



PUBLIC DRAFT
**INITIAL STUDY AND
NEGATIVE DECLARATION**

SCH: XXXXXX

FOR
**GEO AGGREGATES
RECLAMATION PLAN RENEWAL/AMENDMENT
TEN MILE ROAD; APN: 015-140-51, 75, 78, 87**
File No. REC_2024-0003

LEAD AGENCY:
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TABLE OF CONTENTS

INTRODUCTION.....	1
PROJECT INFORMATION	1
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	9
DETERMINATION	9
ENVIRONMENTAL CHECKLIST	
.....	1
0	
5.1 Aesthetics.....	10
5.2 Agriculture And Forestry Resources.....	11
5.3 Air Quality.....	13
5.4 Biological Resources.....	16
5.5 Cultural Resources.....	18
5.6 Energy.....	19
5.7 Geology And Soils.....	20
5.8 Greenhouse Gas Emissions.....	22
5.9 Hazards And Hazardous Materials.....	23
5.10 Hydrology And Water Quality	24
5.11 Land Use And Planning.....	26
5.12 Mineral Resources	27
5.13 Noise	28
5.14 Population And Housing.....	29
5.15 Public Services.....	30
5.16 Recreation.....	30
5.17 Transportation	31
5.18 Tribal Cultural Resources.....	32
5.19 Utilities And Service Systems.....	33
5.20 Wildfire	35
5.21 Mandatory Findings Of Significance.....	35

5.22 Sources.....33

FIGURES AND TABLES

FIGURE 1: Site Plan	6
FIGURE 1: Location Map	5
FIGURE 2: Aerial Imagery.....	6
FIGURE 3: Plot Plan	7
TABLE 1: Adjacent Land Use And Zoning	3

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 Negative Declaration (ND) for a Reclamation Plan Renewal and Modification to extend the existing quarry mining operation for an additional five (5) years and propose a minor modification of the approved Reclamation Plan and the reclaimed slope configuration to achieve a more natural final contour. This Draft ND 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 ND 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: REC_2024-0003

OWNER/APPLICANT: Geo Aggregates
1221 N. Main Street
Fort Bragg, CA 95437

AGENT: Compass Land Group
4235 Forcum Avenue, Suite 100
McClellan Park, CA 95652

PROJECT LOCATION: In the Coastal Zone, 8± miles north of Fort Bragg and 3.5± miles east of State Route 1 (SR 1), accessed via a private logging road located 2.5± miles east of the State Route 1 intersection with Camp 2 Ten Mile Road (CR 428), lying on the south and east sides of the Ten Mile River (APNs 015-140-51, 015-140-75, 015-140-78, & 015-140-87). AKA Ten Mile Second Crossing Quarry (CA MINE ID# 91-23-0020).

TOTAL ACREAGE: 622.50± Acres
GENERAL PLAN: GP Designation Forestland (FL160)
ZONING: Zoning District: Timber Production Zone (TP:160)

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests Reclamation Plan Renewal and Modification to extend the existing quarry mining operation for an additional five (5) years and propose a minor modification of the approved Reclamation Plan and the reclaimed slope configuration to achieve a more natural final contour. The operation, for which a "Vested Right" has been granted, includes extraction of up to 40,000 cubic yards of material annually, and processing of 51,000 cubic yards per year. The proposed project would not change extraction volumes already approved under the present reclamation plan.

The project site is located approximately 8 miles northeast of Fort Bragg in Mendocino County, California. The site consists of both the Ten Mile Second Crossing Quarry and the Ten Mile Screening Plant. The site is located 3.5+/- miles east of State Route 1. The site has been in operation since the 1950's, with the reclamation area covering approximately 9.4 acres on two larger parcels. The Ten Mile Screening Plant is situated approximately one mile upstream of the quarry site. The Screening Plant has also been in operation since about 1950. The reclamation area covers 5.5 acres on two larger parcels. The two (2) sites are located in the Coastal Zone. The existing zoning on the affected parcels is TP-160 Timberland Production District). Mendocino County General Plan designation is FL-160 (Forest Lands – one dwelling per 160 acres). The region surrounding the two sites is largely undeveloped and forested. The current Reclamation Plan covers all areas of the Second Crossing Quarry site and the Ten Mile River Screening Plant site that are disturbed by mining/processing activities. The two sites are connected by the private Ten Mile Haul Road. Additionally, there is a bridge across the Ten Mile River that provides access to the screening plant site. The Ten Mile Haul Road and bridge are not part of the reclamation plan. 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	Forestland (FL 160)	Timberland Production (TP-160)	66,78, 80, and 103 Acres	Timberland & Forestland
EAST	Forestland (FL 160)	Timberland Production (TP-160)	16,77, 86, 89 and 480 Acres	Timberland & Forestland
SOUTH	Forestland (FL 160)	Timberland Production (TP-160)	1, 19, 34, 61, 99 and 350 Acres	Timberland & Forestland
WEST	Forestland (FL 160), Agricultural (AG 60, & Rangeland (RL 160)	Timberland Production (TP-160) Agricultural (AG-60) Rangeland (RL-160)	1, 10, 40, 84, 120 and 160 Acres	Timberland & Forestland

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

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

Pursuant to the consultation requirements of Assembly Bill (AB) 52, in July 2022, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The following tribes were notified (Cloverdale Rancheria, Potter Valley Tribe, Round Valley Tribe, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo). A project referral was provided to each of the tribes and no comments were received from any of the tribes,

FIGURE 1 PROJECT SITE PLAN



Source: Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Airbase DS, USDA, AeroGRID, IGN, and the GIS User Community



Disclaimer: The project data was mapped for planning purposes only. No Liability is assured for accuracy of the



- Legend**
- Approximate Reclamation Boundary
 - Approximate Active Mining Area
 - Approximate area of in-progress or completed reclamation
 - Existing Road
 - Drainage Channel
 - River

Ten Mile Quarry
 Reclamation Plan Renewal
 Existing Site Conditions
 Mining Area
 Mendocino County, California

CASE: REC 2024-0003
 OWNER: Parker Ten Mile Ranch
 APN: 016-340-01 ET A1
 APPLIC: Geo Aggregates
 AGENT: Linwood Gill
 ADDRESS: 2880 N. Hwy. 1, Fort Bragg

