##### PUBLIC DRAFT

##### INITIAL STUDY and ENVIRONMENTAL CHECKLIST

##### for

##### Heritage house

##### coastal development permit

**APRIL 4, 2021**

**Lead Agency:**

**County of Mendocino**

**Lead Agency Contact:**

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| **Section I** | **Description Of Project/Project Summary** |
| **DATE:** APRIL 4, 2022**PROJECT TITLE:**  CDP\_2021-0050**DATE FILED:**  October 29, 2021**APPLICANT:** Heritage House, LP**PROJECT COORDINATOR:**  Mark Cliser**REQUEST:** Standard Coastal Development Permit request to upgrade and install a new septic system. System will include improvements to collection system, installation of new treatment system, and installation of subsurface drip dispersal systems.**ENVIRONMENTAL DETERMINATION:** MITIGATED NEGATIVE DECLARATION.**LOCATION:** In the Coastal Zone, 1.3± miles north of Albion town center, on the east and west side of State Route 1 (SR 1), 0.1± miles south of its intersection with Frog Pond Road (Private), located at State Route 1 (SR 1), Little River (APNs: 121-130-10, 13, 14, 33, 34, 123-010-18, 31, 32, & 33). |

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| **Section II Project Description** |
| **INTRODUCTION:** The proposal is for upgrade and installation of a new septic system. System will include improvements to collection system, installation of new treatment system, and installation of subsurface drip dispersal systems.**PROJECT OBJECTIVES:** Wastewater generated on the property is currently managed by conventional septic tanks and leach fields. The existing septic tanks and leach fields, which were installed in the early 1980’s, are reaching their useful life, and some have failed. The overall system needs to be upgraded. The Applicant is requesting upgrade and installation of a new septic system, including improvements to collection system, installation of new treatment system, and installation of subsurface drip dispersal systems. The new system is designed such that treated effluent will meet regulatory requirements for secondary effluent. The collection system will consist of gravity lines and a septic tank effluent pump (STEP) system to convey the wastewater to a central treatment facility on the north side of the property. The system will include an equalization tank, and anaerobic baffled reactor, a three-stage trickling filter system, a deep bed media filter system, and ultra violet and chlorine disinfection. The treated effluent will be stored in above-ground storage tanks and then be distributed to seven subsurface drip disposal zones on the property. Eight of the existing ten leach fields will be rehabilitated and maintained as back-up disposal capacity; two of the leach fields will be removed and/or abandoned in place. Rehabilitation of a leach field may entail: jetting the lines, or; installing new trenches and leach lines between a field’s existing leach lines, or; replacing the existing piping and rock with new piping and rock. Ten or eleven of the existing eleven septic tanks will be abandoned in place or removed in accordance with Mendocino County requirement. One septic tank may be retained. **SETTING AND LOCATION:** The proposed project site is located in the Coastal Zone, 1.3± miles north of Albion town center, on the east and west side of State Route 1 (SR 1), 0.1± miles south of its intersection with Frog Pond Road (Private), located at 5200 N. HWY 1 (SR 1), Little River (APNs: 121-130-10, 13, 14, 33, 34, 123-010-18, 31, 32, & 33). The subject property is assessed from State Route 1 (SR 1).**BASELINE CONDITIONS:** Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline set of physical characteristics. The Project Site is located on the southwest side of State Route 1 and occupies a gently to moderately sloping terrace boarded by steep ocean bluffs. Small hills are located in the north and east central portions of the property which extends north-northwest from the beach and creek channel of Dark Gulch. Elevations ranges from 0 feet above mean sea level (AMSL) at the western edge of the subject property to approximately 140 feet AMSL at the eastern edge. The inlet and channel of Smith Gulch roughly bisect the property. For this project, the baseline conditions include Visitor Accommodations consisting of 20 cottages (for a total of 62 guest rooms), 3 storage buildings, a restaurant/reception/lobby building, and various other appurtenant buildings for a total of 32 structures, as well as the current septic / leach field system. The parcel is boarded to the north, east, and south by residences, and to the west by the Pacific Ocean. The site includes a mix of native non-native vegetation with four (4) special status plant communities. Environmentally Sensitive Habitat Areas (ESHA) include one (1) stream ESHA, a Coastal Act wetland ESHA, and two (2) riparian ESHAs. Site bedrock consist of Tertiary-Cretaceous sandstone and greywacke of the Coastal Belt, Franciscan Complex. Shinglemill-Gibney Complex, capable of supporting Bishop Pine, is found on the parcel. |

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| **Section III** | **Environmental Checklist.** |
| *“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).**Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.*  |

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

An explanation for all checklist responses is included, and all answers take into account 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.

**INITIAL STUDY/ENVIRONMENTAL REVIEW:** This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

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| I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Have a substantial adverse effect on a scenic vista? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on aesthetics if it would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of public views of the site and its surroundings (if the project is in a non-urbanized area) or conflict with applicable zoning and other regulations governing scenic quality (if the project is in an urbanized area); or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

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

SR 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. SR 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:** The proposed project would have no impact on a scenic vista or scenic resources within a state scenic highway. The project site is located in a designated Highly Scenic Area. Development would not be visible from State Route 1, nor have any effect on a scenic vista, including views of the coast. Furthermore, since the project would be located underground, the development would not be visible from any point, and will not create a new source of light or glare. No impact would occur.

