all of State Route 20 (SR-20), and all of State Route 128 (SR-128) is listed as "eligible".[6] No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.[7]

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

[5] Streets and Highways Code, CA SHC § 260 (1969).
[6] Streets and Highways Code, CA SCH §263.2 to 263.8 (2019).
[7] U.S. Department of Transportation. Federal Highway Administration. *National Scenic Byways & All-American Roads*. Retrieved from https://fhwaapps.fhwa.dot.gov/bywaysp/States/Show/CA.

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

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

- Mendocino County Code (MCC) Chapter 20.504 – Visual Resource and Special Treatment Areas
- Mendocino County Coastal Element Chapter 3.5 – Visual Resources, Special Communities and Archaeological Resources
- Ukiah Valley Area Plan Chapter 4 – Community Design
- Mendocino County General Plan Chapter 6 – Community Specific Policies

Mendocino County General Plan Policy DE-85: *"Viewshed preservation shall be considered when development is located in a highly scenic environment, adjacent to or atop a ridgeline or hill, and in similar settings."*

a) **No Impact:** The project site is east of State Route 1 and not situated near a scenic vista. The project proposes to demolish five structures and restore the property to a natural setting. The project would have no impact on a scenic vista.

b) **No Impact:** The subject parcel does not include any scenic resources and is not located in a scenic vista location. The project would have no impact on scenic resources including but not limited to trees, rock outcroppings, and historic buildings.

c) **No Impact:** While the project site is situated within a non-urbanized rural area, the project would not degrade the existing visual character or quality of public views or its surroundings. The project proposes to demolish five structures and rehabilitate the natural setting. The subject parcel would be vacant land. Therefore, the project, as proposed, would have no impact on the aesthetics of the parcel and adjacent parcels.

d) **No Impact:** The project, as proposed, would have no impact on any new sources of light or glares. The project would require temporary construction activities and would only operate during daylight hours. Therefore, the project would have no impact on aesthetics.

MITIGATION MEASURES: None.

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	☐	☐	☒	☐

DISCUSSION: The State of California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) which produces maps and statistical data used for analyzing impacts on California's agricultural resources. The FMMP mapping survey covers roughly 98% of privately owned land in the state and updates each map approximately every two years to provide an archive of land use change over time. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called "Prime Farmland," with other critical designations including "Unique Farmland," or "Farmland of Statewide Importance."

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

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

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

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

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

a) **No Impact:** According to the FMMP, the project site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The site is classified as Grazing Land.[8] Therefore, the project would have no impact on Important Farmlands.

b) **No Impact:** The project site is within a current Agricultural Preserve (No. 0214) and under a Williamson Act contract. Currently the land is owned by Save the Redwoods League, a non-profit agency. The Bureau of Land Management (BLM) is working on acquiring the subject parcel. Pursuant to Government Code §51295, whenever there is any such action or acquisition by the federal government or any person, instrumentality, or agency acting under the authority or power of the federal government, the [Williamson Act] contract shall be deemed null and void. The Bureau of Land Management is a federal agency, and the Williamson Act contract would be terminated based on public acquisition. However, the project, as proposed, would have no impact on agricultural resources. The project includes demolishing five (5) structures, removing two (2) propane tanks, a culvert, and a water tank.

c) **No Impact:** The proposed project to demolish five structures and restore the natural habitat of the parcel would not conflict with existing zoning or cause rezoning of forest land or timberland. The project site is zoned Range Lands and would not change as a result of this project. Therefore, there would be no impact on the existing zoning district.

d) **No Impact:** The project would not result in the loss of forest land or result in the conversion of forest land to non-forest land. Therefore, the project would have no impact on forest land resources.

e) **Less Than a Significant Impact:** The proposed project to demolish five structures and to restore the parcel to a natural setting would not result in the conversion of forest land to non-forest use. The Bureau of Land Management (BLM) is working on acquiring the subject parcel. Pursuant to Government Code §51295, whenever there is any such action or acquisition by the federal government or any person, instrumentality, or agency acting under the authority or power of the federal government, the [Williamson Act] contract shall be deemed null and void. Considering the Bureau of Land Management is a federal agency, and the Williamson Act contract would be terminated based on public acquisition, the proposed project would have a less than significant impact on agricultural resources

MITIGATION MEASURES: None.

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

[8] Farmland Classifications Map.

5.3 AIR QUALITY

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

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

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

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

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

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

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

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

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

7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable,

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

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

a-b) **Less Than a Significant Impact:** The project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM_{10}). The MCAQMD enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed project involves demolishing several structures including four historic era structures, one mobile home, two (2) propane tanks, a culvert, and a water tank. The water tank to be removed would be emptied and rolled out of the project site and the three sheds would be removed by hand. The barn, propane tanks, and the culvert would require heavier construction equipment including an excavator. The excavator and other construction related equipment would be gas-powered and would be used temporarily.

The project application includes a Limited Asbestos Bulk Materials Survey Report (Asbestos Survey) and a Limited Lead-Based Inspection Via XRF and/or FAA Survey Report (Lead Survey) prepared by CALINC Training LLC on September 29, 2023. CALINC Training LLC concluded that several items tested positive for lead-based paint including: a wood door frame, a white wood window frame and window on the barn building, and a white wood window trim on the shed southwest of the tributary (See Figure #4). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM_{10} 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. There are two federal primary standards for Lead (Pb) - a quarterly-averaged standard of 1.5 micrograms per cubic meter (ug/m^3) (in certain areas) and a rolling 3-month average of 0.15 ug/m^3.[9] The demolition project would be temporary and would not impact the attainment status for lead for the North Coast Air Basin. Therefore, the project would not result in a cumulatively considerable net increase of PM_{10}.[10]

[9] California Air Resources Board. Lead Primary and Secondary Standards. https://ww2.arb.ca.gov/our-work/programs/state-and-federal-area-designations/federal-area-designations/lead. Accessed September 30, 2024.
[10] Mendocino County Air Quality Management District. Particulate Matter Attainment Plan. https://www.co.mendocino.ca.us/aqmd/pdf_files/Attainment%20Plan_DRAFT.pdf. Accessed September 30, 2024.

Pursuant to Section 19827.5 of the Health and Safety Code, the applicants submitted five (5) Asbestos Notification Forms for Demolition and Renovation for the three (3) sheds, barn, and mobile home. On September 3, 2024, Mendocino Air Quality Management District approved the demolition activities and stated that the project has met the requirements of Federal Asbestos NESHAP regulations under 40 CFR 61.145. Therefore, the project would comply with the applicable air quality plan and would have a less than significant impact on air quality.

c, d) **Less Than a Significant Impact:** The project site is situated in a rural area in northwestern Mendocino County. The nearest school, Leggett Valley Elementary School, is located 15.5± miles northeast of the project site. The nearest hospital, Adventist Health Mendocino Coast, is located 29± miles south of the project site. The nearest religious assembly, Asamblea Apostolica De La Fe, is located 24± miles north of the project site. The nearest retirement community, Heavenly Home Living, is located 30± miles south of the project site. The nearest residence is approximately 12 miles south of the project site. The project site is located 1± mile north of Honky Tonk Picnic Area and Recreation Area. Therefore, the project would create minimal impact on sensitive receptors. The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

MITIGATION MEASURES: None.

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

5.4 BIOLOGICAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

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

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

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

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

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

a-d) **Less Than a Significant Impact with Mitigation:** The project requests to demolish five (5) structures, remove a 30-inch culvert, a water tank, two (2) propane tanks and water diversion ancillary infrastructure. The water tank is situated less than a foot from an ephemeral stream (stream/ tributary) and would be emptied (if full) and rolled out manually. The water diversion infrastructure including piping and connection to the point of diversion (spring box) would be removed using hand tools. An access point (existing driveway) runs from the parking lot and crosses over the culvert to the north shed (see Figure 3) and would be decommissioned. The access point and culvert area would excavate two hundred and seventy (270) cubic feet of fill and would be restored.

