



PUBLIC DRAFT  
**INITIAL STUDY AND  
NEGATIVE DECLARATION**

**SCH: XXXXXX**

FOR  
**TELESPAN COMMUNICATIONS  
COASTAL DEVELOPMENT USE PERMIT**  
**APN: 132-180-18**  
File No. U\_2023-0005

**LEAD AGENCY:**  
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**JULY 16, 2024**

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# INTRODUCTION

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In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Negative Declaration (ND) for a Coastal Development Use Permit to construct a new 100 foot tall cellular antenna tower with a “Eucalyptus” tree type design. Install three arrays of antennas for three wireless carriers along with associated tower and ground equipment, including one emergency electricity generator per each co-locator/carrier. Additional work includes the installation of 400 feet of underground utilities. All equipment will be placed on concrete pads and located within a fenced 2,500 square foot lease area, which is located within a total Telespan lease area of 4,900 square feet at the base of the tower (“the Project”). This Draft IS/ND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

**“Potentially Significant Impact”** means there is substantial evidence that an effect may be significant.

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

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

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

## PROJECT INFORMATION

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**FILE NUMBER:** U\_2023-0005

**OWNER:** Baywoods LLC  
6264 Lynx Trail  
Pollock Pines CA 95726

**APPLICANT/AGENT:** TeleSpan Communications/Tim Cotter  
3888 State Street Ste. 204  
Santa Barbara, CA 93105

**PROJECT LOCATION:** In the Coastal Zone, 2.4± miles north of Manchester, lying on the east side of State Route 1 (SR 1), 0.92± miles north of its intersection with Alder

Creek Beach Road (CR 515), located at 16401 South Highway 1, Manchester. APN: 132-180-18.

**TOTAL ACREAGE:** 12.55± Acres  
**GENERAL PLAN:** Rangeland-160 Acre Minimum (RL 160)  
**ZONING:** Rangeland-160 Acre Minimum (RL 160)

**PROJECT DESCRIPTION:** Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests a Coastal Development Use Permit to construct a new 100 foot tall cellular antenna tower with a “Eucalyptus” tree type design. Install three arrays of antennas for three wireless carriers along with associated tower and ground equipment, including one emergency electricity generator per each co-locator/carrier. Additional work includes the installation of 400 feet of underground utilities. All equipment will be placed on concrete pads and located within a fenced 2,500 square foot lease area, which is located within a total Telespan lease area of 4,900 square feet at the base of the tower.

The subject site is bordered on all sides by variously sized properties ranging from 16.5± acres to 110± acres. Additionally, properties in this area are zoned Rangeland-160 acre minimum and are either vacant or developed for residential use. The subject parcel also is encumbered with a Williamson Act contract. The applicant has indicated that the existing agricultural uses of the property to support the Williamson Act contract consist of cattle grazing and timber harvesting. The topography of the parcel and surrounding area features gently rolling slopes with the tower facility located on a relatively flat area just to the northwest of the existing residences and within a stand of eucalyptus and cypress trees. The northern and eastern portions of the property consist of open areas with limited vegetation. There appears to be a seasonal, but un-named, drainage feature along the southern property line. State Route 1, to the west, features tall trees consisting of a combination of cypress and eucalyptus along the easterly side of the highway, which limits visibility to the property and the proposed tower. The project site features two existing single-family residences and multiple barn structures and are located 172± feet and 254± to the southeast. The residences sit at an approximate elevation of 190 ft. above sea level, while the base of the tower site is located at an elevation of 194 feet above sea level. The residences are accessed by a gravel driveway which is located off of Owl Creek Road, which is reached by turning east off of State Route 1. The project only requires an approximately sixty (60) foot extension to the existing driveway for access to the tower. There also is a hammerhead turnaround for use by vehicles, including for emergency responders. A separate twenty (20)foot wide non-exclusive utility easement also is proposed to be located south of the tower lease area and along the westerly property line to provide power to the tower site. The distance from the existing power pole to the tower will require 400 feet of trenching. The wireless facility will remain an unmanned facility that will operate 24 hours a day, 7 days a week and is secured with a 6 foot high chain link fence around the perimeter. According to the applicant, the project will provide additional cellular phone service to nearby residents and the State Route 1 corridor.