**MITIGATION MEASURES**

None

**FINDINGS**

The proposed project would have a **No Impact**on Aesthetics.

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| II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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 of the California Resources Agency, to non-agricultural use? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | [ ]  | [ ]  | [ ]  | [x]  |
| 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))? | [ ]  | [ ]  | [ ]  | [x]  |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter “farmland”), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; 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)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

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

1. **Prime Farmland (P):** Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
2. **Farmland of Statewide Importance (S):** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
3. **Unique Farmland (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
4. **Farmland of Local Importance (L):** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
5. **Grazing Land (G):** Land on which the existing vegetation is suited to the grazing of livestock.

The Williamson Act (officially the California Land Conservation Act of 1965) is a California law that provides relief of property tax 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. 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 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.

Approximately 46 percent of Mendocino County is in National Forest land managed by the U.S. Forest Service or in private Timber Protection Zones. Other forests are located on land managed by the Bureau of Land Management and other public agencies. Mendocino County’s Forest Resources Policies state:

1. Policy RM-111: The County considers timber growing and harvesting to be the highest and best use of land zoned Timberland Production.
2. Policy RM-113: Protect the county’s timber resources by discouraging the conversion of fragmentation of lands zone “TPZ” (Timber Production Zones) to housing or some other use that permanently precludes its use for timber production, or timber growing.
3. Policy RM-121: Protect forest conservation and timber harvesting operations by minimizing conflicts posed by non-resource uses.
4. Policy RM-124: Require parcel sizes on subdivision of commercial timberland to be sufficient to provide for productive economic timber use and practical managements. Parcels split of TPZ lands shall also require provision for adequate timber access routes conformance with a timber management plan.

The proposed project is within the Coastal Zone of Mendocino County. The Coastal Element contains specific development standards for coastal properties and also relies on certain countywide policies included in Coastal Element Chapter 3.2 *Agriculture* and others. Conversion of agricultural uses for other land uses is discouraged unless agricultural productivity is no longer feasible, prime agricultural land would be preserved, or development is concentrated.

a-e) **No Impact:** Mendocino County General Plan Chapter 7 (Coastal Element) and Mendocino County Coastal Zoning Code (MCC), respectively classify and designate the site as Rural Residential (RR). The site is neither classified as Agriculture, nor is it mapped as important farm land.[[1]](#footnote-2) The subject property does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the subject property is not located within or adjacent to lands within a Williamson Act contract. Therefore, no impact to agricultural or forestry resources would occur as a result of constructing the proposed project.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact** on Agricultural and Forestry Resources.

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| III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | [ ]  | [ ]  | [x]  | [ ]  |
| 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? | [ ]  | [ ]  | [x]  | [ ]  |
| c) Expose sensitive receptors to substantial pollutant concentrations? | [ ]  | [ ]  | [x]  | [ ]  |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; 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; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

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

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

1. All visibly-dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
2. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
3. Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
4. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
5. All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
6. The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
7. The operator shall keep a daily log of activities to control fugitive dust. In December, 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horse power 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 - d)** **Less Than Significant Impact**: The proposed project would not conflict with or obstruct implementation of any air quality plan. The construction phase of the project would produce the following anticipated emissions:

* Combustion emission associated with operation of off-road equipment
* Combustion emissions associated with operation of on-road motor vehicles
* Fugitive dust from earth-moving activities

Anticipated emissions during operation of the project include:

* Combustion emissions associated with operation of on-road motor vehicles

The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. The installation of a wood stove is not proposed under the project and there is no proposed use that would be anticipated to result in a significant increase of any criteria pollutant. A *Particulate Matter Attainment Plan* was finalized in 2005 that provides mitigation measures for construction and grading activities and unpaved roads. Additionally, the project and its emission sources are subject to MCAQMD rules and regulations contained in the most recent version of the *Rules and Regulations of the MCAQMD*. Compliance with these regulations would ensure the project would not result in a substantial increase of PM10 within the vicinity of the site.

During the construction phase of the project, the proposed project has the potential to increase PM10 in the immediate vicinity of the site due to site grading and preparation. Local impacts to the area during construction would be mitigated using standard dust control measures. After construction is completed, any bare soil created by the construction phase of the project would be revegetated as soon as feasible with native vegetation and/or native seed. There are no sensitive receptors in the immediate vicinity of the project. The site is located in an established rural residential area. The proposed project would not create significant objectionable odors during its normal operation or during construction and is not in a location that would affect substantial numbers of people. The project will not increase Vehicle Miles Traveled (VMT).

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact**on Air Quality.

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| IV. BIOLOGICAL RESOURCES. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [x]  | [ ]  | [ ]  |
| 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? | [ ]  | [ ]  | [x]  | [ ]  |
| 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? | [ ]  | [ ]  | [x]  | [ ]  |
| 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?  | [ ]  | [ ]  | [x]  | [ ]  |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | [ ]  | [x]  | [ ]  | [ ]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on biological resources if it would 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; 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; 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; 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; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

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

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

Construction in the project area has the potential to disturb several special status species. Listed below are the species of concern and recommended mitigation measures to bring impacts to less than significant.