Several biological reports were conducted by NCRM, Inc. (NCRM) for the proposed project including a Biological Assessment prepared on November 17, 2023, a Wetland Delineation Report prepared in June 2024, an updated Biological Assessment with additional wetland delineation prepared in August 2024, a Bat Survey prepared on September 9, 2024, and a Habitat Restoration Plan in November 2024. Considering the location of the project and the proposed removal of the culvert and water tank, the project poses a potential impact on existing fish or wildlife resources including Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*),

Southern Torrent Salamander (*Rhyacotriton variegatus),* Coastal Giant Salamander (*Dicamptodon tenebrosus*), Foothill Yellow-legged Frog (*Rana boylii*), northern red-legged frog (*Rana aurora*), Coastal Tailed Frog (*Ascaphus truei*), red-bellied newt (*Taricha rivularis*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.[11] The biological reports are available at Mendocino County Planning and Building Services. The Tentative Habitat Restoration Plan is attached to the Staff Report.

Removing the culvert and water tank could also result in a temporary increase of fine sediment transport to stream, loss or decline of riparian habitat, direct impacts on benthic organisms, direct and/or indirect incidental take, indirect impacts, water quality degradation, and damage to aquatic habitat functions. Pursuant to Fish and Game Code §1602, the landowner has submitted a Notification of Lake and Streambed Alteration Agreement (EPIMS-MEN-51311-R1C) to address the removal of the culvert following the completion of demolition activities and would need a final Lake and Streambed Alteration Agreement (LSAA). In addition, the landowner filed a 401 Water Quality certification permit Notice of Intent (Order No. SB12006GN) with the Regional Water Quality Control Board (RWQCB) for the proposed restoration plan.

Several environmentally sensitive habitat areas (ESHAs) were identified on the project site including the ephemeral stream, a seasonal wetland, Red Alder (*Alnus rubra*), coastal dune willow – Sitka willow – Douglas' Spirea alliance *(Salix hookeriana – Salix sitchensis – Spiraea douglasii*), Redwood forest and woodland (*Sequoia sempervirens),* American stinging-nettle (*Urtica dioica subsp. Gracilis)* and giant horsetail (*Equisetum telmateia).*[12] NCRM stated "several other ESHAs and sensitive natural communities have the potential to occur on site but were not observed during site visits including Bolander's reed grass (*Calamagrostis bolanderi*), seaside bittercress (*Cardamine angulata),* coast fawn lily (*eythronium revolutum*), redwood lily (*Lilium rubescens*), harlequin lotus (*Hosackia gracilis*), and Methuselah's beard lichen (*Usnea longissimi*)".[13]

The structures including, three (3) sheds, and one (1) barn house constructed between the years 1910 and 1915, and a mobile home installed in the 1960s were surveyed for wildlife. The Bat Survey identified three (3) bat species using a Kaleidoscope Pro Sound Analysis Software from Wildlife Acoustics. The three (3) species were identified flying around the project area at sunset and an hour past sunset by the Sound Software including twenty-one (21) little brown bats (*Myotis lucifugus*), fourteen (14) Silver-haired bats, and five (5) California myotis. Six (6) black phoebes (*Sayornis nigricans*) were observed entering the barn and roosting on the roof beams.[14] NCRM stated during a survey in December of 2023, no bats were observed in the structures and the buildings appeared to be saturated with water, making the structures less desirable to inhabit during the winter months and during a wildlife survey in May 2024, unidentified bats were documented roosting in the barn and mobile home.[15]

Pursuant to Mendocino County Code Section 20.532.065, the Tentative Habitat Restoration Plan details the complete inventory and assessment of plant, fish, and wildlife habitat values that would be impacted by the project, and mitigation measures for all impacts to ESHA and the project site. The purpose of the project is to restore and enhance the stream and project site to its natural community. The proposed project anticipates temporarily impacting 10,810 square-feet of the project site including temporary impacts to the red alder forest alliance, coastal dune willow – sitka willow – Douglas spiraea shrubland alliance.

[11] California Department of Fish and Wildlife. Draft Lake or Streambed Alteration Agreement Notification No. EPIMS-MEN-1311-R1C (Lost Coast Redwoods Remediation). August 23, 2024.
[12] NCRM, Inc. Biological Assessment for Building Demolition at Lost Coast Redwoods. August 2024.
[13] Ibid.
[14] NCRM. Bat Survey for Building Demolition at Lost Coast Redwoods Property. September 9, 2024.
[15] Ibid.

The proposed project and biological surveys were referred to the U.S Fish and Wildlife Service, California Department of Fish and Wildlife (CDFW), California Coastal Commission (CCC), and the North Coast Regional Water Quality Control Board (NCRWQCB). The U.S Fish and Wildlife Service (USFWS) stated the resident bat expert, Matthew Parker, reviewed the document and noted that the Little Brown Bat is currently under review for possible federal listing by the USFWS, but has not been formally petitioned for listing. Therefore, no federally listed bat species would be impacted as of today [September 19, 2024]. If the Little Brown Bat is federally listed prior to the proposed work, then the USFWS should be contacted for ESA consultation. The RWQCB responded to the project referral and stated that the project would need a water board permit. As of November 6, 2024, the California Coastal Commission has not responded.

CDFW reviewed the wetland delineation report, biological assessment, bat survey, and the proposed tentative habitat restoration plan spanning over several months. CDFW and County staff on May 21, 2024. CDFW requested several revisions of all biological reports and consulted with the North Coast Regional Water Quality Control Board regarding the wetlands and Waters of the State. Staff added all mitigation measures from the LSAA Application prepared by CDFW. Additionally, after receiving revisions of the wetland delineation report, the revised biological assessment, a bat survey, consultation with County staff and the Regional Water Quality Control Board, the applicant provided a Tentative Habitat Restoration Plan pursuant to Mendocino County Code (MCC) 20.532.065. CDFW reviewed the Tentative Habitat Restoration Plan and requested several additions. CDFW and County staff will consult with the applicant to provide guidance and clarity on standards and procedures for the Final Habitat Restoration Plan. Prior to the issuance of building permits associated with this CDP, the applicant must submit a Final Habitat Restoration Plan.

With the incorporation of all mitigation measures from the biological reports and LSAA Application and Water Quality Certification Permit, the proposed project would have a less than significant impact on special status species, sensitive natural communities, state or federally protected wetlands, and riparian habitats.

e) **Less Than a Significant Impact with Mitigation:** The project is regulated by the Mendocino County Coastal Element and Coastal Zoning Code, particularly Coastal Element Policies 3.1-2, 3.1-7, and Coastal Zoning Code Chapter 20.496 regarding Environmentally Sensitive Habitat Areas (ESHA). The stream and wetland onsite are considered ESHA. The barn, water tank, water diversion infrastructure, north shed, south shed, eastern shed, and mobile home are all within ESHA and/ or the 100-foot ESHA buffer. In addition, the demolition access routes are within ESHA buffers and ESHA, as indicated on Figure 4. Pursuant to MCC Section 20.496.025(A)(8), development or activities within wetland and estuary areas shall be limited restoration project which are allowable pursuant to Section 30233(a)(7) of the Coastal Act are publicly or privately financed projects in which restoration is the sole purpose of the project.

