DRAFT

Initial Study and Mitigated Negative Declaration

Bower Park Restoration Grant Project

County of Mendocino, California

Lead Agency:

Mendocino County
841 Low Gap Road
Ukiah, California 95482

Prepared By:

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS
2525 Warren Drive
Rocklin, California 95677

December 2024

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DRAFT MITIGATED NEGATIVE DECLARATION
BOWER PARK RESTORATION AND IMPROVEMENT GRANT PROJECT

Lead Agency: County of Mendocino

Project Proponent: Not Applicable

Project Location: 38040 Old Stage Road, also known as Old State Highway, Gualala, California, 95445 (APN 144-256-120 and 144-233-120).

Project Description: The proposed Bower Park Restoration and Improvement Grant Project aims to improve recreational facilities and provide improved accessibility to these features within the park. The project includes various upgrades and repairs to existing amenities as well as the addition of a few new amenities. The Project is within the Gualala Community, within Mendocino County.

Public Review Period: **December 20, 2024 through January 20, 2025**

Mitigation Measures Incorporated into the Project to Avoid Significant Effects:

Biological Resources

BIO-1: **Special-Status Plants.** Perform early season floristic plant surveys according to current USFWS, CDFW, and CNPS protocols prior to construction to identify any additional special-status plants. Surveys shall be conducted throughout all suitable habitat within the Project footprint and a 50-foot buffer to address potential direct and indirect impacts of the Project. Surveys shall be conducted by a qualified biologist and timed according to the appropriate phenological stage for identifying target species. Known reference populations shall be visited and/or local herbaria records shall be reviewed, if available, prior to surveys to confirm the phenological stage of the target species.

To protect swamp harebell, coast lily, and other rare or endangered plants identified within 50 feet of the Project impact area, implement the following measures:

- If avoidance is feasible, establish and clearly demarcate avoidance zones for rare or endangered plant occurrences prior to construction and maintain until the completion of construction. Avoidance zones shall include the extent of the plant occurrences plus a 50-foot buffer, unless otherwise determined by a qualified biologist. No ground- or vegetation-disturbing activities shall occur within avoidance

zones unless work is monitored by a qualified biologist/biological monitor to ensure the plants are not impacted by the work.

- If avoidance of rare or endangered plants is not feasible, mitigation measures shall be developed in consultation with the CDFW and/or the USFWS. Mitigation measures may include restoration or permanent preservation of an equivalent acreage of onsite or offsite habitat for the impacted species and/or translocation of plants or seeds from impacted areas to unaffected habitats.
- Prior to issuance of any building permits in reliance of this Coastal Development Permit, an active management plan shall be developed for the Bishop pine forest in order to provide for the long term health of the forest habitat. The active management plan shall be prepared by a qualified ecologist and may include things such as: invasive species removal; an understory management regimen to facilitate the growth of new recruits; and identification, removal, and prevention of pathogens killing Bishop pine trees and other native flora.
- During construction, clothing, vehicles, and equipment (including shoes, equipment undercarriage and tires/tracks) should be cleaned prior to entering the Project Area, and materials used for the Project, such as fill dirt or erosion control materials, should be from weed-free locations or certified weed free to avoid the introduction and spread of non-native invasive plant species.
- Areas containing special-status plants shall be protected during Project operations by installation of natural (e.g., planting of relatively impenetrable vegetation) or constructed (e.g., fencing) permanent barriers, and/or installation of appropriate signs alerting the public that foot traffic is prohibited in the sensitive habitat.
- Landscape maintenance activities including mowing or application of herbicides shall be prohibited in the area of the special-status plant occurrences or shall be conducted under the supervision of a qualified biologist.

BIO-2: **Special-Status Invertebrates.** If tree removal would occur during the winter months (November through February) when there is potential for Monarchs to be utilizing roost trees within the BSA, a survey shall be conducted to ensure no monarchs are utilizing the tree. If monarchs are observed, tree removal shall not occur until the end of the winter season and all monarchs have moved from the tree.

BIO-3: **Special-Status Amphibians and Reptiles.** A qualified biologist shall perform a preconstruction survey within 24 hours prior to the initiation of construction to confirm the site is clear of California giant salamander, CRLF, and NWPT, and shall be on-site during initial vegetation removal and ground-disturbance to monitor special-status amphibians and reptiles. Should California giant salamander be detected, a CDFW-approved biologist shall relocate individuals to suitable nearby habitat that won't be disturbed by Project construction. If CRLF or NWPT are discovered onsite, they may be allowed to leave the area of their own volition but may not be moved or herded from the area. In the event that CRLF or NWPT is observed, work shall stop and applicant shall contact the USFWS for technical

guidance regarding ESA consultation requirements and appropriate avoidance and minimization measures.

- If feasible, construction activities will occur during the non-breeding season for CRLF (June – October).
- A USFWS approved biologist(s) shall conduct training session(s) for all construction and park personnel involved in construction of the Proposed Project. At a minimum, the training shall include a description of California giant salamander, CRLF and NWPT, their habitats, the status of the species, the general measures being implemented to conserve the species as they relate to the Project, and the physical boundaries within which the Project may be accomplished. The training session will include instruction in the appropriate protocol to follow in the event that one of these species is observed on site. Informational handouts with species photos will be provided to. construction personnel.
- Stumps, rocks, logs, or other habitat features moved during the Proposed Project construction will be done so very carefully, under the observance of the approved biologist(s) and will be replaced in adjacent suitable habitat or stored for re-use in the revegetation phase.

BIO-4: **Nesting Bird Surveys.** A preconstruction nesting bird survey shall be conducted within 14 days prior to the commencement of Project-related activities during the active nesting season (February 1 through September 15), including tree/shrub removal, to identify active nests that could be impacted by construction. The preconstruction nesting bird survey shall include accessible areas within 100 feet of proposed construction areas. If active nests are found, a no-disturbance buffer shall be established around the nest by a qualified biologist, in consultation with the USFWS and/or the CDFW. The buffer shall be maintained until the nestlings fledge or the nest is otherwise no longer occupied, to be determined by a qualified biologist. No further measures are necessary once the young are independent of the nest.

BIO-5: **Special-Status Bats.** To avoid and minimize significant impacts to special-status bats or roosting colonies, the following mitigation measures are recommended:

- If trees within the Project Area need to be removed, a qualified bat biologist shall conduct a bat habitat assessment to determine if potential roosting habitat is present.
- If suitable habitat features, roosting bats, bat sign, or evidence of previous occupation by bats is found during the bat habitat assessment, an acoustic and/or emergence survey will be conducted to determine if bats are actively using the tree. If no sign of bat use is found, no further measures are necessary. If bats are found roosting in trees that cannot be avoided, the trees will be protected until the end of the maternity roosting season (April 15 to September 1). Trees with roosting bats may be removed during the bat active period outside of maternity season and prior

to or after the hibernation season (October 16 to February 28) following the two-step tree removal process under the direction of a qualified bat biologist.

- As much as feasible, vegetation and trees within the area that are not suitable for roosting bats will be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat.
- Two-step tree removal will occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat on habitat trees, as identified by a qualified bat biologist, shall be removed first using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed.

BIO-6: **Wetlands.** The Project shall avoid aquatic resources to the extent feasible. Aquatic resources located within 50 feet of the Project footprint shall be clearly demarcated with orange construction fencing or other visible barrier, and no Project-related activities shall be permitted within the delineated area.