* Potential impact to birds during the nesting season: Removal of vegetation and construction activity near tress and vegetated areas has the potential to disturb birds’ nesting process. Staff recommends mitigation measures BIO-1 & BIO-3.
* Potential to impact special status bat species: Bats are vulnerable when roosting for reproduction and during hibernation. Mitigation measures BIO-3, BIO-4, & BIO-5 Are recommended.
* Potential impact to amphibians: Construction activities may impact special status amphibians may be hiding under debris scheduled for removal. Mitigation measure BIO-6 thru BIO-9 are recommended.
* Potential impact to Sonoma Tree Voles: Sonoma tree voles have the potential to be present in the Bishop pine forest onsite. Mitigation measure BIO-10 & BIO-11 are recommended.
* Potential impact to Silk Tassel Scrub and Coastal Act Wetland: Vegetation removal or construction adjacent to the coast silk tassel scrub and Coastal Act wetland has the potential to negatively impact these sensitive resources. Mitigation measures BIO-12 & BIO-13 are recommended.
* Potential impact to Bishop Pine Forest Association: A number of Bishop pine trees will need to be removed in order to accommodate the enhanced septic system. Mitigation measures BIO-14 & BIO-156 are recommended.

**a) Less Than Significant Impact with Mitigation Incorporated:** Following consultation with the project biologist, CDFW, Coastal Commission, and PBS staff, a minimum 100-foot buffer area is recommended to protect the sensitive habitat area. As this is not possible, review of the biological scoping and botanical survey report, and site constraints support that with the inclusion of several mitigation measures the project impact would be less than significant. Therefore, staff recommends the inclusion of BIO mitigation measures.

**b-c) Less Than Significant Impact:** Waters of the United States (U.S.), including wetlands, are broadly defined to include navigable waterways, and tributaries of navigable waterways, and adjacent wetlands. Although definitions vary to some degree, wetlands are generally considered to be areas that are periodically or permanently inundated by surface water or groundwater, supporting vegetation adapted to life in saturated soil. Jurisdictional wetlands are vegetated areas that meet specific vegetation, soil, and hydrologic criteria defined by the U.S. Army Corps of Engineers (Corps). The Corps holds sole authority to determine the jurisdictional status of waters of the U.S., including wetlands. Jurisdictional wetlands and Waters of the U.S. include, but are not limited to, perennial and intermittent creeks and drainages, lakes, seeps, and springs; emergent marshes; riparian wetlands; and seasonal wetlands. Wetland and waters of the U.S. provide critical habitat components, such as nest sites and reliable source of water for a wide variety of wildlife species. A wetland and riparian delineation was conducted by Wynn Coastal Planning in a report dated July 23, 2021. In the Coastal Zone, wetland are recognized if any one of the three Corps parameters (hydrophytic vegetation, hydric soils, or hydrology) are present. The wetlands recorded is a Coastal Act Wetland. Maps indicate that the project site features a Freshwater Pond wetland, a Freshwater Forested/Shrub Wetland, and Estuarine and Marine Wetlands. The freshwater pond was identified within 100 feet of construction. The source of water is presumably man-made and presumably greywater which is discharged from the laundry room. Conditions of approval are recommended to relocate the laundry facilities offsite, and to monitor the freshwater pond both during construction, to protect and sensitive hydrophytes, and after the laundry facilities have been relocated.

d) **Less Than Significant Impact with Mitigation Incorporated**: Wildlife movement corridors are routes frequently utilized by wildlife that provide shelter and sufficient food supplies to support wildlife species during migration. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat. Wildlife movement corridors are an important element of resident species home ranges, including deer and coyote. The proposed project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species as the proposed application proposes limited development in disturbed areas. The California Natural Diversity Database lists the subject parcel as a potential habitat for the Sonoma tree vole, as well as special status amphibians, bats, and birds. Therefore, staff recommends the inclusion of BIO mitigation measures.

e) **Less Than Significant Impact with Mitigation Incorporated:** Some Bishop Pine removal will be required for construction, as will the removal of some understory vegetation within the Bishop Pine forest. As such, staff recommends the inclusion of BIO mitigation measures.

**f) No Impact:** The proposed project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved habitat conservation plan as there are none that exist that would be applicable to the resources identified on the project site. Therefore, there will be no impact.

**MITIGATION MEASURES**

**Mitigation Measure BIO-1:** If development is to occur during the breeding season (February to August), a pre-construction survey is recommended within 14 days of the onset of construction to ensure that no nesting birds will be disturbed during development.

**Mitigation Measure BIO-2:** If active special status bird nests are observed, no ground disturbance activities shall occur within a 100-foot exclusion zone. The exclusion zone shall remain in place around the active nest until all young are no longer dependent up the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

**Mitigation Measure BIO-3:** Construction shall occur during daylight hours only.

**Mitigation Measure BIO-4:** Construction shall occur between September 1st and October 31st. If any construction occurs between November 1 and August 31, pre-construction survey should be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-construction surveys shall include surveying trees, rock outcrops, and building subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If a site is occupied, bats shall be excluded from existing building prior to construction work on any buildings that may affect the bats.