The proposed project would demolish all structures, remove a culvert, water diversion infrastructure, and a water tank. The Wetland Delineation report prepared in June 2024, identified a total of 0.13± acre of wetlands on the project site which includes portions of an ephemeral stream and portions of a freshwater emergent wetland. The wetlands do not provide habitat value to wetland fish and wildlife species, nor would be used by any species that are rare or endangered. With the incorporation of mitigation measures, the project would have minimal impact on any local policies or ordinances protecting biological resources.

f) **No Impact:** The proposed project is not sited within the jurisdiction of an adopted Habitat Conservation Plan, Natural Community Conservation plan, or any other habitat conservation plan.

MITIGATION MEASURES:

BIO-1: A qualified biologist familiar with the onsite habitats and species including rare plants and Species of Special Concern, shall be onsite for all construction activities including flagging of the work area, installation of silt fencing and any habitat exclusion fencing, mobilization of equipment through the completion of all-ground disturbing activities including installation of Best Management Practices (BMPs) for both erosion and those that support restoration within the creek. Credentials of qualified biologist shall be reviewed and approved by the Senior Planner at the County of Mendocino Planning and Building Services.

BIO-2: Prior to construction and demolition, existing and proposed construction access routes should be clearly flagged to define their boundaries. Construction vehicles and equipment shall access the site and operate within these designated areas to prevent unnecessary disturbance to the surrounding environment.

BIO-3: Prior to construction and demolition, all contractors involved in the project shall participate in a training session that focuses on minimizing impacts on biological and historic resources. All personnel shall be aware of and adhere to the terms and conditions of the Project's permits including the Coastal Development Permit and any other permits issued by State or Federal agencies including, but not limited to, the California Department of Fish and Wildlife and the Regional Water Quality Control Board. Workers shall be trained to differentiate between special status and common species and instruction on actions and communications required to be conducted in the event that special status amphibians or other special status species are observed during construction. Silt fencing installed to prevent sediment from entering wetlands and riparian areas may intercept and redirect the travel of amphibians trying to reach those wetlands and riparian areas.

BIO-4: All heavy equipment should be thoroughly inspected for leaks before work begins to prevent the accidental release of oil, lubricants, coolants, or hydraulic fluids on-site. This precaution is essential to avoid contaminating the surrounding environment. Additionally, spill prevention and response plans will be implemented to address any potential fuel or oil spills promptly.

BIO-5: Refueling machinery or heavy equipment with oil, lubricants, coolants, or hydraulic fluids shall occur outside of the 100-foot buffer of the stream bed, channel, or bank. Drip pans and absorbent pads should be used onsite. All such fluids and containers should be properly disposed of offsite. Heavy machinery shall not be stored within the 100-foot buffer of the stream bed, channel, or bank to prevent contamination and protect the water way.

BIO-6: Install burlap wrapped biodegradable straw wattles at the perimeter of the access routes to prevent erosion and sedimentation from entering the riparian ESHA.

BIO-7: Prior to demolition activities, a biological monitor shall thoroughly inspect the structures to ensure no wildlife are present. The biological monitor shall ensure that no wildlife enters the worksite during operations.

BIO-8: 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 demolition.

BIO-9: 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.

BIO-10: Demolition in the project area has the potential to impact special status bat species. Demolition and construction are ideal 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 fourteen (14) days prior to the onset if 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 qualified biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

BIO-11: If active bat roosts are observed, no 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 and shall occur in consultation with the County and CDFW. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

BIO-12: Construction activities will involve driving vehicles and walking across areas where amphibians may be traveling. Staging of materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. To minimize impacts to amphibians, the following avoidance measures should be followed:

a. Within two weeks prior to construction activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special status amphibians are observed during construction. Silt fencing installed to prevent sediment from entering wetlands and riparian areas may intercept and redirect the travel of amphibians trying to reach those wetlands and riparian areas.

b. During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

c. During construction and debris removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

d. If a special status amphibian is detected in the construction area during activities with the potential to harm the animal, it shall be relocated out of the work area into a safe and appropriate habitat area. Construction workers should photograph the amphibian and notify the biologist that trained the crew. Special status species observed during the course of the project should be documented with a CNDDB form submitted to CDFW.

e. If a California or Federally listed threatened or endangered species is detected in the construction area during activities with the potential to harm the animal, work shall stop until the animal leaves the area on its own or it shall be relocated out of the work area into a safe and appropriate habitat area by an individual authorized to handle the listed species. Construction workers and/or the biologist moving the animal should photograph the amphibian and notify the relevant agencies of the action taken. Special status species observed during the course of the project should be documented with a CNDDB form submitted to CDFW.

BIO-13: Construction activities shall be immediately suspended when an Elk is observed within or near the project site. Work may only resume once the Elk has vacated the area and is no longer at risk of disturbance. Monitoring will be conducted to ensure that construction does not proceed until the Elk has fully left the vicinity by their own accord. If Elk are observed within the work area or within the project site, Project shall also notify California Department of Fish and Wildlife through the online Report Elk Observation Portal.

BIO-14: To prevent soil compaction and rutting, swamp mats shall be used in the designated project area to facilitate access routes to the structures for removal.

BIO-15: Prior to demolition, a trench plate shall be placed on the driveway above the culvert to maintain the structural integrity of the surface.

BIO-16: Each day demolition and construction occurs, the project site should be thoroughly cleared of all trash, debris, and any remaining scraps of building material.

BIO-17: The applicant shall install three cedar bat boxes to mitigate potential habitat loss. The bat boxes will be two-chamber models, each measuring 4" deep x 10" wide x 15" high. They will be mounted on 15- to 20-foot posts, which will be equipped with squirrel guards positioned approximately four feet from the ground. To enhance solar heating, each box will be painted black. When selecting locations, bat boxes will be placed to receive approximately 6 to 8 hours of sunlight. Additionally, the boxes will be positioned 20 to 30 feet away from tree branches or other obstacles and mounted 12 to 20 feet above the ground, or above the tallest vegetation beneath the bat house.

BIO-18: Following demolition and construction, the applicant shall cast northern California Coastal native seed mix to revegetate the disturbed areas (0.25± acre total). Contents of the seed mix shall be reviewed and approved by the County and in consultation with California Department of Fish and Wildlife.

BIO-19: After seeding, a layer of weed-free straw mulch should be applied across the disturbed areas to protect the soil and prevent erosion.

Stream Specific Mitigation Measures

BIO-20: Work Prohibition in Wetted Stream. No work is authorized in a wetted stream channel (i.e., where surface or subsurface water is present). All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a wetted stream is required to complete a project and will submit a site-specific dewatering plan consistent with the LSAA.

BIO-21: All work within the stream channel shall be confined to the period June 1 through October 31 of each year. Work within the active channel of a stream shall be restricted to periods of dry weather. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease, and all necessary erosion control measures shall be implemented prior to the onset of precipitation.

BIO-22: If weather conditions permit, and the Permittee wishes to extend the work period before June 1 or after October 31, a written request shall be made to CDFW at least five (5) working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities beginning before June 1 or continuing past October 31.

BIO-23: No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Landowner shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the culvert, water tank, and water diversion infrastructure removal.

BIO-24: Culvert removal. When culverts and fills are removed, all fill shall be excavated down to the original stream channel and outwards, horizontally, as wide as or wider than the natural channel to form a channel as close as feasible to the natural stream grade and alignment. The restored stream bank slopes shall be no steeper than a 2:1 slope (horizontal: vertical) or natural slope. Restored slopes shall be stabilized to prevent slumping and to minimize soil erosion that could lead to sediment deposition into Waters of the State.

BIO-25: Stream protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to

enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of offsite upon project completion.

BIO-26: If at any time any material which could be hazardous or toxic to aquatic life enters a stream, the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. Permittee shall notify CDFW at 707-445-6493 and consulted regarding clean-up procedures as soon as practicable, but no later than 24 hours after the spill.