- To minimize potential indirect effects, the applicant shall prepare and implement an Erosion and Sediment Control Plan to avoid and minimize erosion and runoff to wetlands and other waters that are to remain within or adjacent to the Project Area.
- If the Project will disturb at least 1 acre of land, the Project applicant shall obtain coverage under the General Construction Storm Water Permit from the RWQCB by preparing an SWPPP and implementing best management practices to reduce water quality effects during construction.
- Authorization under the Section 404 of the federal Clean Water Act must be obtained from the U.S. Army Corps of Engineers (USACE) prior to discharging any dredged or fill materials into any features determined to be Waters of the U.S. Mitigation measures will be developed as part of the Section 404 Permit process to ensure no net loss of wetland function and values. Mitigation for permanent impacts to Waters of the U.S. is typically required at a minimum 1:1 ratio; however, final mitigation requirements will be developed in consultation with the USACE.
- If temporary impacts to Waters of the U.S. or State will occur, the applicant shall prepare a site restoration plan describing the methods that will be used to restore impacted aquatic features to pre-Project conditions. The restoration plan will include, at a minimum, the proposed methods for stabilizing and revegetating the site, any maintenance requirements (e.g., watering and invasive species control), the expected timeframe for restoration.
- If discharges will occur to Waters of the U.S., Section 401 Water Quality Certification must be obtained from the RWQCB before a 404 Permit can be issued. An application for a 401 Water Quality Certification will be prepared and submitted to the RWQCB in accordance with the State Water Resources Control Board's *State Wetland Definition and Procedures for the Discharge of Dredged or Fill Material to Waters of the State* (April 2021).

- If discharges to Waters of the State will occur, the applicant shall obtain waste discharge requirements or a waiver of waste discharge requirements from the RWQCB as required pursuant to the Porter-Cologne Water Quality Control Act.
- If alteration of the bed, channel, or bank of an ephemeral drainage or the onsite pond is proposed, or if the Project will impact associated aquatic or riparian vegetation, the applicant shall notify the CDFW of the Proposed Project activities and obtain a Lake or Streambed Alteration Agreement prior to Project implementation.
- A Coastal Development Permit would be required for any activity impacting wetlands subject to the jurisdiction of the CCC. Various alternatives exist for mitigating the adverse effects of wetland development projects on CCC wetlands including in-kind compensatory wetland mitigation (i.e., creation, restoration, or enhancement of wetland habitat) and out-of-kind mitigation where impacts to one habitat type are mitigated through the creation, restoration, or enhancement of another habitat type. Mitigation for impacts to CCC wetlands will be vetted through the Coastal Development Permit process.

Cultural Resources

CUL-1: **Unanticipated Discoveries.** If subsurface deposits believed to be cultural or human in origin are discovered during construction, the Project shall adhere to the Mendocino County Archaeological Ordinance, Chapter 22.12. This ordinance dictates that all work must halt within a 100-foot radius of the discovery and the contractors shall make notification of the discovery to the Director of Planning and Building Services (Director). A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined by CEQA or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.

- If the find includes human remains, or remains that are potentially human, they shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Mendocino County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction:
- The Director may arrange for an on-site inspection of the area of discovery by one or more of his/her representatives within seventy-two (72) hours of the time of such notification. The Director shall give notice of the time of the on-site inspection to the owner, or other person who made notification of the discovery, who shall be entitled to accompany the Director's representatives at all times on the property in question. The purpose of the inspection shall be to determine whether the site is one of archaeological significance. In the event that such inspection does not take place within such seventy-two (72) hour period and the Director has not, within such time, issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may resume.
- If the Commission determines that the site of the discovery is one of archaeological significance, it shall, within seventy-two (72) hours of being notified of the discovery, notify the person making the discovery of (1) such determination, (2) the apparent boundaries of the site, and (3) its specific recommendations for the conservation of the site. The Commission may then also issue an order to cease and desist from all further excavation or disturbance of the site for a specific period of time not to exceed thirty (30) days; provided, however, that the period may be extended up to forty-five (45) additional days by minute order of the Board of Supervisors. In issuing such a cease and desist order, the Commission shall take into account both the need for conserving the site and the need for avoiding unnecessary financial hardships to any person engaged in construction work on the site. The cease and desist order shall be subject to whatever conditions the Commission determines will promote the purposes of this Chapter. During the period such cease and desist order is in effect,

the site shall be open to physical inspection, photographing, supervised excavation, study and all other reasonable related activities by any person duly authorized by the Commission. The land owner, or the person making the original notification of discovery, shall be kept advised of the times at which any such duly authorized person is on the site and shall be given the opportunity to accompany such person while on the site.

- The Commission may, for the purpose of giving or receiving notifications under this Chapter, designate as its representatives one or more professional archaeologists.
- It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archaeological site without complying with the provisions of this section.
- 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, any archaeological site (1) in violation of any order to cease and desist issued pursuant to this section; or (2) during the seventy-two (72) hour period commencing from the time of the required notification of discovery.

Geology and Soils

GEO-1 If paleontological or other geologically sensitive resources are identified during any phase of project development, the construction manager shall cease operation at the site of the discovery and immediately notify the County. Mendocino County shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the consulting paleontologist, Mendocino County shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the Project Site while mitigation for paleontological resources is carried out.

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Appendix C – Cultural Resources Inventory Report for the Bower Park Restoration Project, ECORP Consulting, Inc. August 2024

Appendix D - Energy Consumption Calculations for Bower Park Project, ECORP Consulting, Inc. September 2024

Appendix E - Construction Noise Model for Bower Park, ECORP Consulting, Inc. September 2024

LIST OF ACRONYMS AND ABBREVIATIONS

Term	Definition
AB	Assembly Bill
ADA	Americans with Disabilities Act
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
BAAQMD	Bay Area Air Quality Management District
BCC	USFWS Bird of Conservation Concern
BMPs	Best Management Practices
BP	Years before present
BRA	Biological Resource Assessment
BSA	Biological Study Area
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CCC	California Coastal Commission
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CH_4	methane
CHP	California Highway Patrol
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalence Levels
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent

Term	Definition
CRLF	California red-legged frog
CRPR	California Rare Plant Rank
CUPA	Certified Unified Program Agencies
dB	decibels
dBA	A-weighted decibels
DDS	
DHS	Department of Health Services
DOC	California Department of Conservation
DPM	diesel particulate matter
DPR	California Department of Parks and Recreation
DTSC	California Department of Toxic Substances Control
ECORP	ECORP Consulting, Inc.
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
ESA	Endangered Species Act
ESHA	Environmentally Sensitive Habitat Areas
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gas
IS	Initial Study
IS/MND	Initial Study/Mitigated Negative Declaration
MCAQMD	Mendocino County Air Quality Management District
MJHMP	Mendocino County Multi-Jurisdictional Hazard Mitigation Plan
MLD	Most Likely Descendant
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
MSL	Mean Sea Level
N2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCAB	North Coast Air Basin
NGWC	North Gualala Water Company
NHPA	National Historic Preservation Act
NIOSH	National Institute for Occupational Safety and Health
NOX	Nitrogen Oxide
NO_x	nitric oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory

Term	Definition
NWIC	Northwest Information Center
NWPT	northwest pond turtle
O_3	Ozone
OHWM	Ordinary High Water Mark
OS	Open Space
PG&E	Pacific Gas and Electric Company
PM	Post Mile
PPV	Peak particle velocity
PRC	Public Resources Code
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SIP	State Implementation Plan
SO2	sulfur dioxide
SR	State Route
SRA	State Responsibility Area
SSC	California Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCR	Tribal cultural resource
UCMP	University of California Museum of Paleontology
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VHFHSZ	Very High Fire Hazard Severity Zones
VMT	Vehicle Miles Traveled

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1.0 BACKGROUND

1.1 Summary

Project Title:	Bower Park Restoration and Improvement Grant Project
Lead Agency Name and Address:	County of Mendocino 841 Low Gap Road Ukiah, California 95482
Contact Person and Phone Number:	Tim Hallman, Executive Division Manager 707-234-6068
Project Location:	38040 Old Stage Road Gualala, California 95445
General Plan Designation:	Open Space (OS)
Zoning:	Open Space (OS)

1.2 Introduction

The County of Mendocino is the Lead Agency for this California Environmental Quality Act (CEQA) Initial Study. This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the Bower Park Restoration and Improvement Grant Project (Project) to satisfy CEQA (Public Resources Code [PRC], Section 21000 et seq.) and state CEQA Guidelines (Title 14, California Code of Regulations [CCR] 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences before approving those projects. The County will use this CEQA Initial Study to determine which CEQA document is appropriate for the Project: Negative Declaration, Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR).