**Mitigation Measure BIO-5:** If active bat roosts are observed, no ground disturbance activates shall occur within a minimum 50-foot exclusion zone. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

**Mitigation Measure BIO-6:** Project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur in the project area.

**Mitigation Measure BIO-7:** During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

**Mitigation Measure BIO-8:** During construction and debris removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

**Mitigation Measure BIO-9:** In the event of rain, all ground disturbing activities will cease for a period of 48 hours after a rain even stops. Prior to resuming construction activities, trained construction crew members will examine the site for the presence of special status amphibians. Ground disturbing activities my resume if no special status amphibians are found. If a special status amphibian is detected, construction and ground disturbing work will cease and a crew member shall contact the California Department of Fish and Wildlife (CDFW). Clearance from CDFW will be required prior to resuming work. CDFW will need to be consulted and will need to be in agreement with protective measures needed for any potential special status amphibians.

**Mitigation Measure BIO-10:** A preconstruction Sonoma tree vole shall be performed by a qualified biologist 14 days prior to the onset of tree removal activities. Protocols per the direction of CDFW will be followed if Sonoma tree vole nest are identified in tree to be removed.

**Mitigation Measure BIO-11:** A 100-foot buffer shall be established between shore pine forest and grand fire forest presumed ESHAs and proposed development. No construction or material staging shall occur within 100 feet of the grand fir or shore pine forest special status plan communities identified and mapped as presumed ESHA.

**Mitigation Measure BIO-12**: A 50-foot buffer shall be established between special status resources, i.e.: Coastal Silk Tassel Scrub and Coastal Act Wetlands, and development. CDFW shall concur that the 50-foot buffer is appropriate. Straw wattles or other protective measures shall be incorporated if subsurface drip fields and sewer line installation occurs downhill of Coastal Act Wetlands.

**Mitigation Measure BIO-13:** Ground disturbing activities shall occur during the dry season. If a rain event occurs during the ground disturbance period, all ground disturbing activities will cease for a period of 48 hours after the rain event stops.

**Mitigation Measure BIO-14:** Native coniferous trees shall only be removed if strictly necessary to make room for the enhanced septic system or if their continued presence results in a safety hazard.

**Mitigation Measure BIO-15:** A Mitigation, Management, Monitoring, and Reporting Plan for the Bishop Pine Forest shall be implemented in order to facilitate natural regeneration through a performance based adaptive management process to meet performance goals for restoration. The restoration area shall be at least as large as the portion of the Bishop pine forest that will be directly impacted by the project. Performance goals within this restoration are shall include:

* Eradicating 80-100% of invasive plant species with a Cal-IPC rate of HIGH each year
* Recruiting new Bishop pine trees at a rate of 5 to 10 percent every 5 to 10 years
* Reestablishing the native understory you greater than 33 percent by the end of the monitoring period
* Follow CAL FIRE standards for safe level fuel loads
* Preventing pathogen outbreaks
* Monitoring for a minimum of 5 years
* Submitting and annual report to Mendocino County Department of Planning and Building Services
* Identifying and encouraging establishment of Bishop pine seedlings. The location of Bishop pine trees shall be marked. The trees and seedlings shall be protected and avoided during yard work.

**Mitigation Measure BIO-16:** Non-native vegetation shall not be planted. Non-native vegetation shall be removed. On-site vegetation may include shrubs, grass, and perennial herbs. Appropriate plants include *Ceanothus thyrsiflorus ssp. griseus, Gaultheria shallon, Frangula purshiana, Arctostaphylos uva-ursi, Vaccinium ovaturm, Ribes sanguineum, Morella californica, Calamagrostis nutkaensis, Polystichum munitum, Carex harfordii, Lonicera hispidula, Monardella villosa, Stachys ridida, Diplacus aurantiacus, Maianthemum dilatatum, Piperia elongata, Scrophularia californica,* and *Clinopodium douglasii*.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** onBiological Resources.

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| V. CULTURAL RESOURCES. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | [ ]  | [ ]  | [x]  | [ ]  |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | [ ]  | [ ]  | [x]  | [ ]  |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

Discussion: Archeological resources are governed by MCC Sec. 22.12.090, which echoes state law regarding discovery of artifacts and states, in part, “*It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archaeological site without complying with the provisions of this section*”. MCC Section 22.12.090 governs discovery and treatment of archeological resources, while Section 22.12.100 speaks directly to the discovery of human remains and codifies the procedures by which said discovery shall be handled. Pursuant to California Code of Regulations, Title 14, Chapter 3, Sub Section 15064.5(c)(4), “*If an archeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.*”

a-c) **Less Than Significant Impact:** The Applicant submitted an Archaeological Survey Report prepared by Alex DeGeorgey, dated December 23, 2021. The proposed project was referred to Sonoma State University, who responded with comments on April 1, 2022. Their comments read, in part, that “based on the above survey the proposed project has a low possibility of containing unrecorded archaeological sites” and recommended no further study. Mendocino County’s Discovery Clause will be included as a condition of approval. The Discovery Clause states:

“*if any archaeological sites or artifacts are discovered during site excavation or construction activities, the Applicant shall cease and desist from all further excavation and disturbances within 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 MCC Section 22.12.090 of the Mendocino County Code.”*

With the inclusion of the recommended condition of approval, the project is found consistent with Mendocino County policies for the protection of historic and archaeological resources. A less than significant impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact**on Cultural Resources.

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| VI. ENERGY. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on energy if it would 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.

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).

