



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

SCH:

FOR
DANIEL MCGRATH
COASTAL DEVELOPMENT PERMIT
AT 37891 OLD COAST HIGHWAY, GUALALA;
APN: 145-122-09
File No. CDP_2024-0006

LEAD AGENCY:
County of Mendocino
Department of Planning & Building Services
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(707) 234-6650

PREPARED BY:
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FEBRUARY 1, 2025

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INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed Standard Coastal Development Permit to gravel a driveway, install a 640 square-foot modular single-family residence with a deck, install a roof-mounted solar system, an 80 square foot storage shed, a pump tank, construct utility hookups, a fenced garden area, and remove two dead trees. In addition, the project proposes to install a culvert pipe under proposed driveway to connect drainage ditch at 37891 Old Coast Highway, Gualala APN: 145-122-09 (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_2024-0006

OWNER/APPLICANT: Daniel McGrath & Dongdong Ding
PO Box 471
Point Arena, CA 95468

PROJECT LOCATION: In the Coastal Zone, 1.5± miles north of Gualala town center, 0.02± miles west of the intersection of State Route 1 (SR1) and Old Coast Highway (CR 513), located at 37891 Old Coast Highway, Gualala; APN: 145-122-09.

TOTAL ACREAGE: 0.9± Acre

GENERAL PLAN: Rural Residential 5-Acre Minimum (RR5(1))

ZONING:

Rural Residential 5-Acre Minimum (RR5)

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 an undeveloped parcel. The applicant requests a Standard Coastal Development Permit to gravel a driveway, install a 640 square-foot modular single-family residence with a deck, install a roof-mounted solar system, an 80 square foot storage shed, a pump tank, construct utility hookups, a fenced garden area, and remove two dead trees. In addition, the project proposes to install a culvert pipe under proposed driveway to connect drainage ditch.

The proposed pump tank would connect the single-family residence to the sewer line. The project anticipates installing landscape drainage to prevent impacts to wetlands and trenching 75 feet from the utility pole to single-family residence. The subject parcel was created by a Minor Subdivision (CDMS 22-95). The final plot map associated with the minor subdivision defined building envelopes that would avoid riparian communities in accordance with the Botanical Survey prepared by Mary Rhyne, dated April 12, 1996, and the vegetation that forms the visual buffer along State Route 1 community.¹ Furthermore, all proposed development would be situated within the previously authorized building envelope.

The project site is within the Coastal Zone, 1.5± miles north of Gualala town center, 0.02± miles west of the intersection of State Route 1 (SR 1) and Old Coast Highway (CR 513), located at 37891 Old Coast Highway, Gualala; APN: 145-122-09. The 0.9± acre parcel is undeveloped with the exception of an existing driveway. The subject parcel slopes downwards from 30 14 degrees in elevation.² The parcel is situated at an approximate elevation of 86 feet above mean sea level (amsl).³

The subject parcel is mapped as a “Moderate Fire Hazard” area and would be served by the South Coast Fire Protection District. The Important Farmlands map indicates the parcel is situated on Urban & Built-Up Land. The subject property is located between Windyhollow loam, 0 to 5 percent slopes and Bruhel-Shinglemill complex, 2 to 15 percent slope soil classifications. The surrounding Land Uses and Zoning are detailed in the following table.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR5(RR1))	Rural Residential (RR5)	0.5±, 0.7± Acres	Residential
EAST	Rural Residential (RR5(RR1))	Rural Residential (RR5)	0.7± Acres	Residential
SOUTH	Rural Residential (RR5(RR1))	Rural Residential (RR5)	1±, 0.6± Acres	Residential
WEST	Rural Residential (RR5(RR1))	Rural Residential (RR5)	1± Acres	Residential

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

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.?

¹ Minor Subdivision Staff Report. Condition #10.

² Slope Map.

³ Elevation Map.

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, and Sherwood Valley Band of Pomo Indians.




PROJECT PLOT PLAN: See Page 6 of this document.

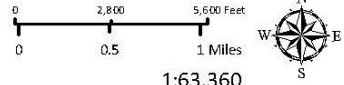
FIGURE 1: LOCATION MAP



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

CASE: CDP 2024-0006
OWNER: MCGRATH & DING
APN: 145-122-09
APLCT: Daniel McGrath
AGENT:
ADDRESS: 37891 Old Coast Hwy, Gualala

-  Major Towns & Places
-  Major Roads
-  Coastal Zone Boundary
-  Highways



1:63,360

LOCATION

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

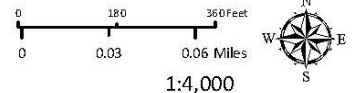
FIGURE 2: AERIAL IMAGERY



Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, ©SA, Geoland, FEMA, Intermap and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CASE: CDP 2024-0006
OWNER: MCGRATH & DING
APN: 145-122-09
APLCT: Daniel McGrath
AGENT:
ADDRESS: 37891 Old Coast Hwy, Gualala

- Highways (2017)
- Public Roads
- Private Roads
- Driveways/Unnamed Roads



AERIAL IMAGERY

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

NOTES

Secondary information shown hereon is a compilation of preliminary field ties and record data per Deed I.N. 2022-09547 and as shown on the Parcel Map of Minor Subdivision CDMS 22-95, filed in Maps Drawer 69, pages 48 to 49, Mendocino County Records, and is NOT the result of extensive record search or a boundary survey performed by this surveyor. No attempt was made by this surveyor to resolve any conflicts or discrepancies which may exist between record data and survey field measurements. As such, boundary lines are approximate only.

Point of Bearings is South 49°20'40" East 244.03' M (244.01' R), as calculated between POINT "A", a found 1/2" Iron Pipe & Plastic Cap "LS 7173" and POINT "B", a found 1/2" Iron Pipe & Plastic Cap "LS 7173", as shown hereon.

Distances and dimensions shown are in feet and decimals thereof. Offsets are perpendicular to lines unless otherwise noted.

Benchmark for site is POINT "C", the top of a Found USGCS 2.5" Brass Disk, stamped "2007 1935," set in 6"x6" Concrete monument, elevation 94.1', NAVD 88 datum. Survey Tie to SITE BENCHMARK shown hereon

Wetland Areas and Buffers shown hereon are per a "Biological Scoping Survey Report" and "Wetland Draft Map" created by Spade Natural Resources Consulting, provided to this surveyor by the property owner, Daniel McGrath. As such, the location of these Wetland areas are approximate only and are not a part of the data provided to us. For more information about the Wetland Areas and Buffers, please contact Spade Natural Resources Consulting, 20 Cedar St., Mt. Shasta, CA 96067, (707) 357-5966.

The approximate locations of the proposed structures and improvements are per sketches provided by property owner, Daniel McGrath in August 2023, and found 1.5" x 0.5" wood stakes found at the site on May 30th, 2023.