In accordance with CEQA, this Initial Study/Mitigated Negative Declaration (IS/MND) will be circulated for a 30-day public review and comment period. Written comments on the Draft IS/MND should be submitted to:

Tim Hallman, Executive Division Manager
cc: Amberly Morgan
2525 Warren Drive
Rocklin, CA 95677
amorgan@ecorpconsulting.com

1.3 Project Location/Environmental Setting

Bower Park is located in unincorporated Mendocino County, California at 38100 Old Stage Road, Gualala, CA 95445, northeast of the coastal community of Gualala, just north of the Mendocino County line. Figure 1-1 shows the Project Vicinity map.

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Location: N:\2023\2023-250 Bower Park Restoration Grant Project\MAPS\Aerial_Maps\Aerials.aprx - Bower Park Project Overview 20240731 (lgalvez - 7/31/2024)

Map Date: 7/31/2024

Sources: Esri World Imagery, Maxar

Figure 1-1. Project Location Map

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

2023-250 Bower Park Restoration Grant Project

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Bower Park is a popular semi-urban community park with a variety of recreational facilities that mainly serve the local residents and communities of Gualala, Sea Ranch, and Point Arena. The park is situated on gently sloping ground covered by evergreen trees, including a small grove of redwoods. Figure 1-2 provides some representative photos of the Project site. To the north, south, and west of the facility are residences, and is zoned for Rural Residential uses. To the east is the Ocean Ridge Airport, a privately owned airport that has been opened to the public. It is zoned Industrial.

Existing Benches, Park Equipment, and Barbecue Station in the Northwest Portion of the Park.

Existing Pond within the Central Area of Bower Park.

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2.0 PROJECT DESCRIPTION

2.1 Project Background

Bower Park is a 10-acre parcel located northeast of the coastal community of Gualala, CA (Figure 1-1). The park is situated on gently sloping ground covered by pines and other evergreen trees, including a small grove of redwoods. Bower Park is a popular semiurban community park with a variety of recreational facilities including hiking trails, fishing pond, picnic area with tables and barbecue pits, ballfield with concession stand, multiple playground areas with play structures, outdoor theater, basketball & tennis courts, and a multipurpose community room.

2.2 Project Characteristics

The Bower Park Restoration and Improvement Grant Project aims to improve recreational facilities and provide improved accessibility to these features within the park. The project includes various upgrades and repairs to existing amenities as well as the addition of a few new amenities (see Figure 2-1).

Currently the park includes the following amenities:

- 2 asphalt parking lots (approximately 20 parking stalls)
- Pond (approximately 1.3 acres)
- Two gathering/picnic areas
- Baseball field/Soccer Field
- Concession stand
- Playground
- Tennis Courts
- Basketball court (1/2 court)
- Walking and walking paths
- Restrooms

The Project will make the following improvements to existing amenities:

- Parking lots will be expanded and paved adding 47 parking stalls (including 4 Americans with Disabilities Act [ADA] stalls)
- Existing fencing around the pond will be replaced and the damaged spillway boardwalk will be rebuilt
- Picnic areas will be renovated, and new picnic areas will be added with accessibility for disabled persons.

- The fence around the baseball/soccer field will be removed and replaced, backstop and dugouts will be repaired.
- The concession stand roof will be repaired.
- New inclusive play equipment will be installed at the existing playground
- Tennis court pavement will be removed and replaced with a smaller footprint. The new court will be repainted to include one tennis court and one pickleball court. The area of the old footprint that is not repaved will be filled with decomposed granite to make a border around the new concrete pad.
- The basketball court will be expanded from a ½ court to a full court. Footprint will be expanded by approximately 4,100 square feet
- All walking paths throughout the park will be repaired and ramps will be added for ADA compliance and improved safety. Walking paths will be surfaced with decomposed granite, asphalt, or concrete.
- Restrooms will be replaced.

The project will add the following new amenities:

- Outdoor fitness equipment located at 5-6 locations around the walking path
- A viewing area will be added at the southwest end of the pond.
- 2 new picnic areas will be constructed. One in the middle of the park near the existing picnic area and one at the southeast side of the pond near the park entrance.
- A ½-acre fenced dog area will be developed along the western boundary of the park near the playground area.
- Security lighting is being considered near parking areas for nighttime security only
- New water and electricity infrastructure will be installed to bring the park up to current codes.

CONSTRUCTION LEGEND

PA TYP.	PLANTING AREA TYPICAL
1	REFER TO MATERIAL SCHEDULE
A	REFER TO AMENITIES SCHEDULE

MATERIAL SCHEDULE

1	CONCRETE PAVING
2	DECOMPOSED GRANITE
3	ASPHALT CONCRETE
4	ENGINEERED PLAYGROUND MULCH
5	MULCH

AMENITIES SCHEDULE

A	PICNIC TABLES 6'-0" X 4'-0" TYP.
B	PICNIC TABLES 4'-0" X 4'-0" TYP.
C	BENCHES TYP.
D	DRINKING FOUNTAIN TYP.
E	TRASH RECEPTACLES TYP.
F	BARBEQUE
G	EDUCATIONAL SIGN
H	SCOREBOARD
I	PARK SIGN
J	STEPS TYP.
K	BLEACHERS
L	FITNESS EQUIPMENT TYP.

GRAPHIC SCALE
0 30 60
(IN FEET)
1 INCH = 30FT

DATE: 08/16/24
SHEET NUMBER: L-1 OF 1
PROJECT NUMBER: 23-060.01

INTEGRA
PLANNING+
LANDSCAPE
ARCHITECTURE

PREFERRED MASTER PLAN

BOWER PARK RESTORATION AND IMPROVEMENT GRANT PROJECT

38040 OLD STAGE ROAD, GUALALA CA 95445

COUNTY OF MENDOCINO, FACILITIES & FLEET DEPARTMENT

Aug 16, 2024 - 10:17am
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2.2.1 Staging

Staging for construction equipment and materials will be within existing parking areas.

2.2.2 Project Timing

Construction would begin in early 2025 and would consist of approximately 150 days of activity to occur within a 180-day construction period. Prior to construction of the park improvements, the improvement areas will be cleared of debris and vegetation (if needed). Minimal site grading will be required for the proposed improvements.

2.3 Regulatory Requirements, Permits, and Approvals

The following approvals and regulatory permits would be required for implementation of the Proposed Project:

- Coastal Development Permit
- National Pollutant Discharge Elimination System Permit
- Storm Water Pollution Prevention Plan

2.4 Consultation With California Native American Tribe(s)

Assembly Bill (AB) 52 requires that prior to the release of a CEQA document for a project, an agency begin consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the project if:

1. the California Native American tribe requested to the lead agency, in writing, to be informed by the Lead Agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe; and,

2. the California Native American tribe responds in writing, within 30 days of receipt of the formal notification, and requests the consultation. (Insert Tribe Information).

Further information on potential Tribal Cultural Resources in the Project Area, is provided in Section 4.18 *Tribal Cultural Resources* of this IS/MND.

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3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

3.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the Project, involving at least one impact that is a *Potentially Significant Impact,* as indicated by the checklist on the following pages.

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

Determination

On the basis of this initial evaluation:

I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	☐
I find that although the 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 Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☐
I find that the 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 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 Project, nothing further is required.	☐

Julia Krog — Date

Director, Department of Planning & Building Services

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4.0 ENVIRONMENTAL CHECKLIST AND DISCUSSION

4.1 Aesthetics

4.1.1 Environmental Setting

4.1.1.1 Regional Setting

Mendocino County is a scenic and visually diverse county and is considered predominately rural with respect to existing development. Natural scenic resources include the rugged Pacific Ocean coastline, redwood and other forests found in various locations throughout the county, and agricultural areas (such as vineyards and irrigated pastures), as well as natural open space and rangeland areas.

Bower Park is a popular semi-urban community park with a variety of recreational facilities that mainly serves the local residents and communities of Gualala, Sea Ranch, and Point Arena. The park is situated on gently sloping ground covered by pine and other evergreen trees, including a small grove of redwoods. To the north, south, and west of the park are residences, and is zoned Rural Residential. To the east is the Ocean Ridge Airport, a privately owned airport that has been opened to the public. It is zoned Industrial.

Bower Park has existing tennis courts, a baseball field, a basketball court, two separate playgrounds, nature trails, outdoor theater, and children's playground equipment. Additionally, there is an existing fishing pond that serves as the park's central feature (Mendocino County 2009).