As provided in Mendocino County General Plan Chapter 4 (Resource Management Element), the County primarily relies on imported electricity and natural gas for most of its energy needs. Additionally, facilities and activities using alternative energy sources are not widespread in the County, although a number of agencies and businesses promote the use of alternative energy.

a, b) **No Impact:** Neither project construction nor operation is anticipated to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources, and the upgrade and installation of the new septic system would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact** on Energy.

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| VII. GEOLOGY AND SOILS. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | [ ]  | [ ]  | [ ]  | [x]  |
| 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. | [ ]  | [ ]  | [ ]  | [x]  |
| ii) Strong seismic ground shaking? | [ ]  | [ ]  | [ ]  | [x]  |
| iii) Seismic-related ground failure, including liquefaction? | [ ]  | [ ]  | [ ]  | [x]  |
| iv) Landslides? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Result in substantial soil erosion or the loss of topsoil? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on geology and soils if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; 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; 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; have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Discussion: Of the five known faults, the San Andreas Fault is the closest active fault to the subject parcel, located approximately three (3) miles west.

The San Andreas Fault traverses the southwestern corner of the County and continues offshore north of Manchester. It is capable of generating very strong earthquakes, the last major event occurring in 1906 with a magnitude of 7.9 near San Francisco. This event caused severe shaking in Mendocino County and extensive structural damage along the southern coastline of the County. Very little seismic activity has been recorded on the San Andreas Fault north of San Francisco since the 1906 event; however, the Fault is still considered active.

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. Landsliding of such soils is widespread in Mendocino County, particularly in the eastern belt of the Franciscan Formation beneath the eastern portion of the county. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to landslides and erosion.

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on 9 percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than 15 percent have a high erosion hazard. Elevations at the subject parcel range from 528 feet above mean sea level (amsl) at the eastern boundary to this 517 amsl at the western boundary, with an average slope of approximately 3 percent.

a,c,d,e) **No Impact:** The site is not 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.[[2]](#footnote-3) The project site is not located on an expansive soil per the geotechnical investigation conducted by Brunsing Associates, Inc.

b) **Less Than Significant Impact with Mitigation Incorporated Impact:** As previously discussed, the project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures, to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas, and would be required to stabilize disturbed soils and vegetate bare soil created by the construction phase of the project with native vegetation and/or native seed mixes for soil stabilization as soon as feasible. The project would not result in substantial soil erosion or the loss of topsoil and a less than significant impact would occur. Staff recommends mitigation measure GEO-1.

f) **Less That Significant Impact:** As discussed under Section V, Cultural Resources, above, the Project is occurring on a parcel that was previously developed. However, the project and accompanying Archaeological Survey, was referred to CHRIS which commented “comment here”.

 A Standard Condition advises the applicants of the County’s “Discovery Clause” which establishes procedures to follow in the event that archaeological or cultural materials are unearthed during site preparation or construction activities.

With the inclusion of the recommended Condition, the project is found consistent with Mendocino County policies for the protection of paleontological resources. A less than significant impact would occur.

**MITIGATION MEASURES**

GEO-1: Irrigation of the lawn area within 100 feet of the bluff edge is prohibited. The owners shall maintain drought-tolerant native vegetation within this area and remove any plants or ground coverings that are not drought-tolerant native vegetation.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Geology and Soils.

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| VIII. GREENHOUSE GAS EMISSIONS. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [x]  | [ ]  |
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?  | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Discussion: Assembly Bill 32 (AB32), 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. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. 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 Impact:** Construction activities associated with upgrade and installation of the new septic system are not anticipated to generate significant greenhouse gas emissions or conflict with an applicable plan, policy or regulation. Given the relatively small size of the project scale, the project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional, or State level. The project will not generate additional vehicle miles traveled. There are no adopted local plans for reducing the emission of greenhouse gases.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact**on Greenhouse Gas Emissions.

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| IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [x]  | [ ]  |
| 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? | [ ]  | [ ]  | [x]  | [ ]  |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | [ ]  | [ ]  | [ ]  | [x]  |
| d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? | [ ]  | [ ]  | [ ]  | [x]  |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on hazards and hazardous materials if it were to 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; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if 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; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

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

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

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

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

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

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

In the future, the project may require the transport, use, storage, and disposal of small quantities of hazardous materials common for upkeep. However, all hazardous materials would be utilized and disposed of in accordance with all applicable federal and state regulations.

a) **Less Than Significant Impact:** The project poses a slight threat of exposure hazardous materials to the public or the environment during the construction phase. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or waste present, and the proximity of sensitive receptors. Construction of the proposed project would involve the as-needed use of limited amounts of potentially hazardous materials, including but not limited to solvents, fuels, oils, and transmission fluids associated with construction vehicles and equipment. However, materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the U.S. Environmental Protection Agency, and the Occupational Safety and Health Administration. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations. Operation of the project would be limited to routine maintenance activities that would not involve the use of hazardous substances. The project would not create a significant hazard to the public or the environment because it does not propose the storage, use, transport, emission, or disposal of hazardous substances. In addition, the project does not propose to demolish any existing structures that are known to contain hazardous materials on site and, therefore, would not create a hazard related to the release of asbestos, lead-based paint, or other hazardous materials from demolition activities. A Less Than Significant Impact would occur.