State of California Highway Route One (1-MEN-56A)
 (Right of Way Width Varies)
 328 OR 316

LEGEND

- Found 6"x6" Concrete Highway monument, with bent brass pin
- Found 1/2" Iron Pipe & Plastic cap "LS 7173"
- Found 1.5" Iron Pipe, UNO, or as noted
- Found USGCS Brass Disk, stamped "2007 1935," set in 6"x6" concrete monument
- Set #3 rebar & Cap PLS 6702, Pacific Land Survey Control Point, or as noted, with point number & elevation
- A.P.N. Assessor Parcel Number
- I.N. Instrument Number
- M.C.R. Mendocino County Records
- M Measured
- (K) Record Data
- CMP Corrugated Metal Pipe
- DW Driveway
- INV Invert
- UNO Unknown Origin
- Joint Utility Pole (JP), Power Pole (PP) or as noted
- Fire Hydrant
- Water Meter (WM)
- Found Pin Nailing
- Approx. Location of Proposed Exterior Light at Doorway
- Found 2.5"x0.75" Wood stake, marked as noted
- Found 1.5"x0.5" Nailed Wood Stake
- Found 2.5"x0.75" Nailed Wood Stake
- Coffeberry (Col.) or Huckleberry (Huck) Bush, size as noted
- Fruit tree sapling or Ten oak (Toak), size & type as noted
- Fir (F) or Pine (P) type & size as noted
- Dead Pine snag (PS) or stump, type & size as noted
- (S56°43'30"E 292.65')
- Record data, see Note #1
- Boundary of subject property
- Boundary of other lands
- Edge of gravel driveway
- Edge of Pavement (EP)
- Fence line, type as noted
- Top of bank (TB) or grade break (GB)
- Flowline (FL)
- SNIC Wetland Area Buffer, distance as noted

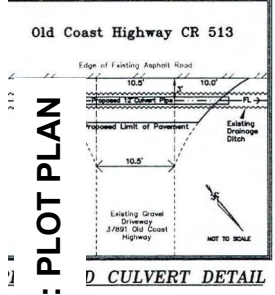
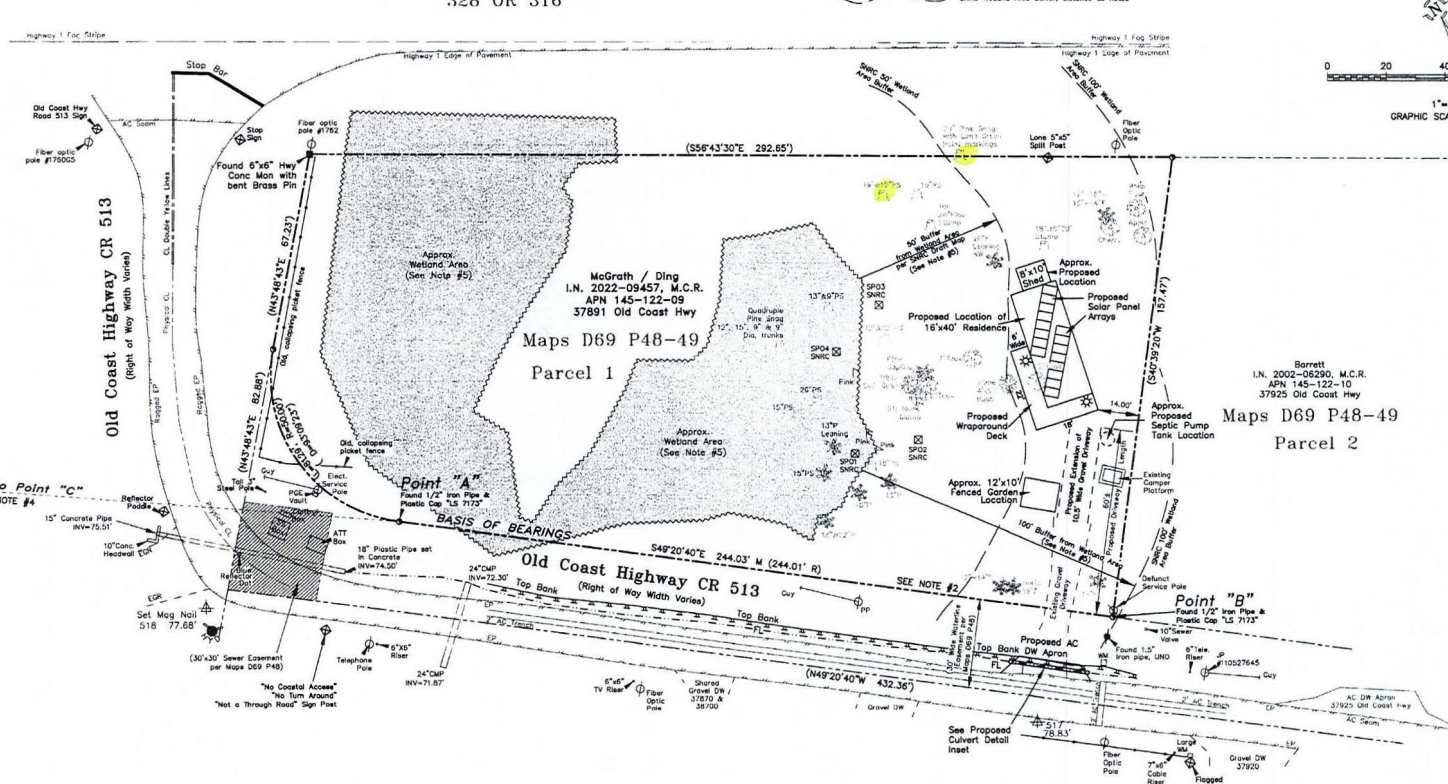


FIGURE 3: PLOT PLAN



VEYOR'S STATEMENT

This map correctly represents a survey made by me or under my direction at the request of Daniel McGrath in March 2023.

LAND SURVEYORS, a sole proprietorship
 SUSAN D. RUSCHMEYER
 PROFESSIONAL LAND SURVEYOR
 No. 8702
 STATE OF CALIFORNIA
 Susan D. Ruschmeyer P.L.S. 6702
 License Expires 06/30/24

Coast Development Permit Site I
 Of the Lands of Daniel McGrath & Dongdong Ding as described in Instrument No. 2022-0954 Being Parcel 1 as shown on the Parcel Map of Minor Subdivision CDMS 22-95, filed in Maps Drawer 69, pages 48 to 49, All Official Records, Mendocino County 37891 Old Coast Hwy, Ukiah, CA 95521
 A.P.N. 145-122-09
 LYING WITHIN SECTION 21 T. 11 N., R. 15 W., M.D.M., COUNTY OF MENDOCINO, STATE OF CALIFORNIA
 PACIFIC LAND SURVEYORS
 P.O. BOX 384 RODRIGUEZ, CA 95922 • 707 526-1111
 SCALE: 1" = 20' • AUG 2023 • SHEET 6

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:

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



Signature

Shelby Miller

Printed Name



Date

Planner II

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

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

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

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

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

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

- a-c) **No Impact:** The project site is located west of State Route 1 and not mapped within a highly scenic area. Considering the project site is not located on or near State Route 128 (SR 128), the proposed project would have no impact on a scenic vista. In addition, the project would not create an impact on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within SR 128.
- d) **Less Than a Significant Impact:** The project site is situated between SR 1 and Old Coast Highway. The project, as proposed, would install a 640 square-foot modular single-family residence, roof mounted solar, grading building pad, a septic system, and utility connections. The project is located within a residential neighborhood that is not deemed a Highly Scenic area. Exterior lighting includes motion sensor lighting by 11:00 PM and would be fully shielded and directed downward. The project proposes to include low voltage lighting for the garden area that would illuminate the walkway. The low voltage lighting would not be shielded but would not be more than ten watts incandescent or LED equivalent and not directed toward the right of way or adjacent parcels.