4.1.1.2 Scenic Highways

In 1963, the California legislature created the Scenic Highway Program to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to state highways. A highway may be designated scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon traveler's enjoyment of the view.

Mendocino County contains no officially designated state scenic highways. However, segments of State Route (SR) 1, SR-128, and SR-20 are eligible for scenic highway designation. The status of a scenic highway changes from "eligible" to "officially designated" when the local jurisdiction adopts a scenic corridor protection program, applies to the California Department of Transportation (Caltrans) for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a scenic highway (Caltrans 2024).

The Project site is approximately 1.65 miles away from SR-1 and is not visible from the Project Site.

4.1.1.3 Viewsheds and Scenic Corridors

A viewshed is an area of land, water, and other elements that is visible from a specific point. In land use planning, viewsheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. Mendocino County has not officially designated any

specific viewsheds of scenic or other aesthetic value. However, the Resource Management Element (Mendocino County 2020) provides goals and policies that are applicable to the project:

Policy RM-129: New development should incorporate open space and resource conservation measures, coordinated with the surrounding area.

Policy RM-130: Support land trusts and similar organizations in identifying and protecting lands and corridors with significant resource, recreational or scenic values.

Policy RM-131: Protect the scenic values of the county's natural and rural landscapes, scenic resources, and areas of significant natural beauty.

Policy RM-133: Lakes, streams corridors, large reservoirs, and other water bodies have scenic values that shall be maintained or enhanced and restored when necessary.

Policy RM-135: Maintain and enhance scenic values through development design principles and guidelines including the following:

Development scale and design should be subordinate to and compatible with the setting.

Reduce the visual impacts of improvements and infrastructure.

Minimize disturbance to natural features and vegetation but allow selective clearing to maintain or reveal significant views.

Additionally, as the proposed Project is within the Coastal Zone, the County of Mendocino's Coastal Element visual resource policies are also applicable to the project. Relevant policies and goals are listed below:

Policy 3.5-1: The scenic and visual qualities of Mendocino County coastal areas shall be considered protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.

Policy 3.5-5: Providing that trees will not block coastal views from public areas such as roads, parks and trails, tree planting to screen buildings shall be encouraged. In specific areas, identified and adopted on the land use plan maps, trees currently blocking views to and along the coast shall be required to be removed or thinned as a condition of new development in

those specific areas. New development shall not allow trees to block ocean views.

In circumstances in which concentrations of trees unreasonably obstruct views of the ocean, tree thinning or removal shall be made a condition of permit approval. In the enforcement of this requirement, it shall be recognized that trees often enhance views of the ocean area, commonly serve a valuable purpose in screening structures, and in the control of erosion and the undesirable growth of underbrush.

Policy 3.5-6: *Development on a parcel located partly within the highly scenic areas delineated on the Land Use Maps shall be located on the portion outside the viewshed if feasible. Highly scenic areas delineation is approximate and shall be subject to review and correction if necessary at the time of a land development proposal or application.*

Where representatives of the County Planning Department, the California Coastal Commission, or the applicant are uncertain about the boundaries of the viewshed on any parcel such disagreements shall be investigated by an on-site inspection by the landowner and/or agents, County Planning Department staff member, and a representative of the California Coastal Commission.

The on-site inspection shall be coordinated by the County Planning Department and will take place within 3 weeks, weather and site conditions permitting, of the receipt of a written request from the landowner/agent for clarification of viewshed boundaries.

If all of the members of this group agree that the boundaries of the scenic resource in question should be adjusted following the site inspection, such development should be approved only upon specific findings that the scenic resource as identified will not be significantly degraded by the proposed development. If such findings cannot be made, the development shall be denied.

If it appears that the highly scenic area delineation should be substantially extended or reduced to include or exclude areas adjacent to those presently designated "highly scenic" to protect the scenic resource, this shall be accomplished through the plan amendment process.

4.1.2 Aesthetics (I) Environmental Checklist and Discussion

Except as provided in Public Resources Code Section 21099, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒

No Impact.

A scenic vista is a viewpoint that provides a distant view of highly valued natural or manmade landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, ocean, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance.

As described in the Environmental Setting above, the park is not located along a scenic highway and cannot be seen from a scenic highway. Visually speaking, improvements to the existing park will be replaced or improved "in kind" to what is currently there and in some cases will be improving the existing and deteriorating structures. Therefore, no long-term significant effect on scenic vistas would result from the Project. No mitigation required.

Except as provided in Public Resources Code Section 21099, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

No Impact.

The California Scenic Highway Program protects and enhances the scenic beauty of California's highways and adjacent corridors. Caltrans can designate a highway as scenic based on how much natural beauty can be seen by users of the highway, the quality of the scenic landscape, and if development impacts the enjoyment of the view.

There are no designated Scenic Highways in the vicinity of the Project area. The closest eligible scenic highway (Highway 1) is approximately 1.67 away from the project and does not have views of the park. There are no impacts to state scenic highways. No mitigation required.

Except as provided in Public Resources Code Section 21099, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project is within an existing park that is located adjacent to Old Stage Road with the Ocean Ridge Airport to the northeast and rural homes on large lots to the north, south, and west.

As noted previously, the proposed project is located within an existing park. The project is designed to enhance the park by adding desired amenities, upgrading existing amenities, and including accessibility features. The project does not involve major redesign of the existing natural features or park layout. Once completed, the park will have a similar visually character and quality as the existing conditions. Views both from the park and to the park will remain relatively unchanged. As with any construction project, a temporary decrease in the visual appeal of the areas immediately affected by the work being performed would occur. Once completed construction related equipment and debris will be removed from the site, thus returning the site to near pre-construction conditions. This impact is considered less than significant. No mitigation required.

Except as provided in Public Resources Code Section 21099, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed project may include safety lighting around parking areas and the restrooms; however, this lighting will be dim, motion activated and will have limited activation times. Light structures will be shielded or angled in a way that does not cause lighting to spill into the night sky and create a substantial new light source in the area. This impact is considered less than significant.

4.1.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.2 Agriculture and Forestry Resources

4.2.1 Environmental Setting

According to the California Department of Conservation (DOC) online Important Farmland Finder Map, the Project Site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor is the Site zoned for agriculture or forestry use or subject to a Williamson Act contract. The California Important Farmland Finder Map identifies the Site as Urban and Built-Up Land (DOC 2024a).

4.2.2 Agriculture and Forestry Resources (II) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

No Impact.

The California Farmland Mapping and Monitoring Program, Important Farmlands Map for Mendocino County designates the Project Site as Urban and Built-Up Land (DOC 2024a). The Project Site is not located on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; thus, the proposed Project would not convert such farmland to non-agricultural use. No impact would occur. No mitigation necessary.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

No Impact.

The proposed Project is not located in an agricultural use zone. The Project is zoned as Open Space (OS) and is not under a Williamson Act contract (DOC 2024b). Therefore, the project would not result in a conflict with an agricultural zoning designation or a Williamson Act contract. No impact would occur. No mitigation necessary.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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 Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☒	☐

Less Than Significant Impact.

The Project Site is not zoned for forest land, timberland, or timberland production (Mendocino County 2024b). The Project Site is currently developed as an existing community park. All park improvements would occur within the existing footprint of Bower Park and would not conflict with existing zoning, or cause for a rezoning of forest or timberland. Any impacts would be less than significant and no mitigation is required.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

No Impact.

The Project Site is currently developed as an existing community park. All park improvements would occur within the existing footprint of Bower Park. The Proposed Project would not convert forest land to non-forest use; no impact would occur. No mitigation required.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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 forest land to non-forest use?	☐	☐	☐	☒

No Impact.

See discussion under item a) and c), the Proposed Project would not result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest. No impact would occur, and no mitigation measures are required.

4.2.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.3 Air Quality

This assessment was prepared using methods and assumptions recommended in the rules and regulations of the Mendocino County Air Quality Management District (MCAQMD). Regional and local existing conditions are presented, along with pertinent pollutant emissions standards and regulations. The purpose of this assessment is to estimate criteria air pollutants attributable to the Project and determine the level of impact the Project would have on the environment.