b) **Less Than Significant Impact:** As previously discussed, construction of the project would involve the as-needed use of potentially hazardous material. Project operation is not anticipate to involve hazardous substance.Improper storage of potentially hazardous materials such as construction materials may result in contaminated stormwater runoff being discharged into nearby water bodies, including the Pacific Ocean. This potential hazard is not significant if these materials are properly stored on the project site and then disposed at an approved collection facility.

c) **No Impact:** Construction activities associated with the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school to the project site is Albion School, approximately 3 miles south east. No Impact would occur.

d) **No Impact:** The project site is not included on a list of hazardous material sites compiled pursuant to Government Code, Section 65962.5. Staff visited the project site and has noted that is has not been subject to a release of hazardous substances. No Impact would occur.

e) **No Impact:** The nearest airport is Little River Airport, approximately 2 miles north east of the project site. However, the project is not within the area of influence and will not be affected by the airport’s usage.

f) **No Impact:** The proposed development consists of upgrade and installation of a new septic system and will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Additionally, all construction would be on-site and would not result in traffic queuing on nearby streets. No Impact would occur.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Hazards or Hazardous Materials.

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| X. HYDROLOGY AND WATER QUALITY. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | [ ]  | [ ]  | [ ]  | [x]  |
| 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: | [ ]  | [ ]  | [x]  | [ ]  |
| i) Result in substantial erosion or siltation on- or off-site? | [ ]  | [ ]  | [x]  | [ ]  |
| ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | [ ]  | [ ]  | [x]  | [ ]  |
| 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? | [ ]  | [ ]  | [x]  | [ ]  |
| iv) Impede or redirect flood flows? | [ ]  | [ ]  | [ ]  | [x]  |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | [ ]  | [ ]  | [ ]  | [x]  |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; 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 result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Discussion: Regulatory agencies include the state and regional water quality control boards; State Water Resources Control Board (SWRCB) and the North Coast Regional Quality Control Board (NCRWQCB).

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. The County’s groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific information regarding recharge areas for Mendocino County’s groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal - it is anticipated that continued recharge will re-supply groundwater reservoirs.

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

Chapter 4.13 of the Mendocino County Coastal Element, Sustainability Policy Action number S-5.1, states new projects that *create or replace 2,500 square feet or more of impervious area shall implement site design measure to reduce stormwater runoff and increase groundwater recharge.*

a) **No Impact:** The proposed project would not violate any water quality standards or waste discharge requirements. All necessary permits for the one on-site well and a septic system would be obtained from the Mendocino County Department of Environmental Health. The wells and septic system would be installed and operated in compliance with all standards and requirements.

b,c) **Less Than Significant Impact:** The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Additionally, while the amount of impervious area on the site would increase, implementation of the proposed project would not substantially alter the existing drainage pattern of the site or area and would not result in substantial flooding on- or off-site. A less than significant impact would occur.

 As previously discussed, the proposed project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, coir rolls, and/or silt fencing structures to ensure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas. Additionally, the project would be required to stabilize disturbed soils and vegetate bare soil created by the construction phase of the project. As required by MCC Chapter 20.492, the proposed project would not result substantially alter the existing drainage pattern of the site or area and would not result in substantial soil erosion or siltation on- or off-site. A less than significant impact would occur.

d) **No Impact:** The project is not located in a tsunami inundation zone.

e) **Less Than Significant:** The proposed Project would not otherwise substantially degrade water quality as appropriate measure relating to water quality protection would be implemented through appropriate BMPs which will be reviewed and approved to assure it is in compliance with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure. This ordinance requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris, or contaminants from construction materials, tools, and equipment from entering the storm drainage system (off-site). As such, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant** on Hydrology and Water Quality.

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| XI. LAND USE AND PLANNING. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Physically divide an established community? | [ ]  | [ ]  | [ ]  | [x]  |
| 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?  | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on land use and planning if it would physically divide an established community or 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.

All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, with regards to land use, as well as a number of more locally derived specific plans, such as the Gualala Town Plan, or Ukiah Valley Area Plan. The proposed Project does is not within a specific plan. The project was also referred to a number of agencies with jurisdiction over the project and no comments of concern were received.

a) **No Impact:** The Project is situated in a long established rural residential area and proposed adjacent to existing residential development. The project does not propose increased density and will be consistent with the established community.

b) **Less Than Significant Impact:** The Project is subject to Mendocino County’s Coastal Element Land Use Plan 4.8 and Coastal Zoning Code Section 20.532. As such, the Applicant is required to comply with policies and regulations regarding development within Environmentally Sensitive Habitat Areas.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **Less Than Significant Impact** on Land Use and Planning.

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| XII. MINERAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on mineral resources if it would 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 or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

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

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

a -b) **No Impact:** The County is the administrator of the California Surface Mining and Reclamation Act (SMARA). Therefore, all activities undertaken regarding essentially non-renewable resources are subject to review and approval from the local jurisdiction. Mendocino County has many aggregate mineral resources, the demand for which varies. However, any negative impacts to either active mining activities or mining reclamation efforts would be required to be reviewed and approved by the County. There are no known mineral resources with the project area, nor are there delineated locally-important mineral resources within the project boundaries. Therefore, there will be no loss of availability of a known mineral resource or loss in locally-important mineral resource recovery sites.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have **No Impact**on Mineral Resources.