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

|              | <u>ADJACENT GENERAL PLAN</u> | <u>ADJACENT ZONING</u> | <u>ADJACENT LOT SIZES</u> | <u>ADJACENT USES</u> |
|--------------|------------------------------|------------------------|---------------------------|----------------------|
| <b>NORTH</b> | Rangeland (RL 160)           | Rangeland (RL 160)     | 16.51± Acres              | Vacant               |
| <b>SOUTH</b> | Rangeland (RL 160)           | Rangeland (RL 160)     | 20.05± Acres              | Vacant               |
| <b>EAST</b>  | Rangeland (RL 160)           | Rangeland (RL 160)     | 17.83± Acres              | Vacant               |
| <b>WEST</b>  | Rangeland (RL 160)           | Rangeland (RL 160)     | 110.27± Acres             | Residential          |

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

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

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

**PROJECT PLOT PLAN:** See [Page 8](#) of this document.

FIGURE 1: LOCATION MAP



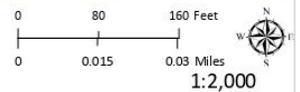
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.  
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

**FIGURE 2: AERIAL IMAGERY**



**CASE: U 2023-0005**  
**OWNER: BAYWOODS LLC**  
**APN: 132-180-18**  
**APLCT: TeleSpan Communications**  
**AGENT: TeleSpan Communicaitons**  
**ADDRESS: 16401 S Hwy 1, Manchester**

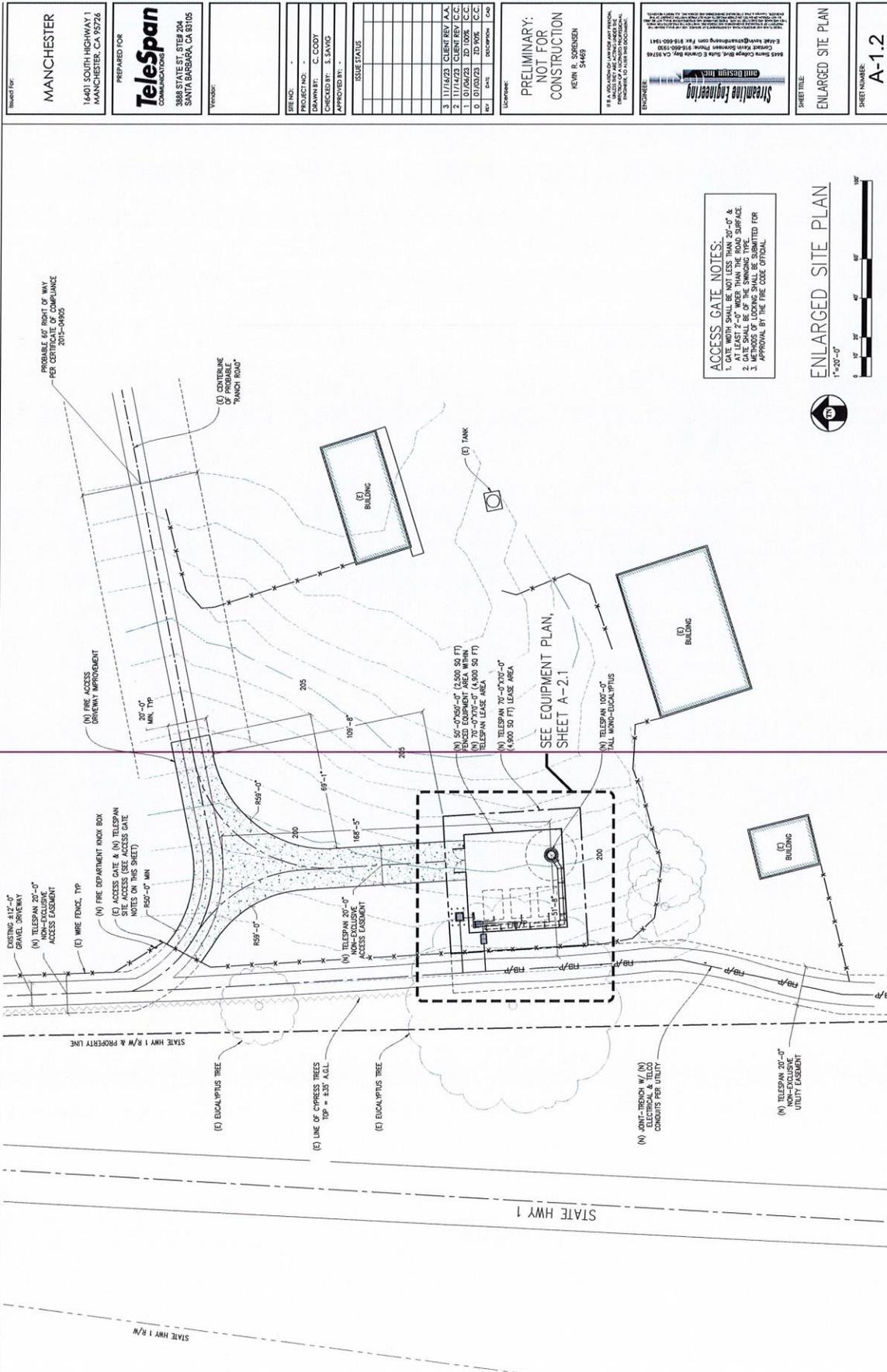
— Public Roads  
- - - Private Roads



**AERIAL IMAGERY**

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

FIGURE 3: PLOT PLAN



## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

## DETERMINATION

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Based on this initial evaluation:

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

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

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

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

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

Keith Gronendyke

Signature

Keith Gronendyke

Printed Name

7/25/24

Date

Planner III

Title

# ENVIRONMENTAL CHECKLIST

## 5.1 AESTHETICS

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

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

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

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

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

**a-d Less Than Significant:** While the project is located immediately adjacent to State Route 1, which is eligible for designation as a scenic highway, it still is not officially designated as such. To further lessen visual impacts, the design of the proposed tower was changed from a monopine to a “eucalyptus” design, the height of the tower was reduced from 125 feet to 100 feet and the location of the tower was moved more westerly and within a stand of eucalyptus trees as to be further shielded from view for vehicular traffic along State Route 1.

As noted above, State Route 1 is only eligible for designation as a scenic highway. The proposed tower would not damage trees, rock outcroppings or historic buildings in the project’s vicinity.

While there will be some visual impacts from the proposed tower from State Route 1, the impacts will be less than significant due to the fact that the tower height has been lowered from the originally proposed height and the tower camouflage design is more integrated with surrounding existing trees, even though the eucalyptus species is not native to the California coastal zone.

Any exterior lighting at ground level shall be required to be shielded and down-tilted with motion sensors and automatic shut-off timers. The tower itself will have no lights and was approved by the Federal Aviation Administration (FAA). With the implementation of outdoor lighting regulations at the time of development, (**see Condition 6**), the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact.

**MITIGATION MEASURES:** None

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

## 5.2 AGRICULTURE AND FORESTRY RESOURCES

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

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

called “Prime Farmland,” with other critical designations including “Unique Farmland,” or “Farmland of Statewide Importance.”

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

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

a, c-e) **No Impact:** The proposed project will not take place on land which is designated as Prime or Unique Farmland. According to the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation, Division of Land Resource Protection, the site is designated as Grazing land This designation is for: “*Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.*” (Quote from the Department of Conservation Website). The project site is sparsely developed with two single-family-residences, a scattering of accessory structure and the new development would consist of a fenced 2,500 square foot lease area, which is located within a total Telespan lease area of 4,900 square feet at the base of the tower. Construction of the proposed project will not preclude the parcel from further agricultural uses as outlined in Mendocino County Code Section 20.368 – Rangelands Use Types.

The proposed project is allowed in Range Lands zoning per Mendocino County Code Section 20.368.015(B) – Major Impact Services and Utilities (as defined in MCC Section 20.320.070). The project does not propose removal of any trees. The proposed project will not convert Farmland as it will not preclude use of the subject parcel from timber production or agricultural uses.

No forest land loss or conversion of forest land to non-forest use will occur as part of this project.

b) **Less Than Significant:** The Project site is zoned for Rangelands. The proposed Project will not conflict with any existing zoning or policies protecting agricultural resources. The parcel is encumbered by a Williamson Act contract, but at a recent meeting of the Resource Lands Protection Committee (RLPC), the RLPC did not find that the present agricultural use on the property would be jeopardized by the project.

**MITIGATION MEASURES:** None

**FINDINGS:** The proposed project would have **No Impact and Less Than Significant Impact** on Agricultural and Forestry Resources.

### 5.3 AIR QUALITY

| WOULD THE PROJECT: |  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact                           |
|--------------------|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| a)                 | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

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

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

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

Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

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

a) **No Impact:** The project is located within the North Coast Air Basin consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The Project Site is located within the Mendocino County Air Quality Management District (MCAQMD) which is responsible for enforcing California and Federal Clean Air Acts, as well as local air quality protection regulations. Any new emission point source is subject to an air quality permit, consistent with the District's air quality plan, prior to project construction. The MCAQMD also enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The project will not conflict with or obstruct implementation of any air quality plan as there are no components of the project that would conflict with any existing air quality plans. Additionally, **Conditions of approval 10-12** are recommended that will ensure that the project will achieve compliance with Mendocino County Air Quality Management District (AQMD) standards.

**b, c, d) Less Than Significant:** AQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM10 attainment plan was finalized in 2005 that provides regulations for construction and grading activities and unpaved roads. Owl Creek Road is unpaved including the existing driveway to the residences. A twenty-foot-wide compacted aggregate base surface road from Owl Creek Road to the new lease area is proposed to be constructed. The proposed project has the potential to increase PM10 in the immediate vicinity of the site during access road construction due to the road conditions. The proposed construction and use of internal access roads, if constructed in conformance with the conditions of approval, is not expected to contribute substantially to PM10 levels such that a significant impact would result. Local impacts to the area during construction would be less than significant using standard dust control measures. **Conditions of Approval numbers 10-12** are recommended that will ensure that the project will achieve compliance with AQMD standards.

Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The project is adjacent to a residential area. During construction, the project has the potential to create small amounts of pollutants and objectionable odors, but at less than significant levels. Once constructed, the project will not utilize products with substantial pollutant concentrations. Any objectionable odors will be limited to use of the generator during emergency situations and during short amounts of time each month during emergency generator testing. As such, impacts will be less than significant.

**MITIGATION MEASURES:** None

**FINDINGS:** The proposed project would have a **Less Than Significant and No Impact** on Air Quality.

## 5.4 BIOLOGICAL RESOURCES

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

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

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

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

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

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

a-f) **Less Than Significant:** A Biological Resources Assessment was conducted for the project site by Synthesis Planning between June 3, 2023, and July 17, 2023. The assessment looked for the following: Vegetation Community Types, Federally and State-Listed Plant Species, Wetlands, Behren’s Silverspot Butterfly, Lotis Blue Butterfly, Monarch Butterfly, Point Arena Mountain Beaver and Federal Critical Habitat. The report states that none of the above noted species or areas were observed within the project location and vicinity. Further in the assessment, standard construction conditions are recommended to be implemented. These construction conditions can be found in the **Conditions of approval numbered 13 to 17.**

**MITIGATION MEASURES:** None

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

## 5.5 CULTURAL RESOURCES

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

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

a-c) **Less Than Significant:** An Archaeological Survey was conducted by Geist Engineering/Steve Geist. The study concluded that no archaeological evidence was found at the project site or within the vicinity. The Archaeological Survey was presented to the Archaeological Commission on December 13, 2023. At the hearing, the Commission accepted the survey and made a requirement that a tribal monitor be present during earth moving activities. Also, the standard discovery clause

is to be added in the possibility that archaeological artifacts are found as a result of construction. **Condition numbers 18 and 19** have been added to address these requirements.

**MITIGATION MEASURES:** None

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

## 5.6 ENERGY

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

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

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

**a,b) No Impact:** The project does not appear to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy during its construction or operation. The project is expected to comply with Title 24, Part 11 of the California Code of Regulations, known as 'CALGreen,' which mandates energy efficiency standards.

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

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

The project is expected to comply with the California Green Building Standards Code and the 2022 Energy Code, which are designed to help the state achieve its long-term climate goals. These

codes encourage the use of energy-efficient equipment and renewable energy sources, thereby aligning with state and local plans for renewable energy and energy efficiency.

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

**MITIGATION MEASURES:** None.

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

## 5.7 GEOLOGY AND SOILS

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

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

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

area between 1977-1978. At locations east of Willits and Ukiah surface fault creep, or very slow movements across known fault locations, have been documented.

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

a-e, g) **Less Than Significant:** The property lies within a mapped Alquist-Priolo Earthquake Fault Zone. Chapter 20.432-010 **General Provisions and Regulations for SS Combining Districts** reads: "Development of parcels within the "SS" Coastal Seismic Study Combining District shall be subject to the regulations set forth in Chapter 7.5, Division 2 of the California Public Resources Code."

In reviewing Chapter 7.5, Division 2 of the California Public Resources Code of California, Section 26.21.5 (a) reads:

"It is the purpose of this chapter to provide for the adoption and administration of zoning laws, ordinances, rules, and regulations by cities and counties in implementation of the general plan that is in effect in any city or county. The Legislature declares that this chapter is intended to provide policies and criteria to assist cities, counties, and state agencies in the exercise of their responsibility to prohibit the location of developments and structures for human occupancy across the trace of active faults. Further, it is the intent of this chapter to provide the citizens of the state with increased safety and to minimize the loss of life during and immediately following earthquakes by facilitating seismic retrofitting to strengthen buildings, including historical buildings, against ground shaking."

Additionally, 26.21.6 (a) reads: "As used in this chapter, "project" means either of the following:

- (1) Any subdivision of land that is subject to the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the Government Code), and that contemplates the eventual construction of structures for human occupancy.
- (2) Structures for human occupancy, with the exception of either of the following:
  - (A) Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to paragraph (1).
  - (B) A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings.
  - (b) For the purposes of this chapter, a mobile home whose body width exceeds eight feet shall be considered to be a single-family wood-frame dwelling not exceeding two stories.
  - (c) Terms used in this chapter that are not defined by this chapter shall have the same meaning as defined in the California Building Standards Code (Part 2 (commencing with Section 1.1.1) of Title 24 of the California Code of Regulations)."