MITIGATION MEASURES: None.

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

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

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

The Williamson Act (officially the California Land Conservation Act of 1965) provides preferential tax assessments to owners of farmland and open-space land in exchange for a ten year agreement that the land will not be developed or otherwise converted to another use. Since the early 1980’s participation in the program has hovered around 16 million acres enrolled under contract, constituting about one third of all

privately held land in the state and about one half of the state’s agricultural land. The intent of the Williamson Act is to preserve a maximum amount of a limited supply of prime agricultural land to discourage premature and unnecessary conversion of prime agricultural land to urban uses.

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

- a-e) **No Impact:** The project site is situated on Urban & Built-Up Land as indicated on the California Department of Conservation Important Farmland Categories.⁴ The Urban & Built-Up land classification is used for residential and various other non-agricultural uses.⁵ The subject parcel is within the Rural Residential zoning district and not contracted under the Williamson Act. The project, as proposed, would not conflict with existing zoning for agricultural use or the Williamson Act. The project site is not situated within a timber production zone or timberland area. The project would not result in the loss of forest land or agricultural land nor convert forest land to non-forest land. The project would not involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, the project would have no impact on agricultural and forestry resources.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Agricultural and Forestry Resources.

5.3 AIR QUALITY

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

DISCUSSION: Mendocino County is located within the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. Additionally, the Mendocino County Air Quality Management District (MCAQMD) is responsible for enforcing state and federal clean air acts, as well as local air quality protection regulations. Any new emission point source is subject to an air quality permit, consistent with the 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.

⁴ Farmland Classifications Map.

⁵ California Department of Conservation. Important Farmland Categories.

<https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx> Accessed on September 23, 2024.

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

- 1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel-powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

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

- a) **No Impact:** The project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed project to grade a driveway and building pad and install a single-family residence and associated structures would not conflict with the District's air quality plan.

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

The project site is currently undeveloped except an existing driveway and water hookups and is located 250± feet northeast of an existing single-family residence. The proposed development has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. The project would not include any sources likely to create objectionable odors. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the minimal paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

MITIGATION MEASURES: None.

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

5.4 BIOLOGICAL RESOURCES

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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) **Less Than a Significant Impact:** The LCP Habitats and Natural Resources map indicates the subject parcel is situated on Barren land. The proposed project includes grading a building pad, installing a culvert at driveway approach, a modular single-family residence with a deck, a septic system, a storage shed, a fenced garden, graveling the existing driveway, removing two dead northern Bishop pine trees, and construct hookups for utilities. Several biological reports were conducted on the subject parcel including a Botanical and Wildlife Survey, a Biological Scoping Report, a Wetland Delineation and a Reduced Buffer Analysis. The Biological Scoping Report was prepared on September 7, 2022, by Spade Natural Resources Consulting (SNRC), surveyed the subject parcel for potential wetlands, special status species and wildlife, and riparians or streams that may be considered Environmentally Sensitive Habitat Areas (ESHAs). Two ESHAs were identified during the site visit on August 14, 2022, including,

coastal bluff morning glory (*Calystegia purpurata* ssp. *saxicola*), and a special status vegetation alliance, northern Bishop pine – Douglas fir (*Pinus muricata* – *Pseudotsuga menziesii* Association). Many of the northern Bishop pines (NBPs) are dead and dying. Two of the NBPs are proposed to be removed for fire safety.

The identified shrub layer species includes native and non-natives including, but are not limited to, coyote brush (*Baccharis pilularis*), California huckleberry (*Vaccinium ovatum*), western azalea (*Rhododendron occidentale*), Scotch broom (*Cytisus scoparius*), French broom (*Genista monspessulana*), coffeeberry (*Franula californica*), and wax myrtle (*Morella californica*). Given the parcel's location, several special status species may be present on the subject property including Behren's silverspot butterfly (*Speyeria zerene behrensii*), Monarch butterfly (*Danaus plexippus*), the obscure bumblebee (*Bombus caliginosus*), California red-legged frog (*Rana draytonii*), and Sonoma tree vole (*Arborimus pomo*). SNRC conducted follow up site visits on January 28, April 15, and June 22, 2023, to survey potential Monarch Butterfly habitat and Behren's silverspot habitat. No monarch butterflies were observed at the property and further consultation for the Behren's silverspot butterfly is recommended with the US Fish and Wildlife Service. County staff consulted with US Fish and Wildlife Service on March 28, 2024, regarding the Behren's silverspot butterfly, in which, US Fish and Wildlife Service stated all botanical and biological surveys were acceptable and there are no concerns regarding the Behren's silverspot butterfly. Therefore, a less than significant impact on sensitive natural communities.

b, c, e) **Less Than a Significant Impact with Mitigation:** Spade Natural Resources Consulting (SNRC) conducted a Wetland Delineation on July 9, 2023, following the identification of wetland indicator plants including slough sedge (*Carex obnupta*) and saturated soil on previous site visits. The Wetland Delineation sampled four points resulting in the identification of a wetland and its 100-foot buffer. However, the wetland and its associated buffer comprise the majority of the parcel. A Reduced Buffer Analysis and a Report of Compliance was prepared on April 2, 2024, by WRA, Inc (WRA) to avoid and/or reduce potential impacts to the identified wetland and other environmentally sensitive habitat areas. WRA stated there are no feasible alternatives to the location and footprint due to wetland and parcel boundary constraints and with the incorporation of mitigation measures, the impacts of the project would be less than significant

County and the California Department of Fish and Wildlife (CDFW) staff conducted a site visit on May 1, 2024, to verify that the proposed development is situated in the least environmentally damaging place and would not create an impact on ESHA. CDFW staff observed wetland indicator plants outside of the previously delineated points and requested an additional wetland delineation on said areas.

On July 25, 2024, Wynn Coastal Planning & Biology (WCPB) submitted a Wetland Delineation Update Letter that stated no wetland field indicators were observed on June 21, 2024, and "wetland delineation was conducted in June, which is not a good time of the year to make direct observations of site hydrology. This does not invalidate the results, nor are additional observations during the winter needed. The wetland delineation procedure was designed to work year-round, not just during the time of year when the soil is inundated or saturated, which in some locations may be as short as two weeks". Furthermore, WCPB did not observe hydric soil or hydrophytic vegetation indicators in the additional sample points. Therefore, there is no change to the wetland delineation results.