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| XIII. NOISE. Would the project result in:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [x]  | [ ]  |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | [ ]  | [ ]  | [x]  | [ ]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on noise if it would result in the 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; or generation of excessive groundborne vibration or groundborne noise levels; or expose people residing or working in the project area to excessive noise levels (for a project located within the vicinity of a private airstrip or an airport or an airport land use plan, or where such as plan has not been adopted, within two miles of a public airport or public use airport).

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. Per the County General Plan, “noise policies are intended to protect County communities from excessive noise generation from stationary and non-stationary sources. Land uses would be controlled to reduce potential for incompatible uses relative to noise. Residential and urban uses will be restricted near agriculture lands to prevent incompatible uses being placed near inherently noisy agricultural operations. Noise-sensitive environments, including schools, hospitals, and passive recreational use areas, would be protected from noise-generating uses. Structural development would be required to include noise insulation and other methods of construction to reduce the extent of excessive noise.”[[3]](#footnote-4) Vehicular traffic, grading, and construction may be proposed in the future for development, and may expose people to noise.

a-b) **Less Than Significant Impact:** Any noise or ground-borne vibration resulting from the project would not violate a local general plan or noise ordinance as all development within the Mendocino County Coastal Zone is subject to Exterior Noise Limit Standards specified in Appendix B of Title 20, Division II of Mendocino County Code. Construction may expose nearby residence to some noise, but work shall be limited to weekdays between 8:30am and 4:30pm.

c) **No Impact:** The site is not located within an airport zone. Though the proposed project is approximately 1.8 miles southwest of Little River Airport and would not subject people in the area to excessive noise levels.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

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

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| XIV. POPULATION AND HOUSING. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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)? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on population and housing if it would 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); or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

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

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

a,b) **No Impact:** The proposed project will not induce substantial population growth as the project is not residential or commercial in nature nor does it extend major infrastructure that would induce population growth. The proposed project does not displace any existing housing, or displace any people, and therefore would not necessitate construction of replacement housing elsewhere.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact** on Population and Housing.

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| XV. 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 Incorporated | Less Than Significant Impact | No Impact |
| a) Fire protection? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Police protection? | [ ]  | [ ]  | [ ]  | [x]  |
| c) Schools? | [ ]  | [ ]  | [ ]  | [x]  |
| d) Parks? | [ ]  | [ ]  | [ ]  | [x]  |
| e) Other public facilities? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 fire protection, police protection, schools, parks, or other public facilities.

Discussion: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is serviced by the Mendocino Unified School District, Mendocino Coast District Hospital, and the Mendocino Fire Protection District. The parcel is not served by local water or sewer districts.

a-e)**No Impact:** The proposed septic and leach field repair and replacement will not result in adverse impacts associated with provision of governmental facilities or need for new or physically altered governmental facilities that may result in environmental impacts in order to maintain acceptable service ratios and response times for public services.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact**on Public Services.

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| XVI. RECREATION. Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on recreation if it would 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, or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Discussion: The County of Mendocino manages a variety of public recreation areas including the Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion’s Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of state parks, reserves, other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The closest state protected area to the proposed project is Van Damme State Park, located approximately 3 miles north of the subject parcel.

a -b) **No Impact:** The project will not impact the use of existing neighborhood and regional parks and other recreational facilities. Accelerated physical deterioration of the facilities is not anticipated, nor is construction or expansion of existing recreational facilities.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact** on Recreation.

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| XVII. TRANSPORTATION. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?  | [ ]  | [ ]  | [ ]  | [x]  |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | [ ]  | [ ]  | [ ]  | [x]  |
| d) Result in inadequate emergency access? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on transportation if it would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

Discussion: It is expected that construction of the 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 and traffic to and from the site will return to present rates.

Mendocino County has not yet developed a threshold for Vehicle Miles Traveled (VMT). Mendocino Council of Governments has implemented a screening tool for a project’s impact on VMT within a Traffic Analysis Zone (TAZ). The project is will not 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 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) **No Impact:** The project will not conflict with a program, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

b) **No Impact:** The project will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), which states:

*“(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.*

*(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.”*

 The County of Mendocino has not established a threshold with regard to VMT impact significance consistent with CEQA Guidelines Section 15064.3, subdivision (b). Though there may be an increase in vehicle miles traveled during construction, the proposed septic and leach field repair and replacement will not increase vehicle miles traveled overall.

c) **No Impact:** The proposed project, once completed, will not substantially increase hazards due to design features or incompatible uses. The Project does not propose any improvements within a County right-of-way.

d) **No Impact:** The proposed project will not result in inadequate emergency access. The primary concern for emergency access in remote areas is for wildland fires. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Albion Little River Protection District for structural protection. Neither agency provided any comments of concern on the project.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact** on Transportation.

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| XVIII. TRIBAL CULTURAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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: | [ ]  | [ ]  | [ ]  | [x]  |
| 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)? | [ ]  | [ ]  | [ ]  | [x]  |
| 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. | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on Tribal Cultural Resources if it would cause a substantial adverse change in the significance of a 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 listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is 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.

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.