SITE PLAN: MINING AREA

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

FIGURE 2: LOCATION MAP

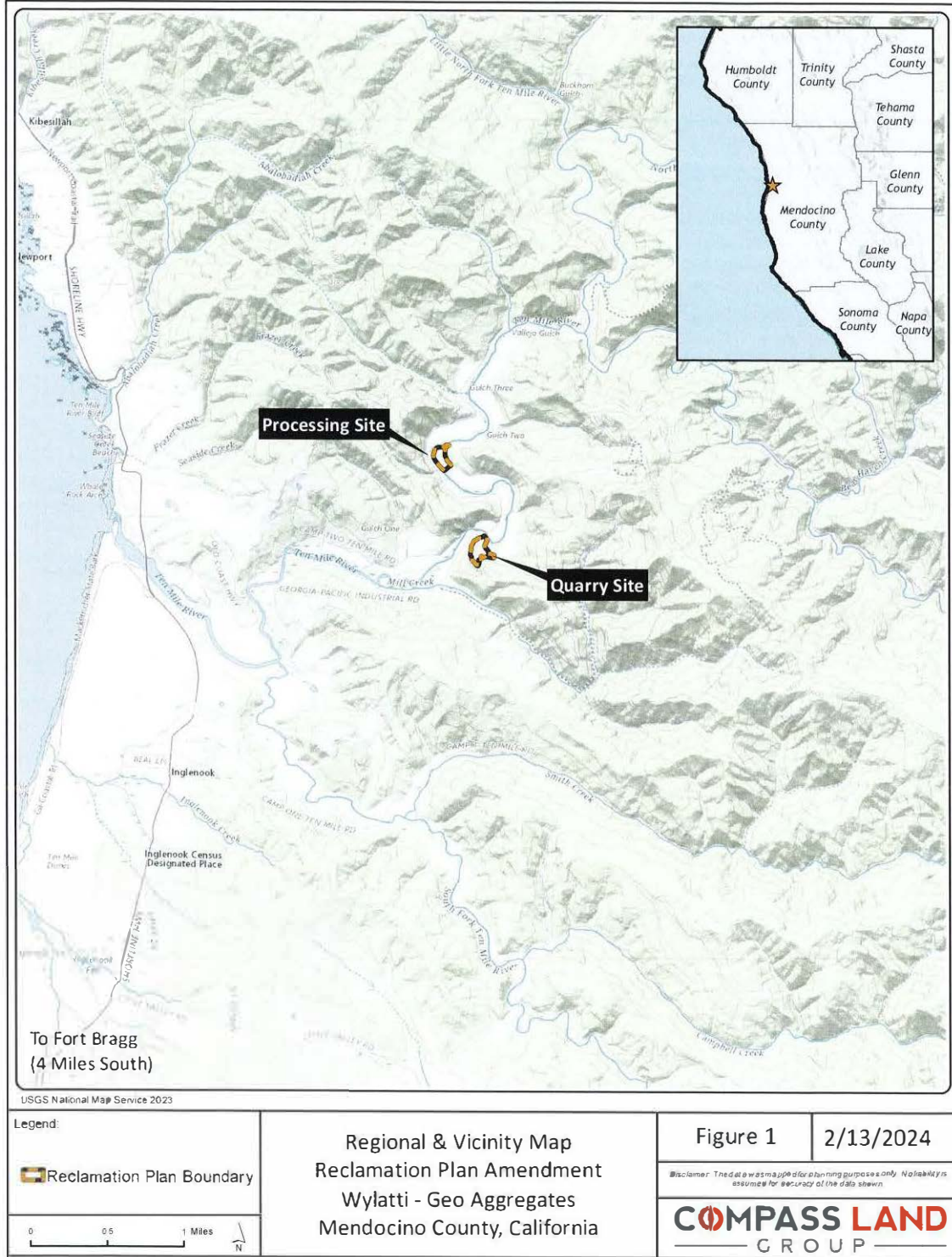




FIGURE 3: AERIAL IMAGERY




Google Earth Aerial, 6/14/2023

Legend:

 Reclamation Plan Boundary

 0 150 300 Feet

 N

Quarry Site Map
 Reclamation Plan Amendment
 Wylatti - Geo Aggregates
 Mendocino County, California

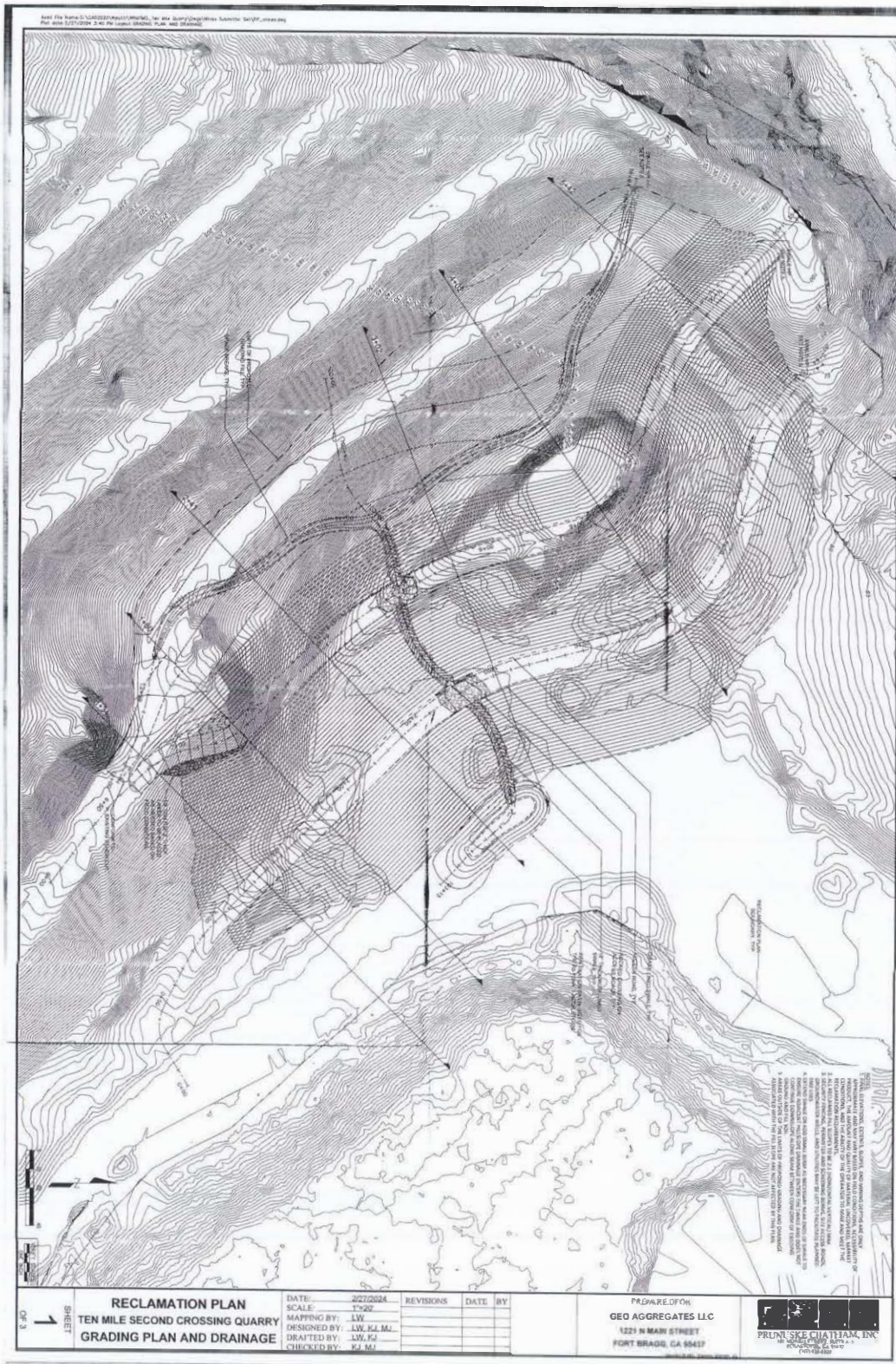
Figure 2A

2/20/2024

Disclaimer: These maps are mapped for planning purposes only. No liability is assumed for accuracy of the data shown.

COMPASS LAND
 GROUP

FIGURE 4: RECLAMATION PLAN



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:

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

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

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

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

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

Signature

Dirk Larson

Printed Name

Date

Planner III

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

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

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

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

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

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

a-d No Impact: Mendocino County is a scenic and visually diverse county and is considered predominately rural with respect to existing development. The project site is located in a rural area with minimal development. The site is located within an existing operational quarry. The County adopted a General Plan Coastal Element on November 5, 1985, and it was last updated on August 30, 2005. Coastal Element Policies from Chapter 3.5 Visual Resources apply.

The proposed project would have No Impact. Based on the discussion above, there are currently no scenic highways anywhere in Mendocino County, just eligible one. The project is not visible from a scenic vista or highway. State Route 1 is the closest highway at 2+/- miles west of the project site, thus there will be no adverse impact on any scenic resources. The project scope is to extend in time an already approved Reclamation Plan for an additional five (5) years, as well as to modify the reclaimed final slope configuration to achieve a more natural final contour. The slope modification includes removing a steep bench ("Bench 1") at the base of the existing slope and backfilling the cut slope with fill material to create a terraced slope at a gradient of 2H:1V with 15-foot-wide access benches. The fill material will be placed using mobile equipment that will an appropriate level of compaction for planned open space end use of the site.

The proposed project, which includes mining and reclamation of the site would not create new sources of substantial lighting or glare that would generate a significant impact, as both mining and the reclamation activities are conducted during daylight hours and no outdoor lighting is to be utilized.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **No Impact** on Aesthetics.