BIO-27: Equipment Maintenance. Heavy Equipment Use. No heavy equipment shall be used in the disconnection or removal of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

BIO-28: Excavated Fill. Excavated fill material shall be placed in a stable upland location where it cannot deliver to a stream or wetland. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be contoured to drain water and compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

BIO-29: Runoff from Steep Areas. The Permittee shall ensure that runoff (concentrated flow) from steep, erodible surfaces will be slowed and diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water bars shall be placed on dirt roads, heavy equipment tracks, or other work trails to control erosion.

BIO-30: Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff could enter a stream, lake, or wetland (i.e., Waters of the State).

BIO-31: Permittee shall restore disturbed areas immediately after work is completed by replanting native vegetation.

Water Diversion Infrastructure Decommissioning

BIO-32: Avoid Entry, Impingement, and Entrapment. The water diversion structure (spring box) shall be decommissioned or maintained such that it does not result in impingement, entry, or entrapment of aquatic life or other wildlife.

BIO-33: A service approved by the biological monitor with training and/or experience with the identification and handling of California red-legged frogs shall inspect the project site each morning that construction activities with the potential to crush frogs will occur before this work begins. The inspection will include a visual search around the staging and impact areas to detect the presence of amphibians. The biological monitor must be pre-approved by US Fish and Wildlife Service and California Department of Fish and Wildlife to handle and move amphibians out of harm's way if and when they are encountered within the project footprint.

BIO-34: Prohibition on Use of Monofilament Netting. To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

BIO-35: Site Maintenance. Permittee shall be responsible for site maintenance including, but not limited to, re-establishing erosion control to minimize surface erosion and ensuring drainage structures and stream banks remain sufficiently stable.

FINDINGS: The proposed project would have **LESS THAN A SIGNICANT IMPACT WITH MITIGATION** on Biological Resources.

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

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

a, b) **No Impact:** The proposed project to demolish several structures including four historic era structures and one mobile home from the 1960s. An Archaeological Survey was prepared in relation to the proposed project that indicated that no California Historical Landmarks or Points of Interest are present in the project area and no National Register listed or eligible properties are located within the project area. The Archaeological Survey requested a review of the Sacred Lands file for information on Native American cultural resources in the project area, in which, the Sacred Lands File returned a negative result. Therefore, the project would create no impact on any historical or archaeological resource.

The project was referred to Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, Sherwood Valley Band of Pomo Indians, and Round Valley Reservation on April 16, 2024, June 24, 2024, and on August 19, 2024. On April 18, 2024, the Sherwood Valley Band of Pomo Indians responded and stated, "as the project moves forward, the Tribe would want to be informed if any recorded site is on project site, especially near the septic removal area. The Sherwood Tribe may request Cultural Monitoring services while removal is happening or if any recorded sites are recorded in the Northwest Information Center report within the project site. The Tribe also requests the re-vegetating component use as much local indigenous plants as feasible. The tribe is the MLD's of the project area."

The project was referred to Northwest Information Center (NWIC) on April 16, 2024, June 24, 2024, and on August 19, 2024. On August 30, 2024, NWIC stated, "this office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian. 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. Given this sensitivity and lack of prior survey of the proposed project area, we therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify

cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources."

On June 12, 2024, the project was scheduled for the Archaeological Commission, where the Commission accepted the survey and recommended adding several conditions of approval including, the Discovery Clause, Tribal Monitoring during ground disturbance, and consultation with Tribe for native plant re-vegetation. On June 27, 2024, Sherwood Valley Band of Pomo Indians provided an additional comment and stated, "The Tribe recognizes the Action taken by the Mendocino County Archaeological Commission at the June 12, 2024, meeting. A part of the Action was to have a tribally appointed monitor be on-site during ground disturbance when the septic tank is being removed. The Tribe, per AB 52 would like a copy of the archaeological survey done on property. Also, a copy of the biological assessment that has been completed, so we can help with local indigenous plant selection for the revegetating phase." All recommendations have been incorporated to the Conditions of Approval on the Staff Report.

c) **No Impact:** The project does not anticipate disturbing any human remains including those interred outside of formal cemeteries. The Discovery Clause has been added as a condition of approval to the Staff Report.

MITIGATION MEASURES: None.

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

5.6 ENERGY

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

DISCUSSION: 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) **Less Than a Significant Impact:** The proposed project includes demolishing three (3) sheds, one (1) barn, one (1) mobile home, one (1) culvert, one (1) water tank, and two (2) propane tanks on the project site. The project site is within several environmentally sensitive habitat areas and therefore would limit the use of large construction equipment. Small construction equipment would be used temporarily to remove the mobile home and barn. The Westport Solid Waste and Recycling Center is the nearest solid waste center located 12± miles south of the project site. The project would result in a less than significant impact on energy resources. The proposed project would not require any energy for operation. When the project is complete, the project site would be vacant land used for passive recreation.

b) **No Impact:** The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The project would instead remove several structures and would restore the area to its natural setting. The construction related to the project would be minimal and temporary. Therefore, the project would result in no impact on state or local plans for energy.

MITIGATION MEASURES: None.

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

5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

DISCUSSION: The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation. Thick soil development and landslides very commonly cover the underlying bedrock throughout the county. Due to the weak and deformed nature of the Franciscan rocks, they are prone to deep weathering and development of thick overlying soils. Soil deposits in swales and on the flanks of slopes commonly contain substantial amounts of clay and weathered rock fragments up to boulder size. These soils can be unstable when wet and are prone to slides. Land sliding of such soils is widespread in Mendocino County, particularly in the eastern belt of the Franciscan Formation beneath the eastern portion of the county. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to landslides and erosion.

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on nine (9) percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than fifteen (15) percent have a high erosion hazard.

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

The California Geological Survey (CGS) houses the web-based California Earthquake Hazards Zone Application (EQ Zapp), which allows a user to check whether a site is in an earthquake hazard zone. The California Department of Conservation also houses a general-purpose map viewer that contains layers displaying locations and data related to the California Landslide Inventory, the Seismic Hazards Program, Earthquake Shaking Potential, Historic Earthquakes, and others.

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

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

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

in California, including a map showing areas of land subsidence due to groundwater pumping, peat loss, and oil extraction.

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

Unique geologic features are rocks or formations which:

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

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

a) **No Impact:** The project to demolish several structures would not directly or indirectly cause substantial adverse effects, including risk of loss, injury or death involving seismic ground shaking, landslides, and ground failure including liquefaction. The subject parcel is not within an Earthquake Fault Zone and has not been evaluated by CGS for liquefaction hazards.[16] The LCP Land Capabilities Map indicates the project site is situated on Beach Deposits and Stream Alluvium and Terraces and is subject to Intermediate Shaking seismicity. However, the proposed project would have no impact on geological resources.

b) **Less Than a Significant Impact with Mitigation:** The proposed project would demolish three (3) sheds, one (1) barn, one (1) mobile home, two (2) propane tanks, a culvert and a water tank. Considering the conditions of the structures, the sheds, barn, mobile home, water tank, and propane tanks removal would have a minimal impact on the loss of topsoil. The project proposes to remove a culvert from a stream crossing. All fills would be excavated down to the original stream channel and outwards horizontally to form a channel as close as feasible to the natural stream grade and alignment. The project anticipates the stream bank slope shall be no steeper than 2:1 (horizontal: vertical) or natural slope. Best Management Practices shall be implemented as well as mitigation measures to prevent or minimize soil erosion. Mitigation measures numbers 1 through 35 have been included under the Biological Resources section.

c) **No Impact:** The project to demolish several structures would have no impact on the geologic unit of the parcel. The result of the project would be vacant land and therefore would create no impact on any geologic unit.

d) **No Impact:** The project site is situated on Carlain loam, Cottoneva loam, and Branscomb-Usal complex soil types. Carlain loam. The project is not located on expansive soil as defined in Table 18-1-B of the Uniform Building Code and would not create an impact directly or indirectly to life or property. Considering the project does not propose any development at this time, no impact is anticipated.

e) **No Impact:** The project site is situated on Carlain loam, Cottoneva loam, and Branscomb-Usal complex soil types. Carlain loam. The Soil Survey of Mendocino County, California, Western Part document did not state any listed soil type would by incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. Therefore, no impact is anticipated.