4.3.1 Environmental Setting

The Project Site is located in unincorporated Mendocino County. The California Air Resources Board (CARB) has divided California into regional air basins that share similar meteorological and topographical features. The Proposed Project is located in the North Coast Air Basin (NCAB), which includes Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. Mendocino County is largely rural, with large areas of forest and agricultural land. The Project Site is located in a densely vegetated area and is approximately a mile and a half away from the coastline. Coastal Mendocino County has a mild Mediterranean climate with abundant rainfall. Average annual temperatures on the coast range from 53° F to 57° F. Mendocino County has a high frequency of both ground-based and elevated inversions. During the winter months, strong inversions that persist for several days at a time are common. Inversions affect air quality conditions significantly because they influence the mixing depth, i.e., the vertical depth in the atmosphere available for diluting air contaminants near the ground.

Both the U.S. Environmental Protection Agency (USEPA) and CARB have established ambient air quality standards for common pollutants. These ambient air quality standards establish safe levels of contaminants that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called criteria pollutants because the health and other effects of each pollutant are described in criteria documents. The six criteria pollutants are ozone (O_3), carbon monoxide (CO), particulate matter (PM), oxides of nitrogen (NO_x), sulfur dioxide (SO_2), and lead. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. By federal and state standards, Mendocino County is in attainment, or unclassified, for all pollutants.

The air quality regulating authority in Mendocino County is the MCAQMD. The agency's primary responsibility is ensuring that the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) are attained and maintained in the NCAB, which encompasses Mendocino County and the Proposed Project Site. The MCAQMD is responsible for adopting or creating a comprehensive plan to reduce the emissions of these criteria pollutants. The MCAQMD also enforces rules and regulations, controls odors and nuisances, regulates burning, protects sensitive agricultural crops, limits damage to material goods from air pollutants, and maintains an air monitoring program. The MCAQMD coordinates work from government agencies, businesses, and private citizens to achieve and maintain healthy air quality.

In 2010, the MCAQMD published their Adopted Air Quality CEQA Thresholds of Significance for criteria and precursor air pollutants (MCAQMD 2010). The thresholds were originally adopted from the Bay Area Air Quality Management District (BAAQMD), but, in 2013, the MCAQMD issued an advisory that clarified some key differences between MCAQMD policies and those enumerated by the BAAQMD. This advisory includes updates and additions such as the Indirect Source Rule (which sets a higher standard than the Bay Area for Reactive Organic Gas (ROG) and NO_x emissions), Stationary Source Emissions Levels, CO Standards, Greenhouse Gas documentation updates, Risk Exposure modeling preferences, and updates to odor rules (MCAQMD 2013).

The following is a list of noteworthy MCAQMD rules that are pertinent to construction activities associated with the Proposed Project (MCAQMD 2011):

- **Rule 1-200 – Permit Requirements (Authority to Construct or Modify).** Written authorization shall be obtained from the District prior to starting construction, modification, operation or use of any stationary, portable, indirect source or conducting large grading operations which may cause, potentially cause, reduce, control or eliminate the emission or air contaminants.
- **Rule 1-400 – General Limitations (Public Nuisance).** The purpose of this rule is to protect the health and safety of the public from source operations that emit or may emit air contaminants or other materials. It prohibits emissions of air contaminants or other materials "which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or that endanger the comfort, repose, health or safety."
- **Rule 1-430 – Fugitive Dust Emissions.** This rule prohibits the handling, transportation, open storage of materials, or the conduct of other activities in such a manner that allows or may allow unnecessary amounts of particulate matter to become airborne. Dust control measures required during all construction operations are listed. Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, covering open bodied trucks when used to transport materials likely to contribute to airborne dust as well as using water or chemicals to control for dust during the demolition of existing buildings or structures. Additionally, the District stipulates that dust control measures shall be maintained during recreational activities to prevent dust from migrating off the property where the activity is occurring.

4.3.2 Air Quality (III) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐

Less Than Significant Impact.

As part of its enforcement responsibilities, the USEPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. CARB is the lead agency for developing the SIP in California. Local air districts prepare air quality attainment plans or air quality management plans and submit them to CARB for review, approval, and incorporation into the applicable SIP. The air districts develop the strategies stated in the SIPs for achieving air quality standards on a regional basis.

The Project region is classified as in attainment or unclassified for all federal and state standards of criteria air pollutants and, therefore, not required to develop a SIP (CARB 2022). However, Mendocino County was previously in nonattainment of the state standard for coarse particulate matter (PM_{10}). Therefore, in January of 2005 the MCAQMD published the Particulate Matter Attainment Plan (2005 PM Plan) which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state air quality standards while maintaining the attainment of federal standards. The plan's pollutant control strategies are action items for the MCAQMD to more stringently enforce and improve existing air quality regulations. The 2005 PM Plan includes action items for woodstoves, campgrounds, unpaved roads, construction and grading activities, new residential development, and open burning (MCAQMD 2005). The MCAQMD does not provide specific guidance measures which must be considered for compliance of proposed land use projects with the 2005 PM Plan. However, a project that results in an increase in the frequency or severity of existing air quality violations or causes or contributes to new air quality violations could be considered a project that inhibits the overall reduction goals of the 2005 PM Plan. As shown in Tables 4.3-1 below, the Proposed Project would result in emissions that would be below the MCAQMD thresholds during construction. Additionally, once construction is complete, the Project would contribute a minimal amount of operational air quality emissions as the Project is proposing improvements to an existing park. Therefore, the Proposed Project would not result in an increase in the frequency or severity of existing air quality violations and would not have the potential to cause or affect a violation of the ambient air quality standards. Thus, it can be assumed that the Project would not conflict with the 2005 PM Plan. This impact is less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	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?	☐	☐	☒	☐

Less Than Significant Impact.

Emissions associated with Project construction would be temporary and short-term but have the potential to represent a significant air quality impact. Three basic sources of short-term emissions will be generated

through construction of the Proposed Project: operation of the construction vehicles (i.e., excavators, trenchers, dump trucks), the creation of fugitive dust during clearing and grading, and the use of asphalt or other oil-based substances during paving activities. Construction activities such as excavation and grading operations, construction vehicle traffic, and wind blowing over exposed soils would generate exhaust emissions and fugitive PM emissions that affect local air quality at various times during construction. Effects would be variable depending on the weather, soil conditions, the amount of activity taking place, and the nature of dust control efforts. Project construction activities would be subject to MCAQMD's Regulation 1, Rule 1-430, which specifies the following measures to control fugitive dust during all construction operations, the grading of roads, or the clearing of land (MCAQMD 2011):

- All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.
- All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour.
- Earth or other material tracked onto neighboring paved roads shall be removed promptly.
- Approved chemical soil stabilizers shall be applied to exposed earth surfaces in inactive construction areas and exposed stockpiles (i.e., sand, gravel, dirt).
- Dust generating activities shall be limited during periods of high winds (over 15 miles per hour).
- Access of unauthorized vehicles onto the construction site during non-working hours shall be prevented.
- A daily log shall be kept of fugitive dust control activities.

Construction-generated emissions associated with the Proposed Project were calculated using the California Emissions Estimator Model (CalEEMod), version 2022.1. CalEEMod is a statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Project construction-generated air pollutant emissions were calculated using CalEEMod model defaults for Mendocino County. Appendix A provides more information regarding the construction assumptions, including construction equipment and duration, used in this analysis.

Predicted daily average emissions attributable to Project construction are summarized in Table 4.3-1. Such emissions are short-term and of temporary duration, lasting only as long as Project construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the MCAQMD's thresholds of significance.

Table 4.3-1. Construction-Related Emissions						
Activity	**ROG**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$[2]**
Pollutant (average pounds per day)						
Construction Calendar Year One	1.20	9.65	10.6	0.02	25.9	3.39
MCAQMD Significance Threshold	54	54	None	None	82	54
Exceed *MCAQMD* Daily Threshold?	No	No	No	No	No	No

Source: California Emissions Estimator Module (CalEEMod) Version 2022.1. Refer to Appendix A for Model Data Outputs.
Notes: CO = Carbon Monoxide; MCAQMD = Mendocino County Air Quality Management District; NO_x = Nitrogen Oxide; $PM_{2.5}$ = Fine Particulate Matter; PM_{10} = Coarse Particulate Matter; ROG = Reactive Organic Gas; SO_2 = Sulfur dioxide

As shown in Table 4.3-1, construction related emissions would not exceed thresholds established by the MCAQMD or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as nonattainment by exceeding an applicable federal or state ambient air quality standard.