As there is no mention of standards for structures **not** for human occupancy, nor is there a project definition for a cellular tower as being a "project" it can be concluded that Chapter 7.5, Division 2 of the California Public Resources Code does not apply to the construction of an uninhabited cell tower site.

The site, like the rest of Mendocino County, is subject to some seismic-related ground shaking if an earthquake were to occur but again the proposed project does not conflict with any applicable policies or plans. No landslides have been documented on the project site and given the relatively flat nature of the site there is no concern related to landslides resulting from the project.

Minimal grading and ground disturbance is required to accommodate the proposed project as the site is relatively level. Grading activities include site development and trenching to underground utilities. The internal access road to access the facility location will consist of a new twenty-foot-wide gravel surfaced non-exclusive access easement approximately eighty-feet in length. An access gate will be installed as well. The project Applicant estimates approximately less than 50 cubic yards of dirt to be removed and replaced for trenching, and less than 50 cubic yards for fill purposes. Conditions of Approval are included to ensure that the project is developed in conformance with Mendocino County Code (MCC) requirements and to prevent soil erosion.

Potential development impacts will be kept to a minimum with the uniform application of standard construction site erosion control requirements recommended in the conditions of approval, and those regulations found in MCC Chapter 16.30 Stormwater Runoff Pollution Prevention Procedures

The soils present on the property do not comprise of soils that are unstable or would become unstable and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse as a result of the project. The site is not designated as an area with potential for liquefaction and is not located on an active fault but is located within a mapped Alquist-Priolo Earthquake Fault Zone.

The proposed site does not contain soils meeting the criteria of expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, there will be no impact as a result of the project.

An Archaeological Survey was conducted by Geist Engineering/Steve Geist. The study concluded that no archaeological evidence was found at the project site or within the vicinity. The Archaeological Survey was presented to the Archaeological Commission on December 13, 2023. At the hearing, the Commission accepted the survey and made a requirement that a tribal monitor be present during earth moving activities. Also, the standard discovery clause is to be added in the possibility that archaeological artifacts are found as a result of construction. **Condition numbers 20 and 21** have been added to address these requirements

- e) **No Impact:** The proposed development of a wireless communications facility will not require any sewage disposal.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have a **Less Than Significant and No Impact** on Geology and Soils.

## 5.8 GREENHOUSE GAS EMISSIONS

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

**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 CO<sub>2</sub>e (CO<sub>2</sub> 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:** Construction activities associated with wireless communications facilities could generate greenhouse gases (GHGs) from the engine emissions of construction equipment, but these activities are limited in scope and duration and would not contribute significantly to GHG emissions. Once constructed, wireless facilities require power to operate, however energy use and associated GHG emissions would be minimal. Given that construction is short term, and the project scale is relatively small, the proposed project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional or state level. Another source of potential greenhouse gas emissions from the project is the back-up generator that is proposed, which will only be turned on in case of power outage, emergency situations or during monthly testing. In addition to the generators, vehicles accessing the project site for monthly scheduled maintenance will occur. It is expected the scheduled maintenance will require one (1) vehicle per carrier per month to access the project site. These potential emissions are not considered significant. Therefore, there would be a less than significant impact as a result of implementing the proposed project.

Mendocino County's General Plan focuses on energy development and energy policy in its response to GHGs. Because the construction or expansion of existing wireless communications facilities would not conflict with such policies and would not require additional energy development or create a need for additional energy generation facilities, there would be no impact as a result of the proposed project.

**MITIGATION MEASURES:** None

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

## 5.9 HAZARDS AND HAZARDOUS MATERIALS

| WOULD THE PROJECT:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                 | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

| WOULD THE PROJECT:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

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

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

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

Mendocino County's aviation system is composed of airports, privately owned aircraft of various types, privately operated aircraft service facilities, and publicly and privately operated airport service facilities. Most aircraft are privately owned, small single or twin-engine planes flown primarily for personal business.

Six public use airports in Mendocino County provide for regional and interregional needs of commercial and general aviation. Actions involving areas around airports will continue to be evaluated for consistency with the County's Airport Comprehensive Land Use Plan and applicable federal regulations. Mendocino County's Airport Policy DE-167 states: "Land use decisions and development should be carried out in a manner that will reduce aviation-related hazards (including hazards to aircraft, and hazards posed by aircraft)".

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

- a,b) **Less Than Significant:** The Applicant is leaving space within the lease area to install three generators, one for each co-locator, to be used solely for providing emergency power during periods of energy transmission interruption and for routine testing. Fuel trucks will need to access the site to refuel diesel and/or propane fuels for the generators and the number of trips will depend on the number and length of primary line power outages. The periodic transport of diesel fuel and/or propane to the site is not expected to create a significant hazard to the public or the environment.