The project was referred to the California Department of Fish and Wildlife (CDFW), North Coast Regional Water Quality Control Board, and California Coastal Commission (CCC). On September 13, 2024, CDFW provides the following comments and recommendations as Trustee Agency role in assessing the projects potential impacts. With the implementation of the following recommendations, CDFW concurs to the 50' buffer reduction: the installation of low, symbolic fencing along the buffer boundaries to prevent further encroachment into the natural resources onsite as indicated on maps (as Environmentally Sensitive Habitat Areas or ESHA), all landscaping outside of the designated garden area shall be native and locally appropriate plant species, and mitigation measures BIO-1 through BIO-15. The Coastal

Commission recommended the applicant record a deed restriction to prevent future encroachment on identified ESHA. All CDFW and CCC recommendations were added as conditions of approval on the Staff Report.

- d) **Less Than a Significant Impact:** The identified protected wetlands on the project site do not support resident or migratory fish. The project proposes to remove several dead and dying trees for fire protection. Avoidance measures to protect birds and migratory species have been incorporated below. Considering native resident or migratory wildlife species have not been identified on the project site, avoidance measures are provided to ensure protections.
- f) **No Impact:** The Point Arena Mountain Beaver Habitat Conservation Plan is located 15± miles northeast of the project site. In addition, the project is not situated adjacent or within any parcel managed by the Mendocino Redwood Company. The project would have no impact on any Habitat Conservation Plan.

MITIGATION MEASURES:

BIO-1: During and after construction limit vegetation removal to the minimum amount necessary, seed and mulch all graded areas with regionally appropriate native seeds, install erosion control measures and seeding to areas of bare ground prior to October (or the onset of the rainy season), and install weed-free straw coils at inlet of culverts to filter stormwater flow.

BIO-2: Delineate and demarcate the literal extent of the wetland with high-visible construction fencing at the 50 foot buffer. All construction staff shall be made aware of the wetland and its status as a protected habitat. Construction staff shall avoid encroachment within the 50 foot buffer of the wetland.

BIO-3: No equipment or materials shall be laid down within the wetland or construction fencing barrier. All materials shall be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for development. Spill prevention devices shall be readily available during construction and utilized for all toxic liquids/ materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials shall be stored greater than 100 feet from the identified wetland though may necessarily require use within 100 feet of the wetland.

BIO-4: Sediment migration and erosion control measures shall be installed on the northern perimeter of the project site, between land to be disturbed and the wetland to protect such barriers may include weed-free hay bales, weed-free straw waddles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers shall be deployed and immediate remedies of damaged or compromised areas of the barriers.

BIO-5: All construction shall occur during the dry season (May 15 through October 15) and shall be suspended during unseasonable rainfalls of greater than one-half inch over 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.

BIO-6: Supplementary native plantings and seedings shall occur post-construction and preferentially be located in the 50-foot buffer between the wetland and new development. These planting are anticipated to offset the loss of naturalized vegetation, maintain water quality, capture sediment, and provide functional uplift to the wetland and buffer. Proposed species for planting and/or seeding shall be native, known from the habitats within the parcel, and preferentially originate from the Mendocino Coast to maintain local genetics.⁶

BIO-7: Inspect vehicles and equipment every day for leaks and repair promptly as needed.

BIO-8: Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking offsite.

⁶ Jughandle Creek Farm native plant nursery and Mendocino Coast Botanical Gardens provide local native plantings.

BIO-9: Prior to planting regionally native species, a map showing location and species proposed to be planted shall be submitted to the County of Mendocino Planning and Building Services Department for review and approval.

BIO-10: Avoidance Measure: Within four to eight weeks prior to the removal of live fir or pine tree species, a Sonoma tree vole survey shall occur per current protocols. Coordination shall occur with California Department of Fish and Wildlife to determine if there are additional recommendations or requirements from that agency. Sonoma tree voles are a CDFW Species of Special Concern, which do not have the legal protections of a Federally or State listed Threatened or Endangered species.

BIO-11: Avoidance Measure: Potential Impacts to Birds. Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds nesting process if it occurs during the nesting season. No nesting bird surveys are recommended if activity occurs in the **non-breeding season** (September to January). If vegetation removal or development is to occur during the **breeding season** (February to August), a pre-construction survey is recommended within 14 days of the onset of vegetation removal or construction to ensure that no nesting birds will be disturbed during development.

BIO-12: Avoidance Measure: Nest Avoidance. 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 shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

BIO-13: Avoidance Measure: Pre-construction survey for bats. Pre-construction surveys for bats. Tree removal and construction shall occur between September 1st and October 31 after the young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys shall be performed by a qualified biologist 14 days prior to the onset if development activities.

BIO-14: Avoidance Measure: Amphibians. 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. Construction crews shall begin each day with a visual search around all stacked or stored materials, as well as in and near the stream corridor and any pools or present water, to detect the presence of California red-legged frogs. If detected, construction crews shall cease all ground disturbing activities within 100 feet and will contact the US Fish and Wildlife Service. Ground disturbing activities within the 100 foot buffer can proceed after clearance is given from the US Fish and Wildlife Service. During construction and debris removal, any wood stockpiles shall be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

BIO-15: Install low, symbolic fencing along the buffer boundaries to prevent further encroachment into the natural resources onsite as indicated on maps (as Environmentally Sensitive Habitat Areas or ESHA).

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

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: Archaeological 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 archaeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.”*

a-c) **No Impact:** The proposed project was referred to the Archaeological Commission and Northwest Information Center (NWIC). On April 25, 2024, NWIC responded and stated, “this office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area. 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.

The applicant provided an Archaeological Survey prepared by Archaeological Resource Service on November 25, 2024. No significant cultural resources were identified on the property. The project was heard by the Archaeological Commission on January 9, 2025, in which, the Commission accepted the survey and recommended the Discovery Clause as a condition of approval.

The project was referred to Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. As of January 30, 2025, no comments were received.

MITIGATION MEASURES: None.

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

5.6 ENERGY

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

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

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

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

- a, b) **Less Than a Significant Impact:** The proposed project includes installation of a 640 square foot modular single-family residence with a deck, grade a building pad, installation of a roof-mounted solar system, a septic pump tank, a 120 square foot fenced garden area, and graveling a driveway. The proposed project does not anticipate resulting in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation, nor would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As noted above, permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California.

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation. Thick soil development and landslides 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 caused by liquefaction, which in turn is triggered by rapid ground motion from earthquakes or artificial activities. Bedrock or soil resting on materials that liquefy can undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow.