[16] California Department of Conservation. California Earthquake Hazards Zone Application (EQ ZAP). Updated September 23, 2021.

f) **No Impact:** The proposed project to demolish several structures would not directly nor indirectly destroy a unique paleontological resource or site or unique geologic feature. Therefore, no impact is anticipated.

MITIGATION MEASURES:

GEO-1: Install burlap wrapped biodegradable straw wattles at the perimeter of the access routes to prevent erosion and sedimentation from entering the riparian ESHA.

GEO-2: Excavated Fill. Excavated fill material shall be placed in a stable upland location where it cannot deliver to a stream or wetland. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be contoured to drain water and compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

GEO-3: Runoff from Steep Areas. The Permittee shall ensure that runoff (concentrated flow) from steep, erodible surfaces will be slowed and diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water bars shall be placed on dirt roads, heavy equipment tracks, or other work trails to control erosion.

GEO-4: Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff could enter a stream, lake, or wetland (i.e., Waters of the State).

GEO-5: Permittee shall restore disturbed areas immediately after work is completed by replanting native vegetation.

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

5.8 GREENHOUSE GAS EMISSIONS

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

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

tons CO_2e (CO_2 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:** As previously discussed in the Air Quality section, the project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM_{10}). The proposed project involves demolishing several structures including four (4) sheds, a barn, a mobile home, two (2) propane tanks, a culvert, water tank, and ancillary structures. The MCAQMD has adopted a Particulate Matter (PM) Attainment Plan which includes a description of local air quality, the sources of local PM emissions, and recommended control measures to reduce future PM levels.

The project application includes a Limited Asbestos Bulk Materials Survey Report (Asbestos Survey) and a Limited Lead-Based Inspection Via XRF and/or FAA Survey Report (Lead Survey) prepared by CALINC Training LLC on September 29, 2023. CALINC Training LLC concluded that several items tested positive for lead-based paint including: a wood door frame, a white wood window frame and window on the barn building, and a white wood window trim on shed southwest of the tributary (See Figure #4). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM_{10} 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. Furthermore, the California Air Resources Board (CARB) has identified lead as a toxic air contaminant and a greenhouse gas. However, CARB has not determined a threshold level of exposure for adverse health effects regarding lead.

Pursuant to Section 19827.5 of the Health and Safety Code, the applicants submitted five (5) Asbestos Notification Forms for Demolition and Renovation for the three (3) sheds, barn, and mobile home. On September 3, 2024, Mendocino Air Quality Management District approved the demolition activities and stated that the project has met the requirements of Federal Asbestos NESHAP regulations under 40 CFR 61.145. Therefore, the project would comply with the applicable air quality and greenhouse gas emission plan and would have a less than significant impact on greenhouse gas emission.

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?	☐	☐	☒	☐

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

DISCUSSION: California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (California Health and Safety Code 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:** As noted in the Air Quality section above, the proposed project involves demolishing several structures including four historic era structures (sheds and a barn) and a mobile home from the 1960s. The project application includes a Limited Asbestos Bulk Materials Survey Report (Asbestos Survey) and a Limited Lead-Based Inspection Via XRF and/or FAA Survey Report (Lead Survey) prepared by CALINC Training LLC on September 29, 2023. CALINC Training LLC concluded that several items tested positive for lead-based paint including: a wood door frame, a white wood window frame and window on the barn building, and a white wood window trim on the shed southwest of the tributary (See Figure #4). Pursuant to Section 19827.5 of the Health and Safety Code, the applicants submitted five (5) Asbestos Notification Forms for Demolition and Renovation for each of the three (3) sheds, barn, and mobile home. On September 3, 2024, Mendocino Air Quality Management District approved the demolition activities and stated that the project has met the requirements of Federal Asbestos NESHAP regulations under 40 CFR 61.145. Demolition would be temporary and would result in the transport and disposal of materials containing asbestos. Considering that the project has met the requirements of the Federal Asbestos NESHAP regulations, a less than significant impact would occur.

c) **Less Than a Significant Impact:** The nearest school, Leggett Valley Elementary School, is located 15.5± miles northeast of the project site. As previously stated, the project would comply with the Federal Asbestos NESHAP regulations including obtaining written approval for the Mendocino County Air Quality Management District and hiring a certified asbestos consultant that would provide training to construction workers. Therefore, a less than significant impact would occur.

d-g) **No Impact:** The project site is not within an airport land use plan nor on any list of hazardous materials sites compiled pursuant to Government Code section 65962.5. The proposed project would remove all structures onsite and would create a vacant property. The project would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, the project would not increase fire fuel or otherwise expose the site to wildlife. The project was referred to CAL FIRE and as of September 30, 2024, no response has been received regarding fire safety.

MITIGATION MEASURES: None.

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

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☒	☐	☐
i) Result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☒	☐	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☒	☐	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. The County's groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated

rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific information regarding recharge areas for Mendocino County's groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal –it is anticipated that continued recharge will re-supply groundwater reservoirs.

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

a) **Less Than a Significant Impact with Mitigation:** The project requests to demolish four (4) historic-era structures, a mobile home, two (2) propane tanks, remove a 30-inch culvert, a water tank, and ancillary infrastructure. The water tank is situated less than a foot from an ephemeral stream (stream) and would be emptied (if full) and rolled out manually. The water diversion infrastructure including piping and connection to the point of diversion (spring box) would be removed using hand tools. An access point runs from the parking lot and crosses over the culvert to the north shed (see Figure 3) and would be decommissioned. The access point and culvert area would excavate two hundred and seventy (270) cubic feet of fill and would be restored.

   The impacts the project could have on water resources identified in the Biological Resources section above include temporary increase in fine sediment transport to stream, loss or decline of riparian habitat, direct impacts on benthic organisms, direct and/or indirect incidental take, indirect impacts, water quality degradation, and damage to aquatic habitat functions. Pursuant to Fish and Game Code §1602, the landowner would be required to obtain a Lake and Streambed Alteration Agreement (LSAA). The landowner has submitted a Notification of Lake and Streambed Alteration Agreement (EPIMS-MEN-51311-R1C) to address the removal of the undersized culvert following the completion of demolition activities. In addition, the landowner would be required to obtain a 401 Water Quality certification permit with the North Coast Regional Water Quality Control Board. The removal of the water tank, ancillary infrastructure, and water tank shall be removed during periods of dry weather only. All work related to the streambed shall be confined to the period of June 1 through October 31 of each year. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Several mitigation measures have been incorporated into the Draft LSAA and would be incorporated into the conditions of approval.

b) **No Impact:** The project does not anticipate substantially, decreasing groundwater supplies nor interfere substantially with groundwater recharge that may impede on sustainable groundwater management of a basin.

c) **Less Than a Significant Impact with Mitigation:** As previously noted, the project requests to demolish five structures, remove a 30-inch culvert from an ephemeral stream crossing and remove a water tank, and ancillary infrastructure situated adjacent to the stream. The culvert removal includes decommissioning the crossing of the stream and restoration of the stream channel. Mitigation measures GEO-1 through GEO-5 are included to prevent or minimize erosion and siltation onsite. The project does not anticipate a substantial increase of the

amount of surface runoff in a manner which would result in flooding on or offsite. The project would not impede or redirect flood flows.

d) **No Impact:** The project site is not within a flood hazard, tsunami, or seiche zone. The project does not anticipate releasing pollution due to project inundation. Therefore, no impact is anticipated.

e) **Insert Determination:** Provide analysis

MITIGATION MEASURES:

HYDRO-1: Prior to the issuance of any building permit, the landowner (or permittee) shall apply for a Lake or Streambed Alteration Agreement (LSAA) with the California Department of Fish and Wildlife.