Materials such as oil, diesel fuel and possibly propane used for the generators are subject to a Hazardous Materials Management Plan (HMMP) as approved by the County Department of Environmental Health (DEH). The plan identifies actions to be taken should a fuel or oil spill occur on site, including cleanup methods and appropriate agencies to contact in an emergency situation. Utilization of a generator as a back-up power source for wireless telecommunication facilities is common and staff is unaware of any fuel spill associated with any existing facilities in the County. An HMMP may not be required for this site given the small amount of fuel storage proposed; however, staff has included a **condition of approval 38** to ensure that one is prepared if it is in fact required by DEH.

- c-g) **No Impact:** There are no emissions, such as exhausts or chemicals, materials, substances, or waste associated with wireless communications facilities that could present a health hazard to nearby residents, with the exception of radio frequency radiation. The nearest existing school, Manchester Elementary School is located approximately 2.76 miles north of the project site. The Applicant has demonstrated conformance with EMF standards. Therefore, there would be no impact from emissions as a result of implementing the proposed project.

The project site is not listed as a hazardous materials site on any list compiled pursuant to Government Code Section 65962.5.

The project site is not located within an airport zone and there are no airports within close proximity.

The project site is not near any private airstrips; therefore, there will be no impact to safety for people residing or working in the project area.

The proposed project will not impair the implementation nor physically interfere with an adopted emergency response plan or emergency evacuation plan. The project parcel is located in an area classified a "Moderate Fire Hazard" severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the Redwood Coast Fire Protection District for structural protection. The project application was referred to the CAL FIRE for input. CAL FIRE responded with: "The project you described is not required to meet State Fire Safe Regulations (PRC 4290) and therefore does not require any Conditions of Approval be granted from this office. The Redwood Coast Fire Protection District did not provide any comments on the project. The proposed development consists of construction of a wireless communications tower and will not cause the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires than that existing at the site today.

**MITIGATION MEASURES:** None

**FINDINGS:** The proposed project would have a **Less Than Significant and No Impact** on Hazards or Hazardous Materials.

## 5.10 HYDROLOGY AND WATER QUALITY

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

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

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

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

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

a-e) **No Impact:** The proposed project will not violate any water quality standards or waste discharge requirements. The project application was referred to pertinent agencies for comment and no responses were received expressing concerns regarding violation of water quality or waste discharge requirements.

The proposed project will not require the use of or otherwise interfere with groundwater supplies and will not substantially deplete groundwater supplies such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The subject parcel has existing water facilities, and no concern was expressed by the Mendocino County Division of Environmental Health as to potential for interference or depletion of groundwater supplies.

The proposed project will not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation or flooding on- or off-site. The property has limited existing development. The proposed grading activities will not alter existing drainage patterns and will follow all best management practices.

The proposed project will not substantially alter the existing drainage pattern of the site or area, no stream or river alteration will result from the project, nor will the project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

The proposed project will not 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. There are no existing or planned storm drainage systems that the proposed project would impact. Runoff from the site will not be significantly increased nor be polluted as there are minimal additional areas of development proposed under the project. The proposed project would not result in any degradation of water quality within the vicinity of the project.

The project site is not located within a Flood Hazard zone and as such there would be no impact from the project in terms of placement of structures within a Flood Hazard zone. There is no levee or dam within proximity to the project site; therefore, the proposed project will not expose people or structures to any hazards associated with the failure of a levee or dam. The site is not located within a mapped seiche, tsunami, or mudflow hazard area.

The proposed project is not anticipated to create any pollutant discharges beyond those of existing use of the parcel. Therefore, the proposed project will not result in an increase in pollutant discharges to receiving waters.

The proposed project does not include any development that could substantially impact groundwater quality.

The proposed project's location is nearly one-half mile inland from the Pacific Ocean and is 200 feet above sea level. There would be no impact from a tsunami.

The project will not impact water quality or groundwater management plans, as it does not require water for its operation.

**MITIGATION MEASURES:** None.

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

## 5.11 LAND USE AND PLANNING

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

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

a-b) **No Impact:** The proposed development will be located on an existing parcel in a low-density residential area and will not physically divide an established community.

The proposed project is in conformance with all local regulations. Conditions of Approval have been recommended to ensure that the proposed development is constructed in such a manner that any potential impacts are avoided.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **No Impact** on Land Use and Planning.

## 5.12 MINERAL RESOURCES

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

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

SMARA requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources.

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

a-b) **No Impact:** There are no known mineral resources within the project area; therefore, there will be no loss of availability of a known mineral resource as a result of the project.

There are no delineated locally important mineral resources within the project boundaries; therefore, there will be no loss in locally-important mineral resource recovery sites.