Operational emissions impacts are long-term air emissions impacts that are associated with any changes in permanent use of the Project Site by on-site stationary and off-site mobile sources that substantially increase emissions. The Project is proposing improvements to the existing Bower Park. The Project would not change the use of the Project Site or contribute to on or off-site emissions beyond current conditions. No long-term operational emission impacts would occur as a result of the Project.

Therefore, any impacts associated with Project implementation would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

Less Than Significant Impact.

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and the acutely and chronically ill. Commonly identified sensitive land uses are listed by Mendocino County as residences, schools, playgrounds, childcare centers, retirement homes or convalescent homes, hospitals, and clinics. The major sensitive receptors in Mendocino County are schools, residences, and medical centers. The nearest permanent, off-site sensitive receptor to the Project Site is a single-family home, located approximately 396 feet distant from the center of the proposed Project.

4.3.2.1 Construction-Generated Air Contaminants

Construction of the Proposed Project would result in temporary, short-term emissions of diesel particulate matter (DPM), reactive organic gases, NO_x, CO, and PM_{10} from the exhaust of off-road, heavy-duty diesel equipment for Project construction; soil hauling truck traffic; paving; and other miscellaneous activities. The portion of the NCAB which encompasses the Project Area is designated as unclassified/in attainment for the federal and state criteria air pollutant standards (CARB 2022). As shown in Table 4.3-1, the Project would not exceed the MCAQMD significance thresholds for construction emissions and therefore no regional health effects from Project criteria pollutants would occur.

The health effects associated with O_3 are generally associated with reduced lung function. O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of ROG and NO_x in the presence of sunlight. The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term O_3 exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to O_3 may increase the risk of respiratory-related deaths. The concentration of O_3 at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Evidence suggests that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum O_3 concentration reaches 80 parts per billion. Because the Project would not involve construction activities that would result in O_3 precursor emissions (ROG or NO_x) in excess of the MCAQMD thresholds, which are set to be protective of human health and account for cumulative emissions in Mendocino County, the Project is not anticipated to substantially contribute to regional O_3 concentrations and the associated health impacts.

CO tends to be a localized impact associated with congested intersections. In terms of adverse health effects, CO competes with oxygen, often replacing it in the blood, reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can include dizziness, fatigue, and impairment of central nervous system functions. The Project would not involve construction activities that would result in substantial CO emissions. Thus, the Project's CO emissions would not contribute to the health effects associated with this pollutant.

Particulate matter (PM_{10} and $PM_{2.5}$) contains microscopic solids or liquid droplets that are so small that they can get deep into the lungs and cause serious health problems. Particulate matter exposure has been linked to a variety of problems, including premature death in people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms such as irritation of the airways, coughing, or difficulty breathing. For construction activity, DPM is the primary Toxic Air Contaminants of concern. PM_{10} exhaust is considered a surrogate for DPM as

it contains $PM_{2.5}$ exhaust as a subset and all diesel exhaust is considered to be DPM. As with O_3 and NO_x, the Project would not generate emissions of PM_{10} or $PM_{2.5}$ that would exceed the MCAQMD's thresholds. The increases of these pollutants generated by the Proposed Project would not on their own generate an increase in the number of days exceeding the NAAQS or CAAQS standards. Therefore, PM_{10} and $PM_{2.5}$ emissions, when combined with the existing PM emitted regionally, would have minimal health effect on people located in the immediate vicinity of the Project Site. Additionally, the Project's PM_{10} and $PM_{2.5}$ emissions are not expected to cause any increase in related regional health effects from these pollutants.

In summary, Project construction would not result in a potentially significant contribution to regional concentrations of air pollutants and would not result in a significant contribution to the adverse health impacts associated with those pollutants.

4.3.2.2 Operational Air Contaminants

The health risk public-notification thresholds adopted by the MCAQMD Board is 10 excess cancer cases in a million for cancer risk and a hazard index of more than one (1.0) for non-cancer risk. Examples of projects that emit toxic pollutants over long-term operations include oil and gas processing, gasoline dispensing, dry cleaning, electronic and parts manufacturing, medical equipment sterilization, freeways, and rail yards. Operation of the Proposed Project would not result in the development of any substantial sources of air toxics. There would be no stationary sources associated with Project operations; nor would the Project attract additional mobile sources that spend long periods queuing and idling at the site. As such, the Project would not emit TACs during normal operations and TACs are not anticipated to be present at the Project Site. Thus, a formal Health Risk Assessment will not be required for the Project. Onsite Project emissions would not result in significant concentrations of pollutants at any sensitive receptors. Therefore, the Project would not be a substantial source of TACs. The Project will not result in a high carcinogenic or non-carcinogenic risk during operation. This impact would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

No Impact.

Typically, odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals have the ability to smell minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same

odor; in fact, an odor that is offensive to one person (e.g., from a fast-food restaurant) may be perfectly acceptable to another. It is also important to note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor and recognition only occurs with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word "strong" to describe the intensity of an odor. Odor intensity depends on the odorant concentration in the air. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

During construction, the Proposed Project presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the site. However, these emissions are short-term in nature and will rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Additionally, odors would be localized and generally confined to the construction area. Therefore, construction odors would not adversely affect a substantial number of people to odor emissions.

Land uses commonly considered to be potential sources of obnoxious odorous emissions include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Proposed Project does not include any uses identified as being associated with odors. Therefore, there is no impact from the Proposed Project on odors.

4.3.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.4 Biological Resources

ECORP Consulting, Inc. conducted a Biological Resources Assessment (BRA) in 2024 at the request of the County of Mendocino for the Proposed Bower Park Restoration Grant Project (Project) located in Gualala, Mendocino County, California. The purpose of the BRA was to collect information on the biological resources present or with the potential to occur in the Project Study Area (Project Area plus the Buffer Area), assess potential biological impacts related to Project activities, and identify potential mitigation measures to inform and support the Project's CEQA documentation for biological resources. The BRA is included as Appendix B of this Initial Study and provides the information utilized in the following sections. A first season Special Status Plant Survey was conducted for the Project and the results have been included within the BRA. However, an early season rare plant survey will be conducted in 2025.

4.4.1 Environmental Setting

The Biological Study Area (BSA) includes all areas where Project-related activities may result in impacts to sensitive biological resources. This does not include the entire approximately 10-acre park. The 7.88-acre BSA is generally consistent with the Project Area shown in Figure 1-1; however, sensitive resources, such as special-status plants, were recorded when observed within an approximate 50-foot buffer of the Project area. The BSA corresponds to a portion of Section 15, Township 11 North, and Range 15 West (Mount Diablo Base and Meridian) of the "Gualala, California" 7.5-minute quadrangle.

The BSA is located on terrain that slopes gently to the southeast. The BSA is situated at an elevational range of approximately 890 to 940 feet above Mean Sea Level (MSL) in the North Coast subregion within the Northwestern California region of the California floristic province. The average winter low temperature is 42.3 degrees Fahrenheit (˚F) and the average summer high temperature is 67.2˚F; the average annual precipitation is approximately 39.87 inches at the Fort Ross station, which is approximately 25 miles south of the BSA (ECORP 2024a).

The BSA is currently occupied by a regional park that includes a baseball field, basketball court, tennis courts, small amphitheater, pond, and park facilities. The facilities include a medium-sized building and a bathroom. Undeveloped portions of the BSA primarily include open Bishop pine forest and wetland vegetation associated with the pond. Vegetation communities and plant species composition are described in further detail below.

4.4.1.1 Vegetation Communities

The following sections describe vegetation communities and land cover types within the BSA as observed during the site reconnaissance. A full list of plants observed onsite can be found in Appendix B. The approximate extent of vegetation communities and land cover types are depicted on Figure 4.4-1.