5.2 AGRICULTURE AND FORESTRY RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	<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 proposed project will not take place on land which is designated as Prime or Unique Farmland. According to the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation, Division of Land Resource Protection, the site is designated as Grazing land. This designation is for: "*Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.*" (Quote from the Department of Conservation Website). There is no farmland, Agricultural Preserve, nor Forestland at the subject location. The project location is Timberland Production Zoning. There is Agricultural and Forestland Zoning in the vicinity; however, the project will have no effect off-site as it is to follow an approved Reclamation Plan with a modification to the finished slope. Specifically, the project scope is to extend in time an already approved Reclamation Plan for an additional five (5) years, as well as to modify the reclaimed final slope configuration to achieve a more natural final contour. The slope modification includes removing a steep bench ("Bench 1") at the base of the existing slope and backfilling the cut slope with fill material to create a terraced slope at a gradient of 2H:1V with 15 foot-wide access benches. The fill material will be placed using mobile equipment that will an appropriate level of compaction for planned open space end use of the site. Upon reclamation, the end use of the quarry site is intended to be wildlife habitat. The site contains no permanent structures, and no structures are proposed as part of the scope of the project.

The California Code of Regulations CCR, Title 14, Section 3707, relative to performance standards for Prime Agricultural Land Reclamation states, that in addition to the standards for topsoil salvage, maintenance, and redistribution, the following standards shall apply to mining operations on prime agricultural lands where the approved end use is agriculture:

- (a) Mining operations which will operate on prime agricultural lands as defined by the U.S. Soil Conservation Service, shall return all disturbed areas to a fertility level as specified in the approved reclamation plan.
- (b) When distinct soil horizons are present, topsoil shall be salvaged and segregated by defined A, B, and C horizons. Upon reconstruction of the soil, the sequence of horizons shall have the A atop the B, the B atop the C, and the C atop graded overburden.
- (c) Reclamation shall be deemed complete when productive capability of the affected land is equivalent to or exceeds, for two consecutive crop years, that of the pre-mining condition or similar crop production in the area. Productivity rates, based on reference area described in the approved reclamation plan, shall be specified in the approved reclamation plan.
- (d) Use of fertilizers or other soil amendments shall not cause contamination of surface ground water.

As the site has been identified as not being in Prime Farmland, the performance standards noted in CCR, Title 14, Section 3707 are not applicable, with no impacts to Prime Farmland or Unique Farmland.

The proposed project is allowed in Timberland Production Districts (TP:160) Lands zoning per Mendocino County Code Section 20.366.015(F) – Mining and Processing (as defined in MCC Section 20.344.010). The project does not propose removal of any trees. The proposed project will not convert Farmland as it will not preclude use of the subject parcel from timber production or agricultural uses.

No forest land loss or conversion of forest land to non-forest use will occur as part of this project. The Project site is zoned for Timberland Production. The proposed Project will not conflict with any existing zoning or policies protecting agricultural resources. The parcel is not encumbered by a Williamson Act contract and would not result in any impacts to agricultural resources. The project will result in the end use of the site being reclaimed to open space conducive to wildlife habitat.

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.

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) offroad 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 is located within the North Coast Air Basin consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The Project Site is located within the Mendocino County Air Quality Management District (MCAQMD) which is responsible for enforcing California 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. The project will not conflict with or obstruct implementation of any air quality plan as there are no components of the project that would conflict with any existing air quality plans. Additionally, **Condition of Approval No. 16** is recommended to ensure that the project will achieve compliance with Mendocino County Air Quality Management District (AQMD) standards.

Policy RM-35: The County shall work to maintain 'attainment status' for state and federal air quality standards which are currently met, and toward attainment for currently exceeded standards.

- Policy RM-36: Maintain Federal Clean Air Act, Class 1 air quality standards in Federal Wilderness Areas and work to reduce out-of-county transport of significant pollution that will impacts other Class 1 areas.
- Policy RM-37: Public and private development shall not exceed Mendocino County Air Quality Management District emissions standards.
- Policy RM-38: The County shall work to reduce or mitigate particulate matter emissions resulting from development, including emissions from wood burning devices.

b, c, d) Less Than Significant: AQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM10 attainment plan was finalized in 2005 that provides regulations for construction and grading activities and unpaved roads. Ten Mile Haul Road is an unpaved existing roadway, previously utilized by Georgia Pacific as a haul road for the extraction of timber from the vicinity. No roads are planned to be constructed as part of the project. The proposed project has the potential to increase PM10 in the immediate vicinity of the site during access road construction/mining due to the road conditions. The use of internal access roads, in conformance with the conditions of approval, is not expected to contribute substantially to PM10 levels such that a significant impact would result. Local impacts to the area during construction/mining would be less than significant using standard dust control measures. Although no comments were received from the Mendocino County AQMD, the project is not projected to have any adverse effect on the air, as it solely proposes an extension of time for the reclaiming of the land with vested rights for mining, and modification resulting in a terraced fill on a portion of the quarry's existing slope to create a more natural contour, which involves removing the existing steep bench (Bench 1) at the base of the existing slope and backfilling the slope with fill material. **Condition of Approval No. 16** is recommended to ensure that the project will achieve compliance with AQMD standards.

Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The project is not adjacent to a residential area, with the closest residence being 0.31+/- mile west of the project site (quarry). During mining and reclamation activities, the project has the potential to create small amounts of pollutants and objectionable odors, but at less than significant levels. Once reclaimed, the project will not utilize products with substantial pollutant concentrations. Any objectionable odors will be limited to use of heavy equipment during mining and reclamation efforts of the site. As such, impacts will be less than significant.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have a **Less than Significant Impact** on Air Quality.

5.4 BIOLOGICAL RESOURCES

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

DISCUSSION: 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-f) **No Impact:** The County of Mendocino is very specific in regard to its water and biological resources. The following are summaries of several applicable policies from the General Plan Chapter 4 Resource Management and Coastal Element which ensure the protection of the resources.

Policy RM-1	Protect stream corridors and associated riparian habitat.
Action Item RM-1.1	Require adequate buffers for all projects potentially impacting stream corridors and/or their associated riparian habitat.
Policy RM-24	Protect the county’s natural landscapes by restricting conversions and fragmentation of timberlands, oak woodlands, stream corridors, farmlands, and other natural environments.
Policy RM-25	Prevent fragmentation and loss of our oak woodlands, forests, and wildlands and preserve the economic and ecological values and benefits.
Policy RM-26	Protect, use and manage the county’s farmlands, forests, water, air, soils, energy, and other natural resources in an environmentally sound and suitable manner.
Policy CE 3.1-7	A buffer area shall be established adjacent to all environmentally sensitive habitat areas. The purpose of this buffer area shall be to provide for a sufficient area to protect the environmentally sensitive habitat from significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Wildlife, and County Planning staff, that 100 feet is not necessary to protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and shall not be less than 50 feet in width.

Although there are multiple sensitive habitats identified on the project’s property, there is no potential for substantial adverse impacts since the project is not proposing to get anywhere outside of the already approved operation area. The project was referred to the California Department of Fish and Wildlife (CDFW) on May 7, 2024, with no comments provided by CDFW. It should also be noted that a prior amendment and extension of time was previously proposed in 2019, and at which time CDFW responded to that request with no comments or concerns. Additionally, the project is subject to the Department of Fish and Game Code Section 711.4 wildlife habitat loss mitigation fee. A condition is recommended to achieve compliance with the habitat loss mitigation fee.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **NO IMPACT** 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"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Mendocino County General Plan Chapter 3 Development Element includes policies related to cultural resources, including:

Policy DE-114: Fully evaluate and protect historical, archaeological and cultural resources through the development process, including resources of national, state or local significance.

Both **Policy DE-115** and **Mendocino County Code Chapter 22.12 Archaeological Resources** include provisions for archaeological sensitivity review, field evaluations, impact mitigations, archaeological discovery, and human remain discovery protocols (MCC Sec. 22.12.050 – 22.12.100).