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

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

Unique geologic features are rocks or formations which:

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

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

- a) **Less Than a Significant Impact with Mitigation:** The project site is mapped within Beach Deposits and Stream Alluvium and Terraces (Zone 3) – Intermediate Shaking seismicity.⁷ The project site is not located in an Alquist-Priolo Earthquake Fault Zone.⁸ According to the U.S. Geological Survey (USGS), the closest known active fault to the site is the San Andreas, located 4± miles to the northeast. Future damaging earthquakes could occur on any fault systems during the lifetime of the proposed project. A Geotechnical Investigation prepared by PJC & Associates, Inc. (PJC) dated December 14, 2022, stated that the site is located in an active tectonic area and has a moderate likelihood of ground rupture due to faulting.

The project site does not contain blufftop geology and is not at risk for tsunamis, flooding or bluff erosion. Three exploratory test pits were excavated and investigated at a depth of five feet below the existing ground surface. No groundwater or seepage was encountered during subsurface exploration. The Geotechnical Investigation encountered cohesive soils, but no materials were considered prone to liquefaction. There is no evidence of landsliding on or adjacent to the project site. However, the primary geotechnical considerations in design and construction of the proposed project are the presence of weak and compressible surface soils and highly expansive near surface soils. To reduce the potential effects of compressible and expansive soils, PJC recommended that the foundation for the residence shall consist of a drilled, cast-in-place, reinforced concrete piers and grade beam system.

Considering the project site consists of expansive soils and requires ground disturbance, the pier drilling operations, foundation, construction, and earthwork shall be supervised and

⁷ LCP Land Capabilities and Natural Hazards map.

⁸ PCJ & Associates, Inc. Geotechnical Investigation. December 14, 2022.

certified by a licensed engineering geologist or a registered, civil engineer with soil analysis expertise who shall certify that the recommendations provided by PJC are incorporated into the development.

b) **Less Than a Significant Impact:** The proposed project includes installing a modular single-family residence, a storage shed, connecting utility hookups, and grading a building site pad. PJC stated the building site gently slopes downward and the proposed site grading will consist of cuts and fills of two feet or less to achieve pad grades and upgrade site soils. However, the project would not result in the substantial loss of topsoil or soil erosion. Therefore, a less than significant impact would occur. Best Management Practices shall be incorporated including, but not limited to, disturbed slopes shall be planted or seeded with deep-rooted native ground cover and covered with straw matting to prevent erosion.

c-d) **Less Than a Significant Impact with Mitigation:** The Geotechnical Investigation prepared by PJC & Associates encountered cohesive soils that extend to the maximum depths explored but are not considered prone to liquefaction. PJC considers the risk of liquefaction or densification occurring in the upper five feet and at the site is to be low. The risk of lateral spreading or lurching is considered non-existent because there are no creek banks or exposed faces near the project site. According to the California Geological Survey Inventory and Deep Landslide Susceptibility Map, there is no evidence of landsliding on or adjacent to the project site. Based on the Geotechnical Investigation, the project site appears to be stable. No evidence of active landslides, earth slumps, or debris flows on or near the project site were observed.

PJC indicated that the surface soils on the project site are considered highly expansive. PJC described that the test pits encountered weak and compressible surface soils extending to depths between 1 ½ to 2 ½ feet. Seasonal shrinking and swelling of the surface soils on the project site can cause irregular and differential ground movement. PJC recommended that the structures be supported on drilled, cast-in-place reinforced concrete piers, a minimum of 12 inches in diameter and spaced at least three pier diameters center to center. Considering the presence of expansive soils on the subject property, operation of drilling piers, the foundation, construction, and earthwork shall be supervised and certified by a licensed engineering geologist or a registered, civil engineer with soil analysis expertise who shall certify that the recommendations provided by PJC are incorporated into the development.

e) **No Impact:** The proposed project includes excavating and installing a pump tank to connect the proposed development to the Gualala Community Services District (CSD) sewer line located near the southwest corner of the subject parcel. Project materials included a Will Serve letter from Gualala CSD. Considering the property will be supported by an onsite wastewater disposal system, there would be no impact.

f) **Less Than a Significant Impact:** The proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

MITIGATION MEASURES:

GEO-1: The foundation, pier drilling operation, construction, and earthwork shall be supervised and certified by a licensed engineering geologist or a registered, civil engineer with soil analysis expertise who shall certify that the recommendations provided by PJC are incorporated into the development. Earthwork includes stripping, sub-excavation and grading/scarifying processes. The exposed soil conditions shall also be reviewed for suitability.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a) **Less Than a Significant Impact:** 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 (PM₁₀). The proposed project involves grading a building pad, graveling a driveway, installing a modular single-family residence, rooftop solar panels, and utility hookups. 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.

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. 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.

- b) **No Impact:** There are no adopted local plans for reducing the emission of greenhouse gases.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Greenhouse Gas Emissions.

5.9 HAZARDS AND HAZARDOUS MATERIALS

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

DISCUSSION: California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (California Health and Safety Code Section 25501 (m)).

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

The California Air Resources Board classifies asbestos as a known human carcinogen. Asbestos of any type is considered hazardous and may cause asbestosis and lung cancer if inhaled, becoming permanently lodged in body tissues. Exposure to asbestos has also been shown to cause stomach and other cancers.

Asbestos is the general name for a group of rock-forming minerals that consist of extremely strong and durable fibers. When asbestos fibers are disturbed, such as by grading and construction activities, they are released into the air where they remain for a long period of time. Naturally occurring asbestos is an issue of concern in Mendocino County, which contains areas where asbestos-containing rocks are found. The presence of ultramafic rocks indicates the possible existence of asbestos mineral groups. Ultramafic rocks contain 90 percent or more of dark-colored, iron-magnesium-silicate minerals. Ultramafic rocks may be partially or completely altered to a rock known as serpentinite, more commonly called serpentine.

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

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

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

- a-b) **Less Than a Significant Impact:** The proposed project includes grading, excavating and installing drilled piers, installing a manufactured home with a deck, rooftop solar panels and connecting to utility hookups. The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. Storage of these materials in the open may result in contaminated storm water runoff being discharged into nearby water bodies, including the Pacific Ocean. This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site, and then disposed at an approved collection facility. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities.

- c-g) **No Impact:** The proposed project would not emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school, The Forager School, is located 1.3± miles south of the project site. Due to the project location, and residential nature, there will be no impact.

The proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the proposed development would not create a significant impact to the public or the environment. The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. As a result of the project location, there will be no impact in terms of safety hazards for people residing or working in the project area.

MITIGATION MEASURES: None.

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

5.10 HYDROLOGY AND WATER QUALITY

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

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. The County's groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific

information regarding recharge areas for Mendocino County's groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal –it is anticipated that continued recharge will re-supply groundwater reservoirs.