HYDRO-2: The proposed work shall be completed prior to the expiration of the Coastal Development

HYDRO-3: No heavy equipment shall be used in the disconnection or removal of the existing water diversion structure. The landowner/permittee shall use hand tools or other low impact methods of removal/ replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

HYDRO-4: When stream crossings and fills are removed, all fill shall be excavated down to the original stream channel and outwards, horizontally, as wide as or wider than the natural channel to form a channel as close as feasible to the natural stream grade and alignment. The restored stream bank slopes shall be no steeper than a 2:1 slope (horizontal: vertical) or natural slope. Restored slopes shall be stabilized to prevent slumping and to minimize soil erosion that could lead to sediment deposition into Waters of the State.

HYDRO-5: No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

HYDRO-6: Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within stream bed, channel, and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment shall not be stored within stream bed, channel, and bank.

HYDRO-7: If at any time any material which could be hazardous or toxic to aquatic life enters a stream, the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, an immediately initiate clean-up activities. Permittee shall notify CDFW at 707-445-6493 and consulted regarding clean-up procedures as soon as practicable, but no later than 24 hours after the spill.

HYDRO-8: No work is authorized in a wetted stream channel (i.e., where surface or subsurface water is present). All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a wetted stream is required to complete a project and will submit a site-specific dewatering plan consistent with measure 2.16 (below) for review and approval.

HYDRO-9: Excavated fill material shall be placed in a stable upland location where it cannot deliver to a stream or wetland. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be contoured to drain water and compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

HYDRO-10: Prior to issuance of a building permit, the landowner shall provide a Final Restoration Plan that conforms with the Tentative Restoration Plan. The Restoration Plan must comply with state and federal agencies

HYDRO-11: Landowner shall use erosion control measures throughout all work phases where sediment runoff could enter a stream, lake, or wetland (i.e., waters of the state).

FINDINGS: The proposed project would have **INSERT 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?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

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

a) **No Impact:** The proposed project to demolish five structures, remove a culvert, water tank, ancillary infrastructure and two (2) propane tanks would not physically divide an established community. Westport is a rural community that was once a lumber shipping point and supply center for mills and lumber camps. The project site is north of Westport and is adjacent to timber production zones and rural landscaping. Therefore, the project would not physically divide an established community.

b) **Less Than a Significant Impact:** The Coastal Element of the General Plan and Coastal Zoning Code contain policies and regulations aimed at avoiding or mitigating environmental impacts. The project has been determined to be consistent with the applicable regulations and policies as described in the Biological Resources and Hydrology and Water Quality sections of this document. With the incorporation of all the mitigation measures as detailed in said sections, the project would not cause 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 impact.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Land Use and Planning.

5.12 MINERAL RESOURCES

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

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

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

a) **No Impact:** The proposed project would remove several structures and restore the natural setting of rural Mendocino County. The project would not result in the loss of known mineral resources that would or would not be of value to the region and the residents of the state.

b) **No Impact:** The proposed project would remove several structures and restore the natural setting of rural Mendocino County. The project would not 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.

MITIGATION MEASURES: None.

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

5.13 NOISE

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

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

a) **Less Than a Significant Impact:** The project would demolish five (5) structures, remove two (2) propane tanks, a water tank, ancillary infrastructure, and a culvert. The project site is situated within an environmentally sensitive habitat area and would limit the use of large construction equipment. The project anticipates a minimal temporary increase in ambient noise levels. However, the noise would create a less than significant impact on the surrounding community. The Mendocino County General Plan does not have a noise ordinance nor established standards for noise. Therefore, the project would create a less than significant impact on noise.

b) **Less Than a Significant Impact:** The project would create minimal impacts to groundborne noise levels and vibration during the demolition construction. The project includes removing a culvert at the stream crossing and would create a temporary ground vibration and or noise levels.

c) **No Impact:** The project site is located 26± miles north of the nearest airport in Fort Bragg. The project would not expose people residing or working to excessive noise levels. The project site is surrounded by commercial timber harvesting to the east, the Pacific Ocean to the west, and undeveloped land to the north and south. Considering the project site is not located within the vicinity of a private airstrip or airport land use plan and is not adjacent to any residences, the project would have no impact on noise. The project would not expose any person working in the area to any noise disturbances.

MITIGATION MEASURES: None.

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

5.14 POPULATION AND HOUSING

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

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

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

a-b) **No Impact:** The proposed project would remove several non-habitable structures from the subject parcel. The project would not induce substantial unplanned population growth in the area nor displace substantial numbers of existing people or housing. The proposed development would not necessitate the construction of replacement 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?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

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

a-e) **No Impact:** The project proposes to demolish several structures and implement a restoration plan for the riparian area. The project would not result in any 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?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

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

a) **No Impact:** The project would not increase the use of parks or other recreational facilities because it would not involve the construction of dwellings and therefore would not result in population growth. The lack of population growth means that the demand for such services would not increase beyond existing conditions. Therefore, the project would have no impact on such services.

b) **No Impact:** The project would not involve or require the construction or expansion of recreational facilities.

MITIGATION MEASURES: None.

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

5.17 TRANSPORTATION

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

DISCUSSION: 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) **Less Than a Significant Impact:** The project site is located to the east of State Route 1 and contains a parking area for several vehicles. The project does not anticipate conflicting with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

b) **Less Than a Significant Impact:** The project would not result in the establishment of a new use and would not increase the density or intensity of existing uses. Therefore, the project would not generate additional trips or vehicle miles traveled.

c) **No Impact:** No transportation infrastructure or new uses are proposed.

d) **No Impact:** The proposed project includes demolishing several structures and creating a vacant parcel. Considering there would be no structures, the project would not result in inadequate emergency access. Therefore, no impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNFICANT IMPACT** on Transportation.

5.18 TRIBAL CULTURAL RESOURCES

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

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation[17] 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,

[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

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 with Mitigation:** As previously noted in the Cultural Resources section above, the Archaeological Report and historic resource evaluation found that no cultural resources were present on the project site. The project was referred to Northwest Information Center, Cloverdale Rancheria, Redwood Valley Rancheria, Sherwood Valley Band of Pomo Indians, Potter Valley Tribe, and Round Valley Tribe for comments.

On August 30, 2024, NWIC stated, "this office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian. 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. Given this sensitivity and lack of prior survey of the proposed project area, we therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources."

On June 12, 2024, the project was scheduled for the Archaeological Commission, in which, the Commission accepted the survey and recommended adding several conditions of approval including, the Discovery Clause, Tribal Monitoring during ground disturbance, and consultation with Tribe for native plant re-vegetation. On June 27, 2024, Sherwood Valley Band of Pomo Indians provided an additional comment and stated, "The Tribe recognizes the Action taken by the Mendocino County Archaeological Commission at the June 12, 2024, meeting. As part of the Action was to have a tribally appointed monitor be on-site during ground disturbance when the septic tank is being removed. The Tribe, per AB 52 would like a copy of the archaeological survey done on property. Also, a copy of the biological assessment that has been completed, so we can help with local indigenous plant selection for the revegetating phase." All recommendations have been incorporated to the Conditions of Approval on the Staff Report.