As noted in the previous initial study prepared for the previous Reclamation Plan Amendment (REC_2018-0001) for the site, it was noted that a Timber Harvest Plan (THP) containing archaeological information from the site was previously reviewed by the County Archaeological Commission on April 13, 2005, finding that there was no need for further study of potentially occurring cultural resources. It was further noted that the quarry boundaries have not substantially changes over the years and the reclamation plan renewal/modification would not entail additional impacts on archaeological resources in the area. The current proposal under REC_2024-0003, will not result in an expansion of the quarry boundaries nor disturb additional area beyond the currently approved quarry boundaries, and the current proposal is expected to remain consistent **Coastal Element Policy 3.5-10**, which states in part that “County shall review all development permits to ensure that the proposed projects will not adversely affect existing archaeological and paleontological resources.”

a) **No Impact:** There are no existing structures on the property, solely portable equipment related to the mining operation. Since the property does not contain any buildings or structures that would qualify as historical resources, no impact would occur.

b-c) **Less Than Significant Impact:** No new development is proposed to occur in an area that has already been mined, therefore no new cultural and historical resources are projected to be found. Consistent with California AB 52, the project was referred out to the local tribes for comment, but no comments were received. In order to be in compliance with MCC Sec. 22.12, a condition will apply in the event that archaeological or cultural materials are found during the site preparation or excavation activities (which include mining and reclamation activities).

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 type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) No Impact: The proposed project is merely a Reclamation Plan Renewal and Modification to extend the existing quarry mining operation for an additional five (5) years and a minor modification to achieve a more natural final contour of the finished slopes, with no permanent structures proposed on the site. The project does not appear to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy during its construction or operation. The project is expected to comply with Title 24, Part 11 of the California Code of Regulations, known as 'CALGreen,' which mandates energy efficiency standards.

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

The project does not appear to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. California Senate Bill (SB) 350 and the 2022 Scoping Plan for Achieving Carbon Neutrality set forth the state's goals for reducing greenhouse gas emissions and increasing energy efficiency. Mendocino County General Plan Policy RM-55 and RM-57 also relate to energy efficiency and are aligned with these state goals.

The project is not subject to the California Green Building Standards Code and the 2022 Energy Code, which are designed to help the state achieve its long-term climate goals. This is not applicable due to the fact that there will be no permanent structures associated with the extension of the Reclamation Plan and the modification to the final slopes. It should be noted that these codes encourage the use of energy-efficient equipment and renewable energy sources, thereby aligning with state and local plans for renewable energy and energy efficiency but are not applicable to this project.

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

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Energy.

5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: Of the five known fault zones in Mendocino County, the Maacama Fault Zone is the closest active fault to the subject parcel, located approximately 16 miles to the southwest.

The Maacama Fault extends from northern Sonoma County to north of Laytonville. The Maacama Fault is the northern most segment of a series of closely related faults within the San Andreas Fault system that includes the Hayward, Rodgers Creek, and Healdsburg faults to the south. Historically, the Maacama Fault has generated only a few moderate earthquakes. However, an abundance of micro-earthquakes (less than magnitude 3) are associated with the fault. A magnitude 5.6 earthquake was reported in the Ukiah area in 1869. Several, earthquakes in the magnitude range of 4, with the strongest 4.9, were recorded in the Ukiah area between 1977-1978. At locations east of Willits and Ukiah surface fault creep, or very slow movements across known fault locations, have been documented.

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.

a) – d) **Less than Significant Impact:** Two geologic and geotechnical reports were previously prepared for both the Second Crossing Quarry and the Quarry Plant, by Miller Pacific Engineering Group, dated December 10, 2004, and March 12, 2007 as part of the previous Reclamation Plan Modification and Extension of Time. The reports note that the site(s) are located within the northern part of the regional Coast Range Geomorphic Province and is characterized by northwest-southwest trending mountain ranges of moderate relief, with inventing deep canyons, or narrow stream valleys. The project site is located within a seismically active area and will therefore experience the effects of future earthquakes. Earthquakes are a product of the build-up of strain and sudden release of strain along a “fault” or zone of weakness in the Earth’s crust. Within north-central California, faults are concentrated along the San Andreas Fault Zone. The reports further note that an “active” fault is defined as one that shows displacement within the last 11,000 years and, therefore, is considered more likely to generate a future earthquake than a fault that shows no sign of such geologically recent rupture. No known active faults pass through the project site, again with the nearest fault to the quarry being the San Andreas fault (northern segment), approximately 11 miles to the west.

As previously noted in the previous Initial Study prepared for the prior Reclamation Plan Renewal and Modification, it was noted that possibility of an accident caused by a landslide because of the project’s operation is unlikely due to the specifications given in the approved reclamation plan. The previous project involved a new lower quarry face configuration and proposed to remove two (2) benches and have a final 2.1H:1V slope gradient, with a less steep slope than the one proposed in the original reclamation plan. Further citing the presence of multiple soils with a variety of expansive characteristics at the project’s location, with no project concerns with the proposed quarry face modification. The current proposal calls for modifying the quarry’s reclaimed slope configuration to achieve a more natural final contour, which includes removing the existing Bench 1, creating a temporary 50 ft. high, 1H:1V slope at the toe of the quarry. The final proposed slope includes utilizing borrow site material to create three 25- ft. high 2H:1V finished slopes, with 15-ft. wide access benches. The proposed backfill material for the slopes includes approximately 100,000 cubic yards of borrow material from two (2) nearby borrow sites associated with the Ten Mile River Habitat Enhancement Phase 2 Design Project. The spoils from the excavation are planned to be repurposed as backfill. As part of the analysis for the current/proposed modification, a geotechnical memorandum dated November 7, 2023, was prepared by Crawford & Associates for the proposed project, which concluded that an analysis of the backfill of the embankment at the quarry between elevations 50 ft. and 125 ft. was performed. Based on the results of the laboratory testing, field exploration, and geotechnical analysis, the proposed reclaimed 2:1 fill slopes within the Ten Mile Second Crossing Quarry meet appropriate factor of safety for the proposed end use with adequate support from the underlying sedimentary rock. The report further noted that the portion above the finished slope of the quarry above elevation 125-ft. should be vegetated to protect the slopes against surficial erosion.

- e) **No Impact:** There are no septic tanks or other wastewater disposal systems required or the current proposal.
- f) **No Impact:** The site has been currently disturbed by past and present mining activities, and no unique paleontological resources or unique geological features have been impacted by the current proposal.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have a **Less Than Significant and No Impact** on Geology and Soils. Pursuant to Public Resources Code Section §2772.1(a)(1), which states that prior to approving a surface mining operation’s reclamation plan or plan amendment, the lead agency shall submit the reclamation plan or plan amendment to the supervisor (*Division of Mine Reclamation*) for review. The reclamation plan or plan amendment shall be submitted to the supervisor as early as practicable in order to facilitate the lead agency’s review of the reclamation plan pursuant to the California Environmental Quality Act. PRC § 2772.1(b)(1) further states that the supervisor shall have 30 days from receipt of the reclamation plan or plan amendment to notify the lead agency and operator if the submission is incomplete. Additionally, PRC § 2772.1(b)(2) states that the supervisor shall have 30 days of the date the supervisor is required to notify the lead agency if the submission is incomplete and prepare written comments on the reclamation plan or plan amendment if the supervisor chooses. The project was referred to the Division of Mine Reclamation on May 7, 2024, with no comments being received within the 30 days as required by statute, and after further reaching out to the Division of Mine Reclamation, no comments were received within the prescribed timelines. On November 22, 2024, the Division of Mine Reclamation provided a comment that the Reclamation Plan maps will need to include existing contour lines drawn at appropriate intervals and the submitted RPA maps Grading Plan and Drainage (Sheets 1 and 3), and Cross Sections (Sheets 2 of 3) shall reflect the proposed changes and bear the signature of appropriate California-licensed professional who designed and prepared the slope modification, as required in PRC §2772(c)(5)(F). Based on the geotechnical analysis findings and late comments only addressing mapping issues being received from the Division of Mine Reclamation, the proposed plan amendment and extension of time will have a less than significant and no impact.