**MITIGATION MEASURES:** None.

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

### 5.13 NOISE

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

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

a-b) **Less Than Significant:** The proposed wireless communication facility and associated generators, vehicular traffic, and grading proposed to accommodate the improvements may expose people to temporary noise. No excessive noise or excessive ground-borne vibration will result from the project that would violate a local general plan or noise ordinance as all development within the Mendocino County is subject to Exterior Noise Limit Standards specified in Appendix C of Division I of Title 20 of Mendocino County Code.

Wireless communication facilities do not create significant noise or vibration in the course of normal operations. This facility proposes the use of generators as a back-up power source in the event of a power outage, expected or unexpected. The proposed project is subject to section 20.236.025(D) that prevents the use of a generator unless the Applicant can demonstrate that it will be inaudible beyond the boundaries of the property containing the wireless facility. The operation of wireless communication facility would not increase periodic ambient noise levels in the project vicinity. Noise levels could increase temporarily during the construction period.

- c) **No Impact:** The site is not located within an airport zone and there are no private airstrips within close proximity to the project that would subject people residing or working in the project area to excessive noise levels.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have a **Less Than Significant and No Impact** on Noise.

## 5.14 POPULATION AND HOUSING

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

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

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

- a-b) **No Impact:** The proposed project consists of construction of a wireless communications facility and associated internal access roads and related equipment. 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. No residential structures are being removed as a result of the project. The project does not displace any people and therefore would not necessitate construction of replacement housing elsewhere.

**MITIGATION MEASURES:** None.

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

## 5.15 PUBLIC SERVICES

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

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

- a) **No Impact:** The proposed project 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. This is primarily due to the fact that the property already contains an existing residential and agricultural use type that has existed for many years and the proposed application will not result in an increase in use of the property beyond existing levels; therefore, there will be no impact to public services. The tower will be built to provide co-location opportunities for future carriers or public safety entities. As such, the project will be beneficial for public services in the area.
- The parcel is located in an area classified with a “Moderate Fire Hazard” severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the Redwood Coast Fire Protection District for structural protection. The project application was referred to the CAL FIRE for input. CAL FIRE responded with: “The project you described is not required to meet State Fire Safe Regulations (PRC 4290) and therefore does not require any Conditions of Approval be granted from this office.” The Redwood Coast Fire Protection District did not provide any comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CAL FIRE.

**MITIGATION MEASURES:** None

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

## 5.16 RECREATION

| WOULD THE PROJECT:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

| WOULD THE PROJECT:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

**a,b) No Impact:** The site is already developed with the existing residential and agricultural use and this application does not seek to change any of the existing uses - it solely requests addition of a wireless communication facility to the parcel. Therefore, there will be no increase in the use of existing neighborhood and regional parks and recreational facilities as a result of the project and no recreational facilities are required that may adversely affect the environment.

**MITIGATION MEASURES:** None

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

## 5.17 TRANSPORTATION

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

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

**a-d) No Impact:** The proposed project, which consists of construction of a new wireless communication facility and associated equipment, will not conflict with any plan, ordinance, or policy that establishes measures of effectiveness for the performance of the circulation system. Additionally, the proposed project will not conflict with any applicable congestion management program. After construction is complete, maintenance workers are anticipated to visit the site approximately once per month, resulting in few additional vehicle trips per day than what presently exists from existing uses on the parcel. No change in service levels is anticipated as a result of the project.

The project site is not located within an airport zone nor is it in close proximity to a private airstrip. Therefore, the proposed project would not impact air traffic patterns.

The proposed project will not increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, as the site is already developed with an existing use and this application proposes additional development that utilizes the existing access point onto Owl Creek Road (Private), none of which will create a traffic hazard.

The proposed project will not result in inadequate emergency access. The primary concern for emergency access in remote areas is for wildland fires. The parcel is located in an area classified with a "Moderate Fire Hazard" severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the Redwood Coast Fire Protection District for structural protection. The project application was referred to the CAL FIRE for input. CAL FIRE responded with: *"The project you described is not required to meet State Fire Safe Regulations (PRC 4290) and therefore does not require any Conditions of Approval be granted from this office."* The Redwood Coast Fire Protection District did not provide any comments on the project. Conditions of Approval are recommended to ensure compliance with recommendations provided by CAL FIRE. Mendocino County Department of Transportation responded to the project's referral with "no comments at this time". The California Department of Transportation also was sent a project referral, but no comments were received.

The proposed project will not conflict with any adopted policies, plans or programs related to transportation and traffic or otherwise decrease the performance or safety of transportation facilities. The Mendocino County Department of Transportation provided no concerns or comments related to potential conflict of the project with any adopted policies, plans or programs.