Sensitive habitats are present in the BSA. Sensitive habitats include areas defined by the California Department of Fish and Wildlife (CDFW) as a sensitive natural community or by the Mendocino County General Plan's Coastal Element as Environmentally Sensitive Habitat Areas (ESHAs). As cited therein, ESHAs include: anadromous fish streams, sand dunes, rookeries and marine mammal haul-out areas, wetlands, riparian areas, areas of pygmy vegetation which contain species of rare or endangered plants and habitats of rare and endangered plants and animals. ESHAs in the BSA consist of wetlands, areas that provide special-status wildlife habitat, and special-status plant habitat. All sensitive natural communities as defined by CDFW are also considered ESHAs.

Map Contents

Project Area - 7.88 ac.

Vegetation Communities

Bishop Pine Woodland - 4.52 acres

Disturbed/Developed - 1.94 acres

Pond - 1.42 acres

Sources: Esri World Imagery, Maxar

Location: N:\2023\2023-250 Bower Park Restoration Grant Project\MAPS\Vegetation_and_LandCover\BPR Vegetation.aprx - BPR Vegetation 20240729 (lgalvez - 7/30/2024)

Map Date: 7/30/2024

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Scale in Feet
0 150

Figure 4.4-1 Vegetation Communities and Land Cover Types

2023-250 Bower Park Restoration Project

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Bishop Pine Woodland

The Bishop pine woodland community is found throughout undeveloped portions of the BSA. The BSA is located at the top of a coastal ridgeline and straddles the boundary between two watersheds. It is slightly warmer and drier in the BSA relative to the coastal town of Gualala approximately two miles away. The park includes mixed stands of conifers and some hardwoods. The canopy is dominated by Bishop pine (*Pinus muricata*), coast redwood (*Sequoia sempervirens*), and Douglas-fir (*Pseudotsuga menziesii*) while the understory is dominated by tanoak (*Notholithocarpus densiflorus*), hairy manzanita (*Arctostaphylos Columbiana*), evergreen huckleberry (*Vaccinium ovatum*), and California wax myrtle (*Morella californica*). There are several openings in the park where non-native annual grasses and forbs dominate. Common species in these openings include big quaking grass (*Briza maxima*), hedgehog dog-tail grass (*Cynosurus echinatus*), hairy hawkbit (*Leontodon saxatalis*), English plantain (*Plantago lanceolata*), and canary grass (*Phalaris* sp.).

The vegetation around the pond is somewhat distinct, although not extensive enough to warrant a separate designation. Species limited to the border of the pond included Pacific willow (*Salix lasiandra*), western labrador tea (*Rhododendron columbianum*), and a California Rare Plant Rank (CRPR) 1B.2 plant, swamp harebell (*Campanula californica*).

The Bishop pine woodland can be characterized as the Bishop pine – Monterey pine (*Pinus muricata – Pinus radiata*) Forest and Woodland Alliance. This alliance is considered to be a sensitive natural community according to the California Department of Fish and Wildlife (CDFW). CDFW sensitive natural communities may also be considered ESHAs under the Coastal Element of the General Plan.

Disturbed/Developed

The disturbed or developed land cover type is associated with the parking lots, ball field, tennis courts, and basketball court within the BSA and is composed of paved surfaces and non-native grasses and forbs, including canary grass, hairy hawkbit, English plantain, and big quaking grass

4.4.1.2 Aquatic Resources.

Review of the National Wetland Inventory (NWI) showed one mapped aquatic feature within the BSA. The NWI mapping designation (PUBHx) indicates the presence of man-made freshwater pond with unconsolidated bottom that is permanently flooded within or adjacent to the BSA. Note that the NWI inventory mapping is a national dataset based on data prepared from the analysis of high-altitude imagery in conjunction with collateral data sources and field work. A margin of error is inherent in the use of imagery; thus, on-the-ground inspection of a particular study area is needed to confirm wetland boundaries and classifications.

A formal assessment of waters was conducted during the August 28 and 29, 2024 site visit. A total of 1.479 acres of aquatic resources were identified on-site. The aquatic feature types identified onsite include seasonal wetland, ephemeral drainage, pond, and ditch (Figure 4.4-2, Table 4.). These features are further described in the following sections.

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Map Contents

- Project Area - 7.88 ac.
- Reference Coordinates

Sample Points

- Upland
- Waters
- Transect
- OHWM
- Culvert

Aquatic Resources (1.479 ac.)

Wetlands (0.013 ac.)

- Seasonal Wetland - 0.013 ac.

Other Waters (1.466 ac.)

- Ephemeral Drainage - 0.004 ac.
- Pond - 1.451 ac.
- Ditch - 0.011ac.
- Ephemeral Drainage (outside the project area)

Photo Source: Maxar (2023)
Boundary Source: BKF Engineers
Delineator(s): Stephanie Castle
Coordinate System: NAD 1983 StatePlane California II FIPS 0402 Feet

[1] Subject to U.S. Army Corps of Engineers verification. This exhibit depicts information and data produced in accord with the wetland delineation methods described in the 1987 Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region Version 2.0 as well as the Updated Map and Drawing Standards for the South Pacific Division Regulatory Program as amended on February 10, 2016, and conforms to Sacramento District specifications. However, feature boundaries have not been legally surveyed and may be subject to minor adjustments if more accurate locations are required.

* The acreage value for each feature has been rounded to the nearest 1/1000 decimal. Summation of these values may not equal the total potential Waters of the U.S. acreage reported.

Sources: Esri World Imagery, Maxar (2023)

Location: N:\2023\2023-250 Bower Park Restoration Grant Project\MAPS\Aquatic_Resources\Bower Aquatics.aprx - Bower ARD 20240913 (lgalvez - 9/13/2024)

Map Date: 9/13/2024

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Scale in Feet
0 130

Figure 4.4-2. Aquatic Resources Delineation

2023-250 Bower Park Restoration Grant Project

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Table 4.4-1. Aquatic Resources in the Biological Study Area	
Type	**Acres**
Wetlands	
Seasonal Wetland	0.013
Total:	0.022
Other Waters	
Ephemeral Drainage	0.004
Pond	1.451
Ditch	0.011
Total:	**1.466**
Grand Total:	**1.479**

Notes: Acreages and linear footage represent a calculated estimation and are subject to modification following the U.S. Army Corps of Engineers aquatic resources verification process.
Summation of individual wetland type acreages may not equal the reported total due to error incurred by rounding.

Seasonal Wetland

Seasonal wetlands are ephemerally wet due to accumulation of surface runoff and rainwater within low-lying areas. Inundation periods tend to be relatively short and vegetation is commonly dominated by non-native annual and sometimes perennial hydrophytic species. There is one seasonal wetland within the BSA located at the northwest corner of the pond. Plant species in this area include soft rush (*Juncus effusus*), coast redwood, western labrador tea, and velvet grass (*Holcus lanatus*). The seasonal wetland also includes a small population of swamp harebell, a CRPR 1B.2 species.

Ephemeral Drainage

Ephemeral drainages are linear features that exhibit a bed and bank and an Ordinary High Water Mark (OHWM). These features typically convey runoff for short periods of time, during and immediately following rain events, and are not influenced by groundwater sources at any time during the year. There is one ephemeral drainage within the BSA. This drainage flows into the seasonal wetland on the northwest corner of the pond and is connected to a small upstream ditch via a culvert. The ephemeral drainage was unvegetated, is located under a canopy of coast redwood (*Sequoia sempervirens*) and showed evidence of erosion from episodic flows.

Pond

Ponds are depressions that are permanently or intermittently inundated and support open water during the growing season. Ponds exhibit an OHWM but may or may not support hydrophytic vegetation and hydric soils. The pond on-site is man-made and is surrounded by a low fence and includes a small island in the center. The pond is approximately 1.42 acres in size, including the island. Hard-stem bulrushes (*Schoenoplectus acutus*) line the banks and littoral zone. Watershield (*Brasenia schreberi*, CRPR 2B.3) and marsh purslane (*Ludwigia palustris*) form large mats in sunnier portions of the pond.

Ditch

Ditches are linear features constructed to convey storm water and/or irrigation water. There are two small ditches in the Project Area, one located on the north side of the access road that leads to the ball field and one around the north and east edges of the parking lot. The northern ditch was mostly unvegetated with upland grass species on the edges, which were unidentifiable at the time of the survey. The southern ditch contained hydric plants such as dallis grass (*Paspalum dilatatum*), velvet grass, pennyroyal (*Mentha pulegium*), and tall flatsedge (*Cyperus eragrostis)*.