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 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 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, b) Less Than Significant:** The project does not require any new development and would not increase the already approved contribution of GHG. Given the relatively small size of the proposed project scale, the modification would not have a measurable or considerable contribution to the cumulative GHG impact at the local or state level.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have a **Less Than Significant** 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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-172 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- g) No Impact: No hazardous sites are located on or near the project site, nor is the site within an airport land use planning area. Existing quarry operations generate hazardous waste and require the use and storage of hazardous materials on the project site, which primarily associated with equipment maintenance and operation. Currently fuels, lubricants, and used oil are stored in approved containers and structures. The proposed project will not interfere with Emergency Operations Plan and does not involve the gathering of more than 10 people at any one time. In regard to the Wildland-Urban Interface ones, the site is located on both "Very Low Density" and "Uninhabited" areas. Impacts are not anticipated, and no mitigation is required.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **No Impact** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.

The Mendocino County General Plan Chapter 4 Resource Management Element includes policies related to protection of environmentally sensitive habitat areas and maintaining water quality by minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The Mendocino County General Plan Coastal Element furthermore includes guidelines to prevent the degradation of habitat and natural resources Coastal Element Policy 3.1-7 states, in part, that:

A buffer area shall be established adjacent to all environmentally sensitive habitat areas. The purpose of this buffer area shall be to provide for sufficient area to protect the environmentally sensitive habitat from significant degradation resulting from future developments. The width of the buffer shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, the County Planning Staff, that 100 feet is not necessary to protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and shall not be less than 50 feet in width.

(a, b, d and e) No Impact: There are no new structures proposed, and there are no proposed changes to the operation which would alter the existing drainage in the property. The Ten Mile River runs through the property, and it is the only water body on or near the site. There is no risk of inundation by seiche, tsunami, or mudflow at the site. There are no pollutant discharges on-site or off-site a result of the project.

(c) Less than Significant Impact: The Ten Mile River runs through the subject property; however, the mining and reclamation of the disturbed areas occurs more than 200 feet from the river. The project (amended reclamation plan and time extension request) is not expected to violate any water quality standards or waste discharge requirements. No materials of any kind shall be discharged into the river. No impact on hydrology or water quality is expected. BMPs are implemented on site in order to prevent the site's operations from interfering with the river or any body of water near the site. The implementation of adequate BMPs are verified every year through the annual inspection required by SMARA. The flood zone on the site, originated by the Ten Mile River, does not reach the quarry reclamation area but it does reach a portion of the equipment staging area. Conditions have been incorporated in the existing operation that include the prohibition of on-site fuel storage; the requirement that no material be placed into or where it may pass into any stream or water course in quantities which would be deleterious to fish, wildlife or other beneficial uses; and that the operator shall stockpile all material above the Ordinary High Water (OHW) mark as determined by the FEMA Flood Insurance Rate Map for the area or survey performed by a licensed Land Surveyor/Civil Engineer which determines the OHW, as indicated by the silt line.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact and Less than Significant Impacts** on Hydrology and Water Quality.

5.11 LAND USE AND PLANNING

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

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

The subject property is zoned Timberland Production (TPZ) and its land use designation on both the Coastal Plan Map and the General Plan as Forestland (FL). **Coastal Element Policy 3.1-17** restricts mining permits to a period of five (5) years; however, this section does not apply to operations with vested rights. This operation was granted vested rights in 1995; therefore, it does not require a use permit to mine, but solely a reclamation plan (per MCC 22.16.060 and CA PRC Sec. 2770). The operation is in the process of the site's reclamation, in order to close the site within the next several years. The current reclamation plan was conditioned to expire on December 31, 2025. The applicant requests an extension in time for an additional five (5) years for the reclamation of the site, and a modification to the approved Reclamation Plan to modify the quarry's reclaimed slope configuration to achieve a more natural contour, specifically removing a steep bench (Bench 1) at the base of the existing slope and backfilling the cut slope with fill material to create a terraced fill slope at a gradient of 2H:1V with 15-foot-wide access benches. The fill material will be placed using mobile equipment that will provide an appropriate level of compaction for the planned open space end use.

(a – b) No Impact: As the requests are only to extend the time required for reclamation of the site and modification of a slope within the project's boundaries, it will not physically divide any established community, nor will it conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. Additionally, there is no identified conservation plans or special habitats or natural communities in the vicinity, therefore no impact is anticipated in the immediate area.

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.

The Mendocino County General Plan Chapter 4 Resource Management Element identifies minerals as an important and non-renewable resource. These resources are of high importance since they are required for most construction activities. At this point there are no irreplaceable resources in the County to be known to be at risk of complete loss of availability.

a – b) No Impact: The proposed project is for a renewal and a modification of the reclamation plan ties to the final reclamation of the slope. The project as proposed would not exhaust the resource; therefore, the opportunity to allow future mining exists and would not 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. The property does not include a mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The proposed project would have no impact on known mineral resources.

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 ground borne vibration or ground borne 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.

The County has identified noise standards within the County General Plan and Zoning Ordinance to ensure noise compatibility between land uses. The project is subject to the following County noise standards:

- Exterior Noise Level Standard (Table 3-J) General Plan Policy DE-100
- Noise Compatibility Guidelines (Table 3-K) General Plan, Policy DE-101
- Maximum Acceptable Interior Noise Levels (Table 3-L) General Plan, Policy DE-103
- Exterior Noise Limit Standards (Appendix C) Title 20: Zoning Ordinance, Division II

An important aspect to add into the noise equation, is the vicinity uses. Certain uses which are considered as noise-sensitive receptors include residences, churches, schools, etc. Noise sensitive receptors should not be subject to high-volume noises at any time.

(a – b) Less Than Significant Impact: The continuance of heavy equipment operation for reclamation will not increase noise levels above those currently existing. Surrounding land uses consist primarily of grazing and timber activities and staff does not anticipate the continuation of the site’s reclamation to substantially alter the current levels of noise for the relatively few residents in the area. Condition is recommended to avoid disturbance of neighbors.

(c) No Impact: The project will not create any permanent increase in ambient noise levels. The project is not located within an airport land use plan. There are no private airstrips located within 2 miles of the project site; the closest airports are approximately 20 miles away, which include Little River Airport and Ells Field in Willits.

MITIGATION MEASURES: None.

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

5.14 POPULATION AND HOUSING

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

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.

The proposed project does not include development of any housing units. The proposed project, which involves extension of time for the use of the existing quarry and the modified slope work, could employ up to a maximum of 10 employees.

(a – b) No Impact: The proposed project does not have the potential to induce population growth in the area. There is no need for new employees to realize the tasks required for this project, as it is for the continuation of regular operations. While there is a minimal possibility of some new employees relocating to the region, the amount of additional employees would not result in substantial population increase in the region. Additionally, the proposed project does not include the development or removal of any housing. No impact will 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 Round Valley Unified School District, Round Valley Indian Health Center, Round Valley County Water District, and the Covelo Fire Protection District.

The site is located within the State Responsibility Area or SRA (CalFire) and is classified as a high fire hazard area. The Fort Bragg CalFire station is located approximately 8 miles south of the site. The project site is located within unincorporated Mendocino County, police protection services are provided by the Mendocino County Sheriff's Department. The nearest Mendocino County Sheriff's Department office is located in Fort Bragg.

(a – e) Less Than Significant Impact: The demand on fire protection, police protection, medical services schools, parks, and other public facilities (e.g., libraries) is not anticipated to significantly increase with the implementation of the project, since the proposed project is to renew and modify the reclamation plan, protecting the continuance of an existing surface mining operation.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have a **Less Than 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Mendocino County provides parklands, open space, and community facilities for public recreation and community services. Park and recreation facilities provide for regional, and neighborhood uses and vary in size, use, and types of service. There are no identified recreational facilities within the Project area.