**MITIGATION MEASURES:** None.

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

## 5.18 TRIBAL CULTURAL RESOURCES

| WOULD THE PROJECT:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| WOULD THE PROJECT:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation<sup>1</sup> and 1984 regional synthesis.<sup>2</sup> This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

**a) Less Than Significant:** As a result of comments from the Northwest Information Center of Sonoma State University, an Archaeological Survey was prepared for the project site. After the original tower location was examined, the applicant moved the tower, the archaeological report writer re-examined the report and concluded that the new tower location would not require that a new study be prepared. The project proposes a small amount of ground disturbance to prepare the new 2,500 square foot lease area. At the December 13, 2023, Archaeological Commission meeting, the Commission accepted the survey with the caveat that a monitor be present during ground disturbance activities. Also, a Standard Condition advises the project applicant of the Discovery Clause that prescribes procedures that are required to be followed if there is discovery of any cultural resources during construction of the project. These requirements are reflected in **Conditions 18 and 19** of the resolution.

**MITIGATION MEASURES:** None

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

## 5.19 UTILITIES AND SERVICE SYSTEMS

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

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

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

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

**a-e) No Impact:** The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, as no wastewater will be generated from the proposed project. Additionally, the project will not require the construction of new or expanded water or wastewater treatment facilities, as there are no centralized systems that serve the site, and the project does not require water or wastewater service.

Storm water drainage is handled on-site and is generally just natural drainage of the site without improved storm water facilities. No new or expanded storm water drainage facilities are required as a result of the project that could cause a significant environmental effect.

No water supply is necessary for the proposed project; therefore, water supplies are found to be sufficient and no new or expanded entitlements are needed.

The project site is not served by a wastewater treatment provider and there is no district nearby that would feasibly be extending service to the parcel in the future. Additionally, no septic infrastructure is necessary to accommodate the proposed development.

Curbside pick-up is available to the parcel. Additionally, the Albion Transfer Station is located 16± miles north of the project site and can accommodate the solid waste disposal needs of the site. No projected long-term increase in solid waste generation is anticipated as a result of the project, but there will be short-term increases associated with construction materials during construction of the proposed new development. Construction debris will be properly disposed of after completion of the proposed development. There will be no impact to capacity as a result of the project and the proposed project is in compliance with federal, state, and local statutes for solid waste disposal.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **No Impact** on Utilities and Service Systems.

## 5.20 WILDFIRE

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

**DISCUSSION:** The County of Mendocino County adopted a Mendocino County Operational Area Emergency Operations Plan (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the County's website, the County EOP, which complies with local ordinances, state law, and stated and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within the County. The purpose of the County EOP is to

“facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies” (County of Mendocino – Plans and Publications, 2019).

- a-d) **Less Than Significant:** The project site is located within a “moderate” fire zone. CAL FIRE would actually benefit from this cell tower, as it could co-locate emergency responder facilities on the tower. The project application was referred to the CAL FIRE for input. CAL FIRE responded with: *“The project you described is not required to meet State Fire Safe Regulations (PRC 4290) and therefore does not require any Conditions of Approval be granted from this office.”*

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

No fuel breaks will be required, and State Route 1 is located immediately to the west of the project site.

There are no risks associated with flooding or landslides. A small seasonal creek is located approximately 848 feet to the south of the project site but would not pose any threat of landslides or flooding.

**MITIGATION MEASURES:** None.

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

## 5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

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

- Achieve short term goals to the disadvantage of long-term goals;
- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.

**a-c) Less Than Significant:** Based on the discussion in Section IV Biological Resources and throughout the report, there is no evidence that the project has the potential to degrade the quality of the environment. Based on discussion in Section V Cultural Resources and throughout the report, there is no evidence to support a finding that the project would have the potential to eliminate important examples of the major periods of California history or prehistory.

The nearest wireless communication facility that staff is aware of is located approximately .95± miles to the northeast of the project site and accessed from State Route 1 via a winding dirt road, addressed at 16015 S. State Route 1. There are no impacts associated with the current project that become significant when considered in conjunction with other existing or planned facilities in the vicinity. The Applicant's submitted Radio Frequency Emissions Compliance Report has demonstrated conformance with EMF standards.

Staff is aware of public concerns regarding potential health effects based on environmental effects of radio frequency emissions from these types of wireless telecommunication facilities. The Federal Communications Commission (FCC) has set maximum permissible exposure limits for radio frequency transmitters, and the Telecommunications Act of 1996 prohibits local governments from regulating wireless service facilities based on environmental effects of radio frequency emissions as long as the facilities comply with FCC regulations for emissions.

The wireless communications facility will be within a compound that is surrounded by a locked chain link fence and is not in a location likely to be accessed by anyone other than maintenance personnel. Appropriate signage will be posted disclosing that the facility is not to be accessed by anyone other than maintenance personnel.

**MITIGATION MEASURES:** None

**FINDINGS:** The proposed project would have a **Less Than Significant impact** on Mandatory Findings of Significance.