MITIGATION MEASURES:

TCR-1: In accordance with the recommendations of the Mendocino County Archaeological Commission at their meeting on July 10, 2024, the Sherwood Valley Band of Pomo Indians shall conduct tribal monitoring during the ground disturbance phase of the project and may also be consulted when selecting local indigenous plants for revegetation. Sherwood Valley Band of Pomo Indians shall provide written confirmation to Planning & Building Services that monitoring has occurred.

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

5.19 UTILITIES AND SERVICE SYSTEMS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

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

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

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

a) **No Impact:** The project would demolish five (5) structures, remove two (2) propane tanks, a water tank, ancillary infrastructure, and a culvert from a stream crossing. The project would not require or result in the relocation or construction of any new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities. The project site would be left vacant at the end of construction. Therefore, no impact is anticipated.

b) **No Impact:** The project site would be vacant following project construction. The project would not require water supply. No impact is anticipated.

c) **No Impact:** The project demolition and construction activities would not result in a determination by any wastewater treatment provider which serves or may serve the project site that it has adequate capacity to serve the projects projected demand. The project would have no impact on wastewater treatment facilities.

d) **Less Than a Significant Impact:** Solid waste would be temporarily generated by the demolition and construction activities. The nearest solid waste site is 12 miles south at the Westport Solid Waste and Recycling Center which transports waste to the Potrero Hills Landfill in Solano County, which is expected to remain in operation until 2048. Therefore, incremental contributions to solid waste throughput due to demolition would be minimal.

e) **No Impact:** Solid waste generated by demolition is expected to comply with applicable regulations, including the California Integrated Waste Management Act and Mendocino County Solid Waste Division.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Utilities and Service Systems.

5.20 WILDFIRE

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

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

a) **No Impact:** The project would not impair an emergency response plan or emergency evacuation plan because it would not create any physical obstructions along access routes.

b) **No Impact:** The subject parcel is heavily wooded in some areas, and its topography fluctuates in elevation. The project site is relatively flat and vegetated with native and non-native vegetation. The project proposes to demolish five (5) structures, remove a culvert, water tank, two (2) propane tanks, and ancillary infrastructure. The project anticipates removing non-native vegetation and casting native seed. The project does not anticipate exposing project occupants to uncontrolled spread of wildfire or pollutant concentrations from a wildfire. The project would provide beneficial fuel management by removing structures, flammable propane tanks, and non-native vegetation.

c) **No Impact:** The project would not require the installation or maintenance of associated infrastructure.

d) **No Impact:** The project to remove several structures would not expose people or structures to any significant risks, including flooding, landslides, post-fire slope instability, or drainage challenges.

MITIGATION MEASURES: None.

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

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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

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

a) **Less Than a Significant Impact with Mitigation:** Based on discussion throughout this document, particularly in Section 5.13 – Biological Resources, Section 5.10 – Hydrology and Water Quality, Section 5.7 – Geology and Soils, and Section 5.18 – Tribal Cultural Resources. However, these impacts would be less than significant with the implementation of mitigation measures.

b) **Less Than a Significant Impact:** Cumulative impacts were considered for applicable potential impacts as discussed throughout this document, including but not limited to Section 5.4 – Biological Resources, Section 5.7 – Geology and Soils, and Section 5.10 Hydrology and Water Quality. Potential impacts were identified in these sections where it was determined that no significant cumulative effects would occur because of the Project.

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

MITIGATION MEASURES:

BIO-1: A qualified biologist familiar with the onsite habitats and species including rare plants and Species of Special Concern, shall be onsite for all construction activities including flagging of the work area, installation of silt fencing and any habitat exclusion fencing, mobilization of equipment through the completion of all-ground disturbing activities including installation of Best Management Practices (BMPs) for both erosion and those that support restoration within the creek. Credentials of qualified biologist shall be reviewed and approved by the Senior Planner at the County of Mendocino Planning and Building Services.

BIO-2: Prior to construction and demolition, existing and proposed construction access routes should be clearly flagged to define their boundaries. Construction vehicles and equipment shall access the site and operate within these designated areas to prevent unnecessary disturbance to the surrounding environment.

BIO-3: Prior to construction and demolition, all contractors involved in the project shall participate in a training session that focuses on minimizing impacts on biological and historic resources. All personnel shall be aware of and adhere to the terms and conditions of the Project's permits including the Coastal Development Permit and any other permits issued by State or Federal agencies including, but not limited to, the California Department of Fish and Wildlife and the Regional Water Quality Control Board. Workers shall be trained to differentiate between special status and common species and instruction on actions and communications required to be conducted in the event that special status amphibians or other special status

species are observed during construction. Silt fencing installed to prevent sediment from entering wetlands and riparian areas may intercept and redirect the travel of amphibians trying to reach those wetlands and riparian areas.

BIO-4: All heavy equipment should be thoroughly inspected for leaks before work begins to prevent the accidental release of oil, lubricants, coolants, or hydraulic fluids on-site. This precaution is essential to avoid contaminating the surrounding environment. Additionally, spill prevention and response plans will be implemented to address any potential fuel or oil spills promptly.

BIO-5: Refueling machinery or heavy equipment with oil, lubricants, coolants, or hydraulic fluids shall occur outside of the 100-foot buffer of the stream bed, channel, or bank. Drip pans and absorbent pads should be used onsite. All such fluids and containers should be properly disposed of offsite. Heavy machinery shall not be stored within the 100-foot buffer of the stream bed, channel, or bank to prevent contamination and protect the water way.

BIO-6: Install burlap wrapped biodegradable straw wattles at the perimeter of the access routes to prevent erosion and sedimentation from entering the riparian ESHA.

BIO-7: Prior to demolition activities, a biological monitor shall thoroughly inspect the structures to ensure no wildlife are present. The biological monitor shall ensure that no wildlife enters the worksite during operations.

BIO-8: 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 demolition.

BIO-9: 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.

BIO-10: Demolition in the project area has the potential to impact special status bat species. Demolition and construction are ideal 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 fourteen (14) days prior to the onset if 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 qualified biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

BIO-11: If active bat roosts are observed, no 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 and shall occur in consultation with the County and CDFW. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

BIO-12: Construction activities will involve driving vehicles and walking across areas where amphibians may be traveling. Staging of materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. To minimize impacts to amphibians, the following avoidance measures should be followed:

a. Within two weeks prior to construction activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special status amphibians are observed during construction. Silt fencing installed to prevent sediment from entering wetlands and riparian areas may intercept and redirect the travel of amphibians trying to reach those wetlands and riparian areas.

b. During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

c. During construction and debris removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

d. If a special status amphibian is detected in the construction area during activities with the potential to harm the animal, it shall be relocated out of the work area into a safe and appropriate habitat area. Construction workers should photograph the amphibian and notify the biologist that trained the crew. Special status species observed during the course of the project should be documented with a CNDDB form submitted to CDFW.

e. If a California or Federally listed threatened or endangered species is detected in the construction area during activities with the potential to harm the animal, work shall stop until the animal leaves the area on its own or it shall be relocated out of the work area into a safe and appropriate habitat area by an individual authorized to handle the listed species. Construction workers and/or the biologist moving the animal should photograph the amphibian and notify the relevant agencies of the action taken. Special status species observed during the course of the project should be documented with a CNDDB form submitted to CDFW.

BIO-13: Construction activities shall be immediately suspended when an Elk is observed within or near the project site. Work may only resume once the Elk has vacated the area and is no longer at risk of disturbance. Monitoring will be conducted to ensure that construction does not proceed until the Elk has fully left the vicinity by their own accord. If Elk are observed within the work area or within the project site, Project shall also notify California Department of Fish and Wildlife through the online Report Elk Observation Portal.

BIO-14: To prevent soil compaction and rutting, swamp mats shall be used in the designated project area to facilitate access routes to the structures for removal.