(a – b) No Impact: The proposed project is a time extension/continuance of the current reclamation and a slope modification of a reclamation plan of the existing surface mining operation. No residential development is proposed as part of the project. The project would not increase the use of recreational facilities, nor would it generate demand for new or expanded recreational facilities.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **No Impact** on Recreational facilities in the immediate area or the County.

5.17 TRANSPORTATION

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

Renewal and a slight modification of the current reclamation plan would result in the same or less truck traffic intensity as currently exists from the current operation, as it includes closing procedures of the site. Impacts to State Route One (SR-1) are not expected as a result of the proposed project, which includes extending the time period on the reclamation as additional five years in order to achieve the reclamation of the site as well as modifying the slope to create a more natural final contour.

(a – d) No Impact: The subject property is accessed via SR-1. There are no documented issues in the past related to traffic associated with the quarry's operations. The project site is 14.9± acres in size, located on 622.5± acre property. According to the most recently approved Financial Assurance Cost Estimate (FACE), dated 01/10/2024, which provides the equipment required to attain reclamation among other requirements, no more than nine (9) vehicles and pieces of heavy equipment are required to perform the reclamation of the site. There is plenty of space inside the property to park the nine (9) vehicles/pieces of equipment required to perform the reclamation. The transportation system will not be substantially impacted. It is not anticipated that the project will be in conflict or inconsistent with CEQA Guidelines section 15064.3 subdivision (b). The proposed reclamation of the site will not alter the current emergency access, nor will it increase traffic hazards to anyone, including bicyclists or pedestrians. The project was referred out to both County and State Departments of Transportation (MCDOT & Caltrans) and no comments were received.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **No Impact** on Transportation.

5.18 TRIBAL CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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. dissertation¹ and 1984 regional synthesis.² 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) i) **No Impact;** There are no structures on-site, just portable equipment that is utilized in the mining and reclamation of the site. Since the project site does not contain any buildings or structures that would qualify as historical resources, no impact would occur.
- a) ii) **Less Than Significant Impact:** As noted above in Section 5.5 “Cultural Resources,” no new development is proposed in an area that has been mined yet, therefore no new cultural and historical resources are projected to be found. However, in order to be in compliance with Chapter 22.10 of the Mendocino County Code, a condition will apply.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have a **Less than Significant Impact** on Tribal Cultural Resources.

5.19 UTILITIES AND SERVICE SYSTEMS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

² Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.

The project site is not located within a water or sanitation districts. The operation requires minimal water for reclamation and dust control, which will be provided in truck loads. There is no waste produced by the operation, and remaining materials will either be sold or properly recycled as with many such mining operations. An existing sediment basin has been established at the Second Crossing Quarry that collects surface runoff from terraced slopes from the quarry. According to the approved Reclamation Plan, at the Second Crossing Quarry site, runoff from the terraced slopes is collected and diverted into the existing sediment basin. As part of reclamation efforts, the sediment detention basin will remain, ultimately allowing for sheet drain through an open meadow landscape in a southwesterly direction downstream toward Ten Mile River.

(a – e) No Impact: The project would not have any impacts to utilities or services systems. The project was referred out to the Division of Environmental Health (DEH) and the State’s Regional Water Quality Control Board (RWQCB), and none provided any comments. The proposed reclamation plan and the amendment will comply with all federal, state and local regulations regarding solid waste

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **No 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-d) **Less Than Significant:** The project site is located within a State Responsibility Area (SRA) with a “high” fire zone. The project application was referred to the CAL FIRE for input. CAL FIRE did not respond to the project referral.

The project site is flat. Prevailing winds would be from the west. No large groups of homes are located in the vicinity, so occupants would not be overly impacted by pollutant concentrations from a wildfire.

As noted above, fire protection to the site is provided by CAL FIRE. Although proper precautions and measures are taken during mining and reclamation operations, the potential exists for wildland fire to inadvertently be ignited when equipment is utilized near dry grassland, especially during periods of increased fire danger. Previously a condition was adopted during the initial reclamation plan approval as well as the extension of time and the modification in 2019, which required all non-turbo charged equipment to have approved spark arrestors installed and to carry “ABC” type fire extinguishers. This will continue to be the case going forward for the proposed time extension and

slope modification, as there will be no intensification of the site or operation associated with the proposed modified slope amendment and time extension.

The project sites are located adjacent to the Ten Mile River. The Second Crossing Quarry site is located outside of the 100-year floodplain of the river. The majority of the Ten Mile Screening Plant site is located within the 100-year floodplain of the river. Although a portion of the site is affected by the floodplain of the Ten Mile River, no permanent structures are located on the site. Within the screening plant site, all equipment is considered portable. All equipment in association with the mine site is portable and can be moved outside of the floodplain to avoid damage to said equipment and not impact the floodplain of the river.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have a **Less Than Significant** 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

The purpose of a Reclamation Plan is to bring mined land back to acceptable state. The previously approved end use of the site, which is not proposed to change through the current application is "Timberland

Open Space” which is compatible with the land use designation per both the County’s General Plan and Zoning Code.

Potential environmental impacts for the Renewal/Modification of the Reclamation Plan Amendment for the existing mining operation have been analyzed in this document and no mitigation measures are required. All subsections identified have a “Less Than Significant Impact” are protected by the project’s Conditions of Approval.

(a – c) No Impact: Based on the findings in the Initial Study, the proposed project would not have an impact related to the potential to degrade the quality of the environment, substantially reduce habitat values, or otherwise impact listed species. The proposed project would not eliminate important examples of California history or prehistory. See Cultural Resources Section for a specific discussion of historic resources supporting this finding.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **No Impact** on Mandatory Findings of Significance.

Bibliography/Sources

The following is a list of documents and sources utilized in the preparation of the Initial Study for REC_2024-0003.

1. Applicant’s Application Submittal/Project Description, February 28, 2024.
2. Minor Modification to Reclamation Plan for Ten Mile Second Crossing (CA MINE ID# 91-23-0020), Compass Land Group, February 2024.
3. Mendocino County General Plan, August 2009, Amended 2021.
4. Mendocino County General Plan Coastal Element, November 20, 1985, Amended August 30, 2005
5. Mendocino County Coastal Zoning Code, Title 20, Division II
6. Geotechnical Memorandum, 10 Mile Second Crossing Quarry, Crawford & Associates, November 7, 2023.
7. Assessor’s Parcel Maps.
8. Reclamation Plan for the Ten Mile Second Crossing and Ten Mile Screening Plan, Baxman Gravel, April 2007
9. Reclamation Plan Renewal and Modification (REC_2018-0001) staff report and Initial Study, Mendocino County Planning and Building Services, September 5, 2019
10. Reclamation Plan Renewal and Modification (REC_2018-0001) staff memorandum and Resolution No. PC 2019-0013 to Planning Commission, Modification to Recommended conditions of Approval, September 5, 2019
11. South Fork Ten Mile River Habitat Enhancement, Coastal Conservancy, April 18, 2024
12. Reclamation Plan- Ten Mile Second Crossing Quarry-Grading and Drainage drawing, Prunuske Chetham, February 27, 2024
13. Reclamation Plan- Ten Mile Second Crossing Quarry-Revegetation Plan drawing, Prunuske Chetham, February 27, 2024

14. Reclamation Plan- Ten Mile Second Crossing Quarry-Cross-Sections drawing, Prunuske Chetham, February 27, 2024
15. Flood Insurance Rate Maps, Federal Emergency Management Agency.
16. Ten Mile Second Crossing Quarry and Screening Plant, Financial Assurance Cost Estimate (FACE), prepared by Wylatti Resource Management, January 10, 2024
17. Correspondence from Division of Mine Reclamation, November 22, 2024

Resolution Number _____

County of Mendocino
Ukiah, California

JUNE 5, 2025

REC_2024-0003 PARKER TEN MILE RANCH

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND GRANTING A RECLAMATION PLAN RENEWAL AND MODIFICATION FOR AN EXISTING OPERATION WITH VESTED RIGHTS TO MINE