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

- a) **Less Than a Significant Impact with Mitigation:** A Wetland Delineation, prepared by Spade Natural Resources Consulting on July 9, 2023, identified a wetland on the project site. WRA Environmental Consultants (WRA) prepared a Reduced Buffer Analysis to analyze impacts to the protected wetland from the proposed development. Surface waters are protected under the California Coastal Act. With the incorporation of mitigation measures BIO-1 through BIO-7, the proposed project would have a less than significant impact on water quality. The proposed project was referred to the North Coastal Regional Water Quality Control Board on April 12, 2024. As of January 27, 2025, no comments were received. Best Management Practices shall be incorporated including, but not limited to, if the tremie method is used [during pier drilling], any waters discharged from the forms in such operations shall be pumped off, collected in a holding tank, shall not be discharged to a marine environment and must be appropriately disposed of offsite.
- b) **No Impact:** A Geotechnical Investigation was prepared for the project and during site investigations, no groundwater was encountered. North Gualala Water District would supply the subject parcel with water. Therefore, the project would not decrease groundwater supply nor interfere with groundwater recharge.
- c) **Less Than a Significant Impact with Mitigation:** The proposed project does not anticipate altering an existing drainage pattern of the site. A Geotechnical Investigation prepared by PJC& Associates, Inc. (PJC) on December 14, 2022, stated no groundwater was encountered during site investigations. However, a wetland was identified within 100 feet of the project site. With the incorporation of mitigation measures BIO-4, BIO-5, & BIO-8, the project would have a less than significant impact on the identified wetland and would not result in substantial erosion or siltation onsite. The project site slopes downwards slightly. A drainage ditch exists where the driveway meets Old Coast Highway. The project proposes installing French drains or similar for landscape drainage. The project also proposes to direct roof runoff onto vegetated areas. Additionally, the project site is not located within a flood zone or flood area. A drainage control design is proposed to ensure that surface runoff does not pond particularly adjacent to foundations or slabs.⁹ PJC states, the structure should be provided with gutters and downspouts that are connected to closed conduits and discharged onto the natural ground, adequate means should be provided to control erosion and to create sheet flow.
- d) **No Impact:** The project site does not contain blufftop geology and is not at risk for tsunamis, flooding or bluff erosion. The project site is not located in a mapped flood zone area by FEMA. There are no large bodies of water in close proximity that may result in a seiche affecting the parcel. As a result, the project would not risk the release of pollutants due to inundation and no impact would occur.
- e) **No Impact:** As previously discussed, the project would be required to comply with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge

⁹ Ibid.

of construction waste from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan

MITIGATION MEASURES:

BIO-1: During and after construction limit vegetation removal to the minimum amount necessary, seed and mulch all graded areas with regionally appropriate native seeds, install erosion control measures and seeding to areas of bare ground prior to October (or the onset of the rainy season), and install weed-free straw coils at inlet of culverts to filter stormwater flow.

BIO-2: Delineate and demarcate the literal extent of the wetland with high-visible construction fencing at the 50 foot buffer. All construction staff shall be made aware of the wetland and its status as a protected habitat. Construction staff shall avoid encroachment within the 50 foot buffer of the wetland.

BIO-3: No equipment or materials shall be laid down within the wetland or construction fencing barrier. All materials shall be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for development. Spill prevention devices shall be readily available during construction and utilized for all toxic liquids/ materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials shall be stored greater than 100 feet from the identified wetland though may necessarily require use within 100 feet of the wetland.

BIO-4: Sediment migration and erosion control measures shall be installed on the northern perimeter of the project site, between land to be disturbed and the wetland to protect such barriers may include weed-free hay bales, weed-free straw waddles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers shall be deployed and immediate remedies of damaged or compromised areas of the barriers.

BIO-5: All construction shall occur during the dry season (May 15 through October 15) and shall be suspended during unseasonable rainfalls of greater than one-half inch over 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.

BIO-6: Supplementary native plantings and seedings shall occur post-construction and be located in the 50-foot buffer between the wetland and new development. These plantings are anticipated to offset the loss of naturalized vegetation, maintain water quality, capture sediment, and provide functional uplift to the wetland and buffer. Proposed species for planting and/or seeding shall be native, known from the habitats within the parcel, and preferentially originate from the Mendocino Coast to maintain local genetics.¹⁰

BIO-7: Inspect vehicles and equipment every day for leaks and repair promptly as needed.

BIO-8: Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking offsite.

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

5.11 LAND USE AND PLANNING

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁰ Jughandle Creek Farm native plant nursery and Mendocino Coast Botanical Gardens provide local native plantings.

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

DISCUSSION: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, as well as several more locally derived specific plans, such as the Gualala Town Plan, or Ukiah Valley Area Plan. The proposed project is within the Gualala Town Plan. During project referrals, a number of agencies that may have jurisdiction over the project were contacted.

- a) **No Impact:** A minor subdivision created the subject parcel with the expectation for residential uses. The project, as proposed, would not physically divide an established community considering the parcel is small and would not impact any community. The project was referred to Gualala Municipal Advisory Council (GMAC) on April 12, 2024. GMAC recommended approval of the project as proposed.
- b) **No Impact:** The proposed project is consistent with all policies of the Local Coastal Program of the General Plan, including Coastal Element Chapter 4.11, Iversen Road to Sonoma County Line Planning Area. The findings included in the Staff Report address the analysis of alternatives, the mitigation measures proposed to offset impacts, and other analysis of the proposed garage development.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

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

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

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

- a) **No Impact:** The project is not located in an area with any known mineral resources.
- b) **No Impact:** The project is not located in an area designated a locally important mineral resource recovery site.

MITIGATION MEASURES: None.

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

5.13 NOISE

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

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

- a) **Less Than a Significant Impact:** The proposed project includes installing a 640 square foot modular home with an attached deck, roof-mount solar panels, a pump tank, a fenced garden area, a storage shed, tree removal, construct utility hookups, install a culvert under driveway approach to connect drainage ditch, and grade the building pad. With the exception of short-term construction related noise, the proposed development will not create a new source of noise that will impact the community. Noise created by the construction of the proposed development is not anticipated to be significant, and no mitigation is required. There is no noise ordinance within Mendocino County. The proposed development is similar to and compatible with the uses that already exist in the area.
- b) **Less Than a Significant Impact:** Given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.

Upon build-out of the project, operational noise would be associated with use of the site for residential purposes. Considering the project would install a single-family residence and construct ancillary structures within a residential neighborhood, a less than significant impact would occur.

- c) **No Impact:** The project is not located within the vicinity of a private airstrip or an airport land use. The subject parcel is located 3± miles southwest of the nearest airport, Ocean Ridge Airport.

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

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

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

- a) **No Impact:** The subject parcel was created by a minor subdivision in 1996 and is within a residential area. The proposed development would be accessed by a private driveway on Old Coast Highway and served by the North Gualala Water District for water supply and the Gualala Community Services District for sewer services. The proposed project to install a single-family modular home would not induce substantial unplanned population growth in the area. Thus, no impact would occur.
- b) **No Impact:** The proposed project is to develop a single-family residence in a rural but residential area. The proposed project would not displace existing populations or housing. As proposed, no impact would occur.

MITIGATION MEASURES: None.

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

5.15 PUBLIC SERVICES

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

DISCUSSION: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is serviced by the South Coast Fire Protection District, North Gualala Water District, and the Gualala Community Services District.