BIO-15: Prior to demolition, a trench plate shall be placed on the driveway above the culvert to maintain the structural integrity of the surface.

BIO-16: Each day demolition and construction occurs, the project site should be thoroughly cleared of all trash, debris, and any remaining scraps of building material.

BIO-17: The applicant shall install three cedar bat boxes to mitigate potential habitat loss. The bat boxes will be two-chamber models, each measuring 4" deep x 10" wide x 15" high. They will be mounted on 15- to 20-foot posts, which will be equipped with squirrel guards positioned approximately four feet from the ground. To enhance solar heating, each box will be painted black. When selecting locations, bat boxes will be placed to receive approximately 6 to 8 hours of sunlight. Additionally, the boxes will be positioned 20 to 30 feet away from tree branches or other obstacles and mounted 12 to 20 feet above the ground, or above the tallest vegetation beneath the bat house.

BIO-18: Following demolition and construction, the applicant shall cast northern California Coastal native seed mix to revegetate the disturbed areas (0.25± acre total). Contents of the seed mix shall be reviewed and approved by the County and in consultation with California Department of Fish and Wildlife.

BIO-19: After seeding, a layer of weed-free straw mulch should be applied across the disturbed areas to protect the soil and prevent erosion.

Stream Specific Mitigation Measures

BIO-20: Work Prohibition in Wetted Stream. No work is authorized in a wetted stream channel (i.e., where surface or subsurface water is present). All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a wetted stream is required to complete a project and will submit a site-specific dewatering plan consistent with the LSAA.

BIO-21: All work within the stream channel shall be confined to the period June 1 through October 31 of each year. Work within the active channel of a stream shall be restricted to periods of dry weather. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease, and all necessary erosion control measures shall be implemented prior to the onset of precipitation.

BIO-22: If weather conditions permit, and the Permittee wishes to extend the work period before June 1 or after October 31, a written request shall be made to CDFW at least five (5) working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities beginning before June 1 or continuing past October 31.

BIO-23: No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Landowner shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the culvert, water tank, and water diversion infrastructure removal.

BIO-24: Culvert removal. When culverts and fills are removed, all fill shall be excavated down to the original stream channel and outwards, horizontally, as wide as or wider than the natural channel to form a channel as close as feasible to the natural stream grade and alignment. The restored stream bank slopes shall be no steeper than a 2:1 slope (horizontal: vertical) or natural slope. Restored slopes shall be stabilized to prevent slumping and to minimize soil erosion that could lead to sediment deposition into Waters of the State.

BIO-25: Stream protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of offsite upon project completion.

BIO-26: If at any time any material which could be hazardous or toxic to aquatic life enters a stream, the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. Permittee shall notify CDFW at 707-445-6493 and consulted regarding clean-up procedures as soon as practicable, but no later than 24 hours after the spill.

BIO-27: Equipment Maintenance. Heavy Equipment Use. No heavy equipment shall be used in the disconnection or removal of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

BIO-28: Excavated Fill. Excavated fill material shall be placed in a stable upland location where it cannot deliver to a stream or wetland. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be contoured to drain water and compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

BIO-29: Runoff from Steep Areas. The Permittee shall ensure that runoff (concentrated flow) from steep, erodible surfaces will be slowed and diverted into stable areas with little erosion potential or contained

behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water bars shall be placed on dirt roads, heavy equipment tracks, or other work trails to control erosion.

BIO-30: Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff could enter a stream, lake, or wetland (i.e., Waters of the State).

BIO-31: Permittee shall restore disturbed areas immediately after work is completed by replanting native vegetation.

Water Diversion Infrastructure Decommissioning

BIO-32: Avoid Entry, Impingement, and Entrapment. The water diversion structure (spring box) shall be decommissioned or maintained such that it does not result in impingement, entry, or entrapment of aquatic life or other wildlife.

BIO-33: A service approved by the biological monitor with training and/or experience with the identification and handling of California red-legged frogs shall inspect the project site each morning that construction activities with the potential to crush frogs will occur before this work begins. The inspection will include a visual search around the staging and impact areas to detect the presence of amphibians. The biological monitor must be pre-approved by US Fish and Wildlife Service and California Department of Fish and Wildlife to handle and move amphibians out of harm's way if and when they are encountered within the project footprint.

BIO-34: Prohibition on Use of Monofilament Netting. To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

BIO-35: Site Maintenance. Permittee shall be responsible for site maintenance including, but not limited to, re-establishing erosion control to minimize surface erosion and ensuring drainage structures and stream banks remain sufficiently stable.

GEO-1: Install burlap wrapped biodegradable straw wattles at the perimeter of the access routes to prevent erosion and sedimentation from entering the riparian ESHA.

GEO-2: Excavated Fill. Excavated fill material shall be placed in a stable upland location where it cannot deliver to a stream or wetland. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be contoured to drain water and compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

GEO-3: Runoff from Steep Areas. The Permittee shall ensure that runoff (concentrated flow) from steep, erodible surfaces will be slowed and diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water bars shall be placed on dirt roads, heavy equipment tracks, or other work trails to control erosion.

GEO-4: Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff could enter a stream, lake, or wetland (i.e., Waters of the State).

GEO-5: Permittee shall restore disturbed areas immediately after work is completed by replanting native vegetation.

HYDRO-1: Prior to the issuance of any building permit, the landowner (or permittee) shall apply for a Lake or Streambed Alteration Agreement (LSAA) with the California Department of Fish and Wildlife.

HYDRO-2: The proposed work shall be completed prior to the expiration of the Coastal Development

HYDRO-3: No heavy equipment shall be used in the disconnection or removal of the existing water diversion structure. The landowner/permittee shall use hand tools or other low impact methods of removal/ replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

HYDRO-4: When stream crossings and fills are removed, all fill shall be excavated down to the original stream channel and outwards, horizontally, as wide as or wider than the natural channel to form a channel as close as feasible to the natural stream grade and alignment. The restored stream bank slopes shall be no steeper than a 2:1 slope (horizontal: vertical) or natural slope. Restored slopes shall be stabilized to prevent slumping and to minimize soil erosion that could lead to sediment deposition into Waters of the State.

HYDRO-5: No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

HYDRO-6: Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within stream bed, channel, and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment shall not be stored within stream bed, channel, and bank.

HYDRO-7: If at any time any material which could be hazardous or toxic to aquatic life enters a stream, the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, an immediately initiate clean-up activities. Permittee shall notify CDFW at 707-445-6493 and consulted regarding clean-up procedures as soon as practicable, but no later than 24 hours after the spill.

HYDRO-8: No work is authorized in a wetted stream channel (i.e., where surface or subsurface water is present). All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a wetted stream is required to complete a project and will submit a site-specific dewatering plan consistent with measure 2.16 (below) for review and approval.

HYDRO-9: Excavated fill material shall be placed in a stable upland location where it cannot deliver to a stream or wetland. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be contoured to drain water and compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

HYDRO-10: Prior to issuance of a building permit, the landowner shall provide a Final Restoration Plan that conforms with the Tentative Restoration Plan. The Restoration Plan must comply with state and federal agencies

HYDRO-11: Landowner shall use erosion control measures throughout all work phases where sediment runoff could enter a stream, lake, or wetland (i.e., waters of the state).

TCR-1: In accordance with the recommendations of the Mendocino County Archaeological Commission at their meeting on July 10, 2024, the Sherwood Valley Band of Pomo Indians shall conduct tribal monitoring during the ground disturbance phase of the project and may also be consulted when selecting local indigenous plants for revegetation. Sherwood Valley Band of Pomo Indians shall provide written confirmation to Planning & Building Services that monitoring has occurred.

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