WHEREAS, the applicant, GEO AGGREGATES, filed an application for the Renewal and Modification of an existing Reclamation Plan with the Mendocino County Department of Planning and Building Services to extend the existing Reclamation Plan expiration date for five (5) more years and modify the slope configuration to achieve a more natural final contour, for an existing operation located in the Coastal Zone, 8± miles north of Fort Bragg and 3.5± miles east of State Route 1, accessed via a private logging road located 2.5± miles east of the State Route 1 intersection with Camp 2 Ten Mile Road (CR 428), lying on the south and east sides of the Ten Mile River (APNs 015-140-51, 015-140-75, 015-140-78, & 015-140-87). AKA Ten Mile Second Crossing Quarry (CA MINE ID# 91-23-0020); Supervisorial District 4; hereafter referred to as "the Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on May 1, 2025 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a noticed public hearing on June 5, 2025, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

Pursuant to the provisions of Chapter 20.532 of the Mendocino County Coastal Zoning Code, the Coastal Permit Administrator approves CDP_2023-0029, adopts a Mitigated Negative Declaration, and adopts the following findings.

FINDINGS:

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed project is in conformity with the certified local coastal program. The project site is designated Forestland and complies with the allowable uses therein. The previously approved Reclamation Plan and the request for modification, subject to the conditions of approval, is an allowable use under this designation and does not conflict with Coastal Element policies.
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage, and other necessary facilities. This is a mining project and no residential development is being proposed. There are no structures associated with the

project and access to the site is via private road approximately 2 miles east of Hwy 1. The existing Reclamation Plan includes measures necessary for adequate drainage and containment of stormwater runoff from navigating offsite. There is a Stormwater Plan in place and in relation to the previously approved Reclamation Plan with measures necessary to assure no offsite runoff into watercourses occurs.

3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserve the integrity of the zoning district. The property is designated as Timber Production Zone which allows for mining activities, specifically extractive uses. This is a continuation of a previously approved Reclamation Plan and a request for a slight modification to final slopes at the quarry only.
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development, if completed in compliance with the conditions of approval and measures identified and incorporated therein, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. The approved end use of the site is open space, which will not be affected by the proposed modification and provide habitat values equal to or greater than those existing prior to mining at the site. An initial study was prepared for the project and a Negative Declaration is recommended for adoption.
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource and should any archaeological sites or artifacts be discovered further protection measures may be imposed as per Condition 7. However, under the prior Reclamation Plan approval, the mine was evaluated for cultural resources and no historic resources were identified and no new development is being proposed in an area that has not already been previously mined.
6. Pursuant to MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are not impacted as the project proposes no residential development. This project does not involve any residential development and involves extending an existing use for another five (5) years and simply modifying the final slopes as originally approved under the pre-existing permit.
7. Pursuant with MCC Section 20.532.095(B), the proposed development would not diminish public access to Mendocino County coastal areas and conforms to the goals and policies of the Coastal Element of the General Plan. The project site is located on the east side of Hwy 1, on a private logging road, and is not designated as an existing or a potential public access point. It is located approximately two (2) miles inland from State Hwy 1 and surrounding by privately owned timberland.
8. Pursuant to MCC Section 20.532.100(A)(1), no development shall be allowed in an ESHA unless the resource as identified will not be significantly degraded by the proposed development. The project site is not located in an area recognizing rare and/or endangered species. No new development is proposed as this request for modification of an previously approved Reclamation Plan only proposes to modify the final slopes at the Quarry site.
1. General Plan Findings: The subject property is classified Forest Land with a 160-acre minimum size (FL:160) under the General Plan. A Reclamation Plan, as proposed, is consistent with the intent of the General Plan and Coastal Element.

2. Zoning Findings: The subject property is zoned Timberland Production with a 160-acre minimum size (TP-160). The project is consistent with the Timberland Production Zoning provisions of §20.068 of the Mendocino County Code.
3. Surface Mining and Reclamation: The existing operation is lawfully established due to the vested rights to mine previously granted. As any mining operation in the County and State, it is subject to both Chapter 22.16 of the County Code, Public Resources Code Sections 2710 – 2796, the California Surface Mining and Reclamation Act (SMARA) regulations, as well as California Code of Regulations, Title 14, Division 2, Chapter 8, Articles 1 – 14. The project is consistent with both County and State Surface Mining and Reclamation regulations.
4. Environmental Review: An Initial Study was prepared for the project, based on supporting materials provided by the applicant and consulting agencies. The said materials were used in part to identify potentially significant impacts pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15063. As a result, adoption of a Negative Declaration is recommended. The draft environmental document is attached. All materials are available for review at the Ukiah office of the Department of Planning and Building Services.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Negative Declaration. The Planning Commission certifies that the Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Reclamation Plan Renewal and Modification, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: Jocelyn Gonzalez-Thies
Administrative Assistant

By. _____

BY JULIA KROG
Director

ELORA BABBINI, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL REC_2024-0003 – PARKER TEN MILE RANCH

JUNE 5, 2025

APPROVED PROJECT DESCRIPTION: Reclamation Plan Renewal and Modification to extend existing hillside quarry mining operation for an additional 5 years. The proposed modification is to modify the approved Reclamation Plan and the reclaimed slope configuration to achieve a more natural final contour. Specifically, the proposed slope modification includes removing a steep bench (Bench 1) at the base of the existing slope and backfilling the cut slope with fill material to create a terraced slope gradient of 2H:1V with a 15-foot-wide access bench. The operation, for which a vested right has been granted, includes the extraction of up to 40,000 cubic yards of material per year, and the processing (screening and washing) of approximately 51,000 cubic yards per year.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The reclamation plan shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. This reclamation plan shall expire on December 31, 2030. The applicant/operator has sole responsibility for renewing this application, if required, before the expiration date. The County will not provide a notice prior to the expiration date.
2. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory. The applicant/operator shall adhere to the Reclamation Plan, unless modifications have been authorized by the County upon consultation with the State's Division of Mine Reclamation. Such modifications shall be authorized through an amendment approved by the Planning Commission, unless allowable by MCC Sec. 22.16.170 "Minor Reclamation Plan Modifications."
3. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 and Title 22 of the Mendocino County Code.
4. This application shall be subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this application.
5. This approval of this reclamation plan shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One of more of the conditions upon which the permit was granted have been violated.
 - c. The use of which the permit was granted is conducted so as to be detrimental to the public
 - d. A final judgement of a court of competent jurisdiction has declared one or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
6. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit

described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

7. The applicant/operator shall comply with the provisions of Mendocino County Code Sections 22.12.090 and 22.12.100 relative to discoveries. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the operator shall cease and desist from all further excavation and disturbances within one hundred 100 feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.
8. Noise levels created by the operation as measured at the nearest residence other than that of the mine owner or operator shall not exceed the following:
 - a. 55 dBA for a cumulative period of more than 30 minutes in any hour.
 - b. 70 dBA for a cumulative period of more than 12 minutes in any hour.
 - c. 75 dBA for a cumulative period of more than 3 minutes in any hour.
 - d. 80 dBA for a cumulative period of more than 1 minutes in any hour.
 - e. 85 dBA at any moment.
9. The rock quarry operation shall not exceed 40,000 cubic yards of rock extraction a year, as allowed by the vested rights the operation holds.
10. The applicant/operator shall grant access to the property during hours of operation to permit County representatives or any consultants hired by the County for inspection, enforcement, or monitoring activities deemed desirable by the County. The operator shall designate an individual who is to be available at all times for purposes of supplying information deemed necessary by the authorized County representatives in connection with such work during working hours. Per SMARA regulations, at least one (1) inspection shall be performed every calendar year, for which the operator will receive an inspection report.
11. The operator shall submit a Financial Assurance Cost Estimate (FACE) annually to the Department of Planning and Building Services pursuant to PRC § 2773.1(a)(4). Said FACE shall be adjusted annually to account for lands disturbed as well as those land to be disturbed, inflation and reclamation of lands accomplished in accordance with the approved reclamation plan.
12. The applicant/operator shall provide Mendocino County with a cash or surety bond or other acceptable form of financial assurance for reclamation of the site. The bond shall be available to both the County of Mendocino and the Department of Conservation. Any withdrawals made by the County or Department of Conservation for reclamation shall be re-deposited by the operator within 30 days of notification.