- a) **Less Than a Significant Impact:** The proposed project includes installing a 640 square foot modular home with an attached deck, roof-mount solar panels, a pump tank, a fenced garden area, a storage shed, tree removal, construct utility hookups, install a culvert under driveway approach to connect drainage ditch, and grade the building pad. The subject parcel would be served by the South Coast Fire Protection District for fire services. The project was referred to CAL FIRE and the South Coast Fire Protection District for comments. CAL FIRE recommended conditions of approval to be incorporated into the Staff Report that include driveway standardization procedures. However, the project would create a minimal impact on the demand for new fire protection facilities.
- b) **Less Than a Significant Impact:** The nearest police station is the Fort Bragg Police Department approximately 56 miles north of the project site. The project, as proposed, anticipates creating a minimal impact on police protection services.
- c) **Less Than a Significant Impact:** The project site is within the Arena Union Elementary school district. The project, as proposed, would create a minimal impact on school services.
- d) **Less Than a Significant Impact:** Gualala is situated in coastal Mendocino County with many hiking trails, public beaches, and public state parks. The nearest public park is Bower Park, located 3± miles north of the subject parcel. The project does not anticipate a substantial impact on public parks.
- e) **Less Than a Significant Impact:** The project site would be supplied by the North Gualala Water District for water and the Gualala Community Services District for sewer services. The project includes installing roof-mount solar panels for electricity. Thus, a less than significant impact would occur on other public facilities.

MITIGATION MEASURES: None.

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

5.16 RECREATION

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

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

- a-b) **Less Than a Significant Impact:** The proposed project is approximately 3 miles south of Bower Park Regional Park. The proposed project would have minimal impact on the use of existing parks or other recreational facilities. The project would not include recreational facilities and would not require construction or expansion of any recreational facilities.

MITIGATION MEASURES: None.

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

5.17 TRANSPORTATION

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

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 proposed project includes constructing a building pad, connection to utilities, installing a single-family residence and other structures. The project site is accessed via Old Coast Highway (CR 513) and was created by a minor subdivision (CDMS 22-95) in 1996. The minor subdivision widened Old Coast Highway to plan for future developments and to be in compliance with CAL FIRE and Mendocino County Department of Transportation (MCDOT) requirements. The project was referred to MCDOT on April 12, 2024. MCDOT responded and recommended the applicant obtain an encroachment permit for any work within the County right of way and that the project shall construct a driveway approach in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by DOT staff during field review, to be paved with asphalt or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted. The project, as proposed, would have a less than significant impact on any transportation plans or programs.
- b) **Less Than a Significant Impact:** A significant impact may occur if a project’s vehicle miles traveled (VMT) substantially increase compared to existing VMT. SB 743 updates the way transportation impacts are measured in California for new development projects. This change will help California achieve climate commitments, preserve the environment, and improve health and safety. Among the changes to the guidelines was the removal of vehicle delay and level of service (LOS) from consideration for transportation impacts under CEQA. With the adopted guidelines, transportation impacts are to be evaluated based on a project’s effect on VMT. Under SB 743, over 50 percent of development within the state could forego transportation analysis and mitigation entirely. Development projects that can forego transportation analysis include affordable housing, housing within ½ mile of transit, and housing projects generating fewer than 110 trips per day. However, the proposed single-family residence and ancillary structures would create a less than significant impact on the density of the neighborhood.
- c) **No Impact:** The proposed project is near the Old Coast Highway and State Route 1 intersection. However, with the added CAL FIRE and MCDOT conditions of approval, the project would have no impact on hazardous transportation systems.
- d) **No Impact:** As previously stated, the subject parcel was created by a minor subdivision that widened Old Coast Highway. The proposed driveway would be constructed to meet Mendocino County Road and Development Standards No. A51A and CAL FIRE road standards.

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation¹¹ and 1984 regional synthesis.¹² This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

- a) **No Impact:** The proposed project was referred to the Archaeological Commission and Northwest Information Center (NWIC). On April 25, 2024, NWIC responded and stated, “this office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area. 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

¹¹ Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

¹² Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

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.

The project was scheduled for the Archaeological Commission on October 9, 2024, in which, resulted in the request for an Archaeological Survey. The applicant provided an Archaeological Survey following the Archaeological Commission hearing. On January 8, 2025, the Archaeological Commission accepted the requested Archaeological Survey and recommended the Discovery Clause be added as a condition of approval. Additionally, the project was referred to Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. As on September 17, 2024, no comments were received.

MITIGATION MEASURES: None.

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

5.19 UTILITIES AND SERVICE SYSTEMS

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

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

Solid waste management in Mendocino County has undergone a significant transformation from waste disposal in landfills supplemented by transfer stations to a focus on transfer stations and waste stream diversion. These changes have responded to rigorous water quality and environmental laws, particularly the California Integrated Waste Management Act of 1989 (AB 939). The Act required each city and county to divert 50 percent of its waste stream from landfill disposal by the year 2000 through source reduction, recycling, composting, and other programs. Chapter 3 (Development Element) of the Mendocino County General Plan (2009) notes there are no remaining operating landfills in Mendocino County, and as a result,

solid waste generated within the County is exported for disposal to the Potrero Hills Landfill in Solano County. The Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day and a remaining capacity of 13.872 million cubic yards and is estimated to remain in operation until February 2048.

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

a-c) **Less Than a Significant Impact:** The proposed project includes installation and construction of a single-family residence and ancillary structures. The project site would be supplied by North Gualala Water District with water and Gualala Community Services District for sewer services. Water hookups exist on the project site. The project would install a pump system to hook up to the sewer and requires minimal trenching to the water connection. Additionally, electricity would be generated on site via roof mount solar panels and would be provided by a utility company. The project would have sufficient water supplies available year-round. The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or natural gas facilities. The project would require a connection to stormwater drainage and electric power but would not cause significant environmental effects. Therefore, a less than significant impact would occur.

d-f) **Less Than a Significant Impact:** The project does not anticipate generating solid waste in excess of state or local standards. The 640 square foot single family residence would create a minimal impact on waste generation. The project is anticipated to comply with federal, state, and local waste management. Thus, a less than significant impact would occur.

MITIGATION MEASURES: None.

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

5.20 WILDFIRE

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

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

- a-c) **Less Than a Significant Impact:** The proposed project includes installing a 640 square foot single-family residence and ancillary structures. The project is situated within a Moderate fire hazard zone within the State Responsibility Area. The subject parcel would be served by the South Coast Fire Protection District for fire services. 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).

As discussed under Section IX, Hazards and Hazardous Materials, above, there are no components of the project that would impair an adopted emergency response plan or emergency evaluation plan, including the adopted County EOP. The applicant will be required to adhere to all CalFire recommendations regarding address standards, driveway standards, and defensible space standards.