According to Chapter 3 (Development Element) of the Mendocino County General Plan (2009), the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County’s redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. The entire southern third of Mendocino County was the home of groups of Central Pomo. 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. The Coast Yuki claimed a portion of the coast 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-ii) **No Impact:** The project is for upgrade and installation of a new septic system. As previously indicated, the Applicant submitted an Archaeological Survey Report prepared by Alex DeGeorgey, dated December 23, 2021. The proposed project was referred to Sonoma State University, who responded with comments on April 1, 2022. Their comments read, in part, that “based on the above survey the proposed project has a low possibility of containing unrecorded archaeological sites” and recommended no further study. A Standard Condition advising the applicant of the County’s “Discovery Clause” which establishes procedures to follow in the event that archaeological or tribal cultural materials are unearthed during site preparation or construction activities.

 Additionally, the project application was referred to various tribes that requested consultation on planning projects under Assembly Bill (AB) 52 and no additional comments or concerns were expressed by the tribes receiving the referral.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would have a **No Impact**on Tribal Cultural Resources.

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| XVIX. UTILITIES AND SERVICE SYSTEMS. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [ ]  | [ ]  | [x]  |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? | [ ]  | [ ]  | [ ]  | [x]  |
| 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?  | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on utilities and service systems if it would 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; not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments; 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; or not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

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

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

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

a-e) **Less Than Significant Impact:** The project proposes repair and replacement to the existing wastewater treatment facilities and would not effect, or result in, relocation or construction of new electric, natural gas, or telecommunications facilities. The project would not result in increased water usage. As such, sufficient water supplies will be available for foreseeable future development during normal, dry and multiple dry years. The project site utilizes on-site wastewater treatment and the proposed project will not increase the demands. Current waste generated is not in excess of State or local standards, or in excess of the capacity of local infrastructure. Solid waste will not increase as a result of the proposed project. The Applicant is required to comply with federal, state, and local management and reduction statues and regulations related to solid waste.

**MITIGATION MEASURES**

No mitigation required.

**FINDINGS**

The proposed project would havea **No Impact**on Utilities and Service Systems.

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| XX. 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 Incorporated | Less Than Significant Impact | No Impact |
| a) Impair an adopted emergency response plan or emergency evacuation plan? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| 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? | [ ]  | [ ]  | [ ]  | [x]  |
| 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?  | [ ]  | [ ]  | [ ]  | [x]  |

Thresholds of Significance: The project would have a significant effect on wildfire if it would impair an adopted emergency response plan or emergency evacuation plan; 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; 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; or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges.

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

a-d) **No Impact:** There are no components of the project that would impair an adopted emergency response plan or emergency evaluation plan, including the adopted County EOP. The Site is located within a “High Fire Hazard” severity zone. All future development project components would be required to be designed in accordance to state and local standards, including safety and emergency access requirements and CalFire’s Fire Safe Regulations. Under the proposed project, it is not anticipated that wildfire risks would be exacerbated due to slope, prevailing winds, and other factors. The project would require compliance with any CalFire’s Fire Safe Regulations to ensure adequate fire protection measures and access. The project does not require installation or maintenance of infrastructure such as road, fuel breaks, or other utilities. All future development will require compliance with the California Building Code. The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges, as the Site is located in a relatively flat area. There are no mapped landslides at the project site.

**MITIGATION MEASURES**

None

**FINDINGS**

The proposed project would havea **No Impact** on Wildfire.

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| XXI. MANDATORY FINDINGS OF SIGNIFICANCE. | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | 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? | [ ]  | [x]  | [ ]  | [ ]  |
| 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). | [ ]  | [ ]  | [x]  | [ ]  |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | [ ]  | [ ]  | [x]  | [ ]  |

Thresholds of Significance: The project would have a significant effect on mandatory findings of significance if it would 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; 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.); or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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

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

Potential environmental impacts from the approval of CDP\_2021-0050 have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

a) **Less Than Significant Impact with Mitigation Incorporated:** The project is located in an area of identified species of concern, and is it located near sensitive habitats. As such, there is potential for substantial adverse impacts on a sensitive habitat such as a riparian zones and wetlands. Implementation of the required Mitigation Measures (BIO-1 through BIO-16) would reduce these potential impacts to a less-than-significant level. Archaeological surveys submitted were accepted by the Mendocino County Archaeological Commission at their December 8, 2021 meeting, and the County’s Discovery Clause ensures development will cease should any archaeological artifacts be discovered.

b) **Less Than Significant Impact:** The proposed project will not create any cumulative impacts on the surrounding area and any impact that would occur is considered to be less than significant. Future development would require separate requirements such as BMPs and adherences to the California Building Code.

c) **Less Than Significant Impact:** Future development will not cause substantial adverse effect on human beings. All future projects will be required to adhere to Local and State codes regarding development.

**FINDINGS**

The proposed project would havea **Less Than Significant with Mitigation Incorporated** on Mandatory Findings of Significance.

**DETERMINATION:** On the basis of this initial evaluation:

[x]  I find that the proposed project COULD NOT have a significant effect on the environment, and a MITIGATED 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 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.

 DATE MARK CLISER

 PLANNER II

1. Mendocino County Department of Planning & Building Services. 1991. *Important Farmland* [map] [↑](#footnote-ref-2)
2. Mendocino County Department of Planning & Building Services. 1991. *LCP Land Capabilities & Natural Hazards* [map]*.* [↑](#footnote-ref-3)
3. Mendocino County General Plan, Page 3-10 [↑](#footnote-ref-4)