The bond amount shall be calculated based on a cost estimate submitted by the operator and approved by both County staff and the Department of Conservation for the approved reclamation procedures. The bond shall be established and in place within six (6) months of project approval. Each year, following annual site inspection, the bond amount shall be adjusted to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan.

The security bond is not set up to replace the operator's responsibility for reclamation or mitigation, but to assure funding for the reclamation plan and mitigation measures. Should the operator fail to perform or operate within all the requirements of the approved reclamation plan, the County or Department of Conservation will follow the procedures outlined in Section 2773.1 and 2774.1 of the Surface Mining and Reclamation Act (SMARA), regarding the encashment of the bond and applicable administrative penalties, to bring the operator into compliance. The

requirements for the bond will terminate when the approved reclamation plan and mitigation measures have been completed.

Implementation and Verification. The financial assurance shall name both the County and the Department of Conservation as payees per the requirements of AB 3551. The amount will be based on an estimate of reclamation cost provided by the operator and subject to review by both County staff and Counsel and the Department of Conservation. The financial assurance will be reviewed on an annual basis for adequacy and shall be released when the approved project, mitigation measures (if any) and final reclamation plan activities have been completed.

13. The applicant/operator shall submit the appropriate mining inspection and monitoring fee to the Department of Planning and Building Services on an annual basis until the mine is fully reclaimed. Fee estimates are calculated yearly and may change over the course of the entitlement.
14. Annually, prior to July 1st, the applicant/operator shall supply to the Department of Planning and Building Services an accounting of the quantities and types of materials extracted and/or processed from each location during the previous calendar year. The accounting report shall indicate the method used to calculate the volume figures and the signature of the person responsible for completing the report. Such report shall be submitted even if no material was removed that season. The operator shall also submit a copy of the operator's annual report (MRRC-2) to the County, no later than July 1st of each year.
15. It is the sole responsibility of the applicant/operator to notify the Department of Planning and Building Services in advance about a change of operator on record. The operator to be succeeded shall provide their final extraction numbers. In order for the change of operator to become effective, the operators shall provide the required documentation and follow the protocol as stipulated in the California Public Resources Code for Surface and Mining Reclamation Act (SMARA) sites. It is the responsibility of the new operator to adhere to the conditions of this approved reclamation plan, County surface mining regulations, and State SMARA regulations; until the reclamation of the site has been deemed complete by the County and the State's Division of Mine Reclamation (DMR).
16. The applicant/operator shall comply with all regulations of the Mendocino County Air Quality Management District (MCAQMD), including obtaining any required additional permits necessary for the site of this application. Dust shall be controlled subject to recommendations made by the Air Quality Management District. The operator shall undertake measures to reduce dust generated by the operation and ensure that the truck haul road to be used is treated with a dust suppressant or watered during haul periods. Additionally, every year the operator shall provide evidence of holding a valid Air Quality permit, until operations cease. The operator shall comply with the MCAQMD conditions imposed by their prior response to the project referral dated March 1, 2019.
17. The applicant/operator shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation. The final reclamation and revegetation of the site shall be done in conformance with the approved reclamation plan and addendums provided by the operator. In addition, the operator shall endeavor to manage and eradicate invasive plant species (i.e. star thistle, pampas grass, etc.) within the disturbed areas of the mine, and within 90 days of the approval of this amended Reclamation Plan (REC_2024-0003) the applicant shall establish success criteria and performance standards addressing invasive species as provided for in the Reclamation Plan Amendment, dated February 2024. Such success criteria and performance standards shall be approved and agreed upon by the Applicant and County representatives including consultation with the State, such approval and agreement may occur after the initial 90 days.
18. There shall be no on-site fuel storage in association with this project.
19. All non-turbo charged equipment shall have approved spark arrestors installed and shall carry "ABC" type fire extinguisher(s).

20. No material shall be placed into or where it may pass into any stream or watercourse in quantities which would be deleterious to fish, wildlife or other beneficial uses.
21. The applicant/operator shall stockpile all material above the Ordinary High Water (OHW) mark as determined by the FEMA Flood Insurance Rate Map for the area or survey performed by a Licensed Land Surveyor/Civil Engineer which determines the OHW, as indicated by the silt line.
22. During the non-operating months, quarried rock shall be stockpiled at a slope not exceeding 2:1.
23. The steep slope shall be removed (Bench 1) at the base of the existing slope and the cut slope shall be backfilled to create a terraced slope at a final slope gradient of 2H:1V with 15-foot wide access benches. The fill slope shall be established in accordance with the Geotechnical Memorandum dated November 7, 2023, prepared by Crawford and Associates. The fill slope shall be revegetated with Seed Mixture A and the quarry floor shall be revegetated with Seed Mixture B as contained in Table 1 of the Reclamation Plan Amendment, dated February 2024. Following seeding, the fill slope will be planted with contained plants (i.e. redwood and toyon), as contained in Table 2 of the Reclamation Plan Amendment, dated February 2024.
24. A qualified biologist or revegetation specialist shall monitor revegetated areas annually for a minimum of two (2) years or until final performance standards outlined in the Reclamation Plan Amendment, dated February 2024 are met. A qualified biologist, botanist, or revegetation specialist shall prepare an annual monitoring report, which shall summarize revegetation completed and revegetation results compared to the established success criteria contained in the approved Reclamation Plan Amendment. Said report(s) shall be provided to the Department of Planning and Building Services prior to the annual SMARA inspection occurring. The operator shall also provide a final closure report in addition to the two monitoring years reports, prepared by a qualified biologist, botanist or revegetation specialist. This final closure report shall accompany the final SMARA inspection report to the Division of Mine Reclamation, which shall certify that all revegetation of the reclaimed site has been achieved in accordance with the approved reclamation plan and amendments.
25. Prior to implementation of reclamation in the redwood forest and other disturbed forest areas, a survey shall be conducted to determine the potential occurrences of special status nesting birds and/or raptors. If any active nests are found, reclamation activities that may result in disturbing the young must be postponed until a qualified biologist has determined that the young have fledged (left the nest) and are flying well enough to avoid project construction zones. Once the young have successfully fledged, no further mitigation would be required.
26. During the revegetation phase of the reclamation, all grass and containerized shall be consistent with approved species and/or mixes in Tables 1 and 2 of the reclamation plan, the Addendum dated February 2024, and with any additional requirements made by the California Department of Conservation Office of Mine Reclamation (OMR) in their prior comment letter dated January 9, 2008.
27. The applicant/operator shall reclaim the site and conduct operations in conformance with measures identified in the Storm Water Pollution Prevention and Monitoring Program (SWPPP), dated November 2007, prepared by Baxman Gravel Company, Inc. and as subsequently amended. Said document shall remain on file with the Department of Planning and Building Services.
28. The final reclamation and revegetation of the site shall be done in conformance with the reclamation plan submitted by the operator, Baxman Gravel, dated April 2007, the associated addendum dated February 2024 as amended. Said plan is on file with the Department of Planning and Building Services.
29. A copy of the reclamation plan and grading plan shall be kept on site at all times.
30. Within 30 days of approval of this reclamation plan the limits of the quarry as they appear in the reclamation plan exhibits shall be staked by a licensed surveyor, registered civil engineer or

engineering geologist; indicating the quarry boundaries. The stakes shall remain in place until the site is deemed reclaimed.

31. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. **Said fee of \$3,018.75 (effective January 1, 2025) shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to June 10, 2025 at 5:00 p.m.** Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to ensure timely compliance with this condition.**