CAL FIRE recommended several conditions of approval including specific driveway standards, address standards, and to require the project maintain defensible space. Pursuant to California Code of Regulations Title 14 Section 1276.01(a), all parcels shall provide a minimum of thirty foot setback for all buildings from all property lines and/or the center of a road, except as provided in subsection (b) which entails "a reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, development density requirements or other development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce structure-to-structure ignition by incorporating features...". Considering a sensitive habitat has been identified on the project site and the zoning district requires a minimum of a six foot setback, Condition of Approval No. 36 requires the landowner to submit a Final Landscaping and Fuel Modifications Plan to reduce structure-to-structure ignition and other fire safety concerns.

Under the proposed project, it is not anticipated that wildfire risks would be exacerbated due to slope, prevailing winds, and other factors. The site is relatively level and would be cleared of vegetation for defensible space. The project would require compliance with CalFire's Fire Safe Regulations to ensure adequate fire protection measures and access. Additional installation of or maintenance of associated infrastructure would not be required. The project would remove several dead trees for fire safety purposes.

- d) **Less Than a Significant Impact:** The project anticipates removing trees for fire safety, installing a culvert at the driveway approach to connect a drainage ditch, and redirect roof gutters to drain into vegetated areas. The project site is not located within a landslide or flood risk area. The proposed project does not anticipate exposing people or structures to significant risks including, flooding, landslides, or post-fire slope instability. Thus, a less than significant impact would occur.

MITIGATION MEASURES: None.

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

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

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

- a) **Less Than a Significant Impact with Mitigation:** The proposed project is located within the 100 foot buffer of an environmentally sensitive habitat area (ESHA). A three parameter wetland was identified on the project site and is considered ESHA. A Reduced Buffer Analysis was conducted to prevent impacts on the ESHA from the proposed development. With the added mitigation measures, the proposed project would have a less than significant impact on the quality of the environment. As stated in the Biological Resources section of this document, no fish or wildlife species were identified on the biological reports. Two sensitive natural communities (ESHAs) were including, coastal bluff morning glory (*Calystegia purpurata* ssp. *saxicola*), and a special status vegetation alliance, northern Bishop pine – Douglas fir (*Pinus muricata* – *Pseudotsuga menziessii* Association). No development would be within the 100 foot buffer of the coastal bluff morning glory. Two dead northern Bishop pine trees would be removed for fire safety. With the incorporation of BIO-1 through BIO-14, the project would have a less than significant impact on the environment.
- b) **No Impact:** The project does not have impacts that are cumulatively considerable. The project would have no impact on future or current projects.
- c) **Less Than a Significant Impact with Mitigation:** All impacts identified in this report are less than significant with the incorporation of mitigation. With mitigation incorporated (GEO-1, and BIO-1

through BIO-15), the proposed project would not generate any potential direct or indirect environmental effects that would have a substantial adverse impact on human beings including, but not limited to, exposure to geologic hazards, air quality, water quality, traffic, noise, and fire hazards.

MITIGATION MEASURES:

BIO-1: During and after construction limit vegetation removal to the minimum amount necessary, seed and mulch all graded areas with regionally appropriate native seeds, install erosion control measures and seeding to areas of bare ground prior to October (or the onset of the rainy season), and install weed-free straw coils at inlet of culverts to filter stormwater flow.

BIO-2: Delineate and demarcate the literal extent of the wetland with high-visible construction fencing at the 50 foot buffer. All construction staff shall be made aware of the wetland and its status as a protected habitat. Construction staff shall avoid encroachment within the 50 foot buffer of the wetland.

BIO-3: No equipment or materials shall be laid down within the wetland or construction fencing barrier. All materials shall be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for development. Spill prevention devices shall be readily available during construction and utilized for all toxic liquids/ materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials shall be stored greater than 100 feet from the identified wetland though may necessarily require use within 100 feet of the wetland.

BIO-4: Sediment migration and erosion control measures shall be installed on the northern perimeter of the project site, between land to be disturbed and the wetland to protect such barriers may include weed-free hay bales, weed-free straw wattles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers shall be deployed and immediate remedies of damaged or compromised areas of the barriers.

BIO-5: All construction shall occur during the dry season (May 15 through October 15) and shall be suspended during unseasonable rainfalls of greater than one-half inch over 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.

BIO-6: Supplementary native plantings and seedings shall occur post-construction and preferentially be located in the 50-foot buffer between the wetland and new development. These planting are anticipated to offset the loss of naturalized vegetation, maintain water quality, capture sediment, and provide functional uplift to the wetland and buffer. Proposed species for planting and/or seeding shall be native, known from the habitats within the parcel, and preferentially originate from the Mendocino Coast to maintain local genetics.¹³

BIO-7: Inspect vehicles and equipment every day for leaks and repair promptly if as needed.

BIO-8: Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking offsite.

BIO-9: Prior to planting regionally native species, a map showing location and species proposed to be planted shall be submitted to the County of Mendocino Planning and Building Services Department for review and approval.

BIO-10: Avoidance Measure: Within four to eight weeks prior to the removal of live fir or pine tree species, a Sonoma tree vole survey shall occur per current protocols. Coordination shall occur with California Department of Fish and Wildlife to determine if there are additional recommendations or requirements from that agency. Sonoma tree voles are a CDFW Species of Special Concern, which do not have the legal protections of a Federally or State listed Threatened or Endangered species.

BIO-11: Avoidance Measure: Potential Impacts to Birds. Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds nesting process if it occurs during the

¹³ Jughandle Creek Farm native plant nursery and Mendocino Coast Botanical Gardens provide local native plantings.

nesting season. No nesting bird surveys are recommended if activity occurs in the **non-breeding season** (September to January). If vegetation removal or development is to occur during the **breeding season** (February to August), a pre-construction survey is recommended within 14 days of the onset of vegetation removal or construction to ensure that no nesting birds will be disturbed during development.

BIO-12: Avoidance Measure: Nest Avoidance. 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 shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

BIO-13: Avoidance Measure: Pre-construction survey for bats. Pre-construction surveys for bats. Tree removal and construction shall occur between September 1st and October 31 after the young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys shall be performed by a qualified biologist 14 days prior to the onset if development activities.

BIO-14: Avoidance Measure: Amphibians. 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. Construction crews shall begin each day with a visual search around all stacked or stored materials, as well as in and near the stream corridor and any pools or present water, to detect the presence of California red-legged frogs. If detected, construction crews shall cease all ground disturbing activities within 100 feet and will contact the US Fish and Wildlife Service. Ground disturbing activities within the 100 foot buffer can proceed after clearance is given from the US Fish and Wildlife Service. During construction and debris removal, any wood stockpiles shall be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

BIO-15: Install low, symbolic fencing along the buffer boundaries to prevent further encroachment into the natural resources onsite as indicated on maps (as Environmentally Sensitive Habitat Areas or ESHA).

GEO-1: The foundation, pier drilling operation, construction, and earthwork shall be supervised and certified by a licensed engineering geologist or a registered, civil engineer with soil analysis expertise who shall certify that the recommendations provided by PJC are incorporated into the development. Earthwork includes stripping, sub-excavation and grading/scarifying processes. The exposed soil conditions shall also be reviewed for suitability.

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