A review of historical topographic mapping and aerial imagery shows that the ditches appear to be man-made features constructed in uplands that did not relocate or drain a natural drainage or wetland feature. The ditches appear to have been constructed to convey surface water runoff water around the access road and parking lot to a culvert that empties to the onsite pond. Based on this analysis, the ditches are likely not considered jurisdictional waters of the U.S. or state and are not considered wetlands under the Coastal Act.

California Coastal Commission Wetlands

The BSA supports 1.468 acres of wetlands that meet the criteria for California Coastal Commission (CCC) wetlands. The Mendocino County General Plan's Coastal Element, Appendix 8, contains the CCC's statewide guidelines for defining wetlands under the Coastal Act and states that non-tidal manmade ditches excavated from dry land are excepted from the definition. All aquatic resources identified onsite, except the two constructed ditches, are considered California Coastal Commission wetlands and ESHAs. No additional 1-parameter wetlands were identified onsite (Table 4.4-2).

Table 4.4-2. California Coastal Commission Wetlands

Type	Acres
Seasonal Wetland	0.013
Ephemeral Drainage	0.004
Pond	1.451
California Coastal Commission One-parameter Wetlands	–
Total:	**1.468**

Notes: Acreages and linear footage represent a calculated estimation and are subject to modification following the U.S. Army Corps of Engineers (USACE) verification process.
Summation of individual wetland type acreages may not equal the reported total due to error incurred by rounding.

4.4.1.3 Wildlife

The BSA provides habitat for a variety of wildlife species. Wildlife species observed onsite include Steller's jay (*Cyanocitta stelleri*), chestnut-backed chickadee (*Poecile rufescens*), and northern alligator lizard (*Elgaria coerulea*). Other species typically associated with the habitat types found in the BSA include black-tailed deer (*Odocoileus hemionus*), Swainson's thrush (*Catharus ustulatus*), Sierran treefrog (*Pseudacris*

sierra), and coast garter snake (*Thamnophis elegans terrestris*). A full list of wildlife species observed in the BSA is provided in Appendix B.

Below is a summary of the special status species that are identified in the BRA as being present or having the potential to be present within the BSA.

Plants

The BSA contains potentially suitable habitat for 22 special-status plant species (Table 4). Two species, swamp harebell and watershield were observed onsite, and two other species were observed but require confirmation during an early season plant survey (Figure 4.4-3). Brief descriptions of these species are included below. A list of all plant species observed onsite is included as Appendix B.

Humboldt County Milk-Vetch

Humboldt County milkvetch (*Astragalus agnicidus*) is not listed pursuant to the federal Endangered Species Act (ESA), is listed as endangered pursuant to the California ESA, and is designated as a CRPR 1B.1 species. This species is an herbaceous perennial that occurs in openings, disturbed areas, and sometimes on roadsides in broadleaf upland and North Coast coniferous forests. Humboldt County milk-vetch blooms from April through September and is known to occur at elevations ranging from 395 to 2,625 feet above MSL. This species is endemic to California; its current range includes Humboldt, Mendocino, and Santa Cruz counties (California Native Plant Society (CNPS; 2024a).

There are three mapped California Natural Diversity Database (CNDDB) occurrences for Humboldt County milk-vetch within five miles of the BSA. The disturbed areas within the BSA provide marginally suitable habitat. The species is not known to occur in closed-cone coniferous forest, and Humboldt County milk-vetch has low potential to occur. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Watershield

Watershield (*Brasenia schreberi)* is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 2B.3 species. This species is an herbaceous rhizomatous perennial that occurs usually in freshwater marshes and swamps. Watershield blooms from June through September and is known to occur from 0 to 7,220 feet above MSL. The current range for watershield in California includes Butte, Calaveras, El Dorado, Fresno, Glenn, Lake, Lassen, Mendocino, Merced, Nevada, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Sonoma, Sutter, Tehama, Trinity, Tulare, and Tuolumne counties (CNPS 2024a).

There are no mapped occurrences for watershield within five miles of the BSA. This species was observed in the pond during the July and August 2024 site visits (Figure 4.4-3). Hundreds of watershield individuals were observed within sunny portions of the pond intermixed with hard-stem bulrush (*Schoenoplectus acutus*) and marsh seedbox (*Ludwigia palustris*). Watershield is present within the BSA.

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Map Contents

Project Area - 7.88 ac.

Plant Species

- Watershield (*Brasenia scheberi*)
- Reed grass (*Calamagrostis* sp.)
- Swamp harebell (*Eastwoodiella californica*)
- Coast lily (*Lilium maritimum*)

Sources: Esri World Imagery, Maxar (2023)

Location: N:\2023\2023-250 Bower Park Restoration Grant Project\MAPS\Biological_Resources\Bower BIO.aprx - BPR Special Status Plant Species 20240830 (lgalvez - 8/30/2024)

Map Date: 8/30/2024

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Scale in Feet
0 160

Figure 4.4-3. Special-Status Plant Species

2023-250 Bower Park Restoration Grant Project

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Bolander's Reed Grass

Bolander's reed grass (*Calamagrostis bolanderi*) is not listed pursuant to either the federal and/or California ESAs, and is designated as a CRPR 4.2 species. This species is an herbaceous rhizomatous perennial that occurs in mesic areas within bogs and fens, broadleafed upland forest, closed-cone coniferous forest, coastal scrub, meadows and seeps, freshwater marshes and swamps, and North Coast coniferous forest. Bolander's reed grass blooms from May through August and occurs from sea level to 1,495 feet above MSL. This species is endemic to California and its current range includes Humboldt, Mendocino, and Sonoma counties (CNPS 2024a).

There are no mapped CNDDB occurrences for Bolander's reed grass within the BSA; however, the Bishop pine woodland provides suitable habitat for this species. Bolander's reed grass has potential to occur within the BSA. A grass belonging to the genus *Calamagrostis* was observed during the August 2024 site visit adjacent to the seasonal wetland, but species identification could not be confirmed due to the lack of florets required to positively identify (Figure 4.4-3).

California Sedge

California sedge (*Carex californica*) is not listed pursuant to either the federal and/or California ESAs, and is designated as a CRPR 2B.2 species. This species is an herbaceous perennial rhizome that occurs in bogs and fens, closed-cone coniferous forests, coastal prairie, meadows and seeps, and margins of marshes and swamps. California Sedge blooms from May through August and is known to occur at elevations ranging from 295 to 1,100 feet above MSL. Its current range includes Mendocino and Sonoma counties (CNPS 2024a).

There are no mapped CNDDB occurrences for California sedge within the BSA. The Bishop pine woodland, pond margins, and the ephemeral drainage provides suitable habitat for this species. California sedge has potential to occur within the BSA. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Lyngbye's Sedge

Lyngbye's sedge (*Carex lyngbyei*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 2B.2 species. This species is an herbaceous rhizomatous perennial that occurs in both brackish and freshwater marshes and swamps. Lyngbye's sedge blooms from April through September and occurs at elevations ranging from sea level to 35 feet above MSL (CCH2 2024). Its current range in California incudes Del Norte, Humboldt, Marin, Mendocino, Napa, and Solano counties (CNPS 2024a).

There are no mapped CNDDB occurrences for Lyngbye's sedge within five miles of the BSA. The pond within the BSA may provide marginally suitable habitat. Lyngbye's sedge has low potential to occur. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Johnny-Nip

Johnny-nip (*Castilleja ambigua* var. *ambigua*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 4.2 species. This species is an herbaceous hemiparasitic annual that occurs in coastal bluff scrub, coastal prairie, coastal scrub, marshes and swamps, valley and foothill grassland, and margins of vernal pools. Johnny-nip blooms from March through August and is known to occur at elevations ranging from 0 to 1,425 feet above MSL. The current range of this species in California includes Alameda, Contra Costa, Del Norte, Humboldt, Mendocino, Marin, Napa, Santa Cruz, San Mateo, Solano, and Sonoma counties (CNPS 2024a).

There are no mapped CNDDB occurrences for Johnny-nip within five miles of the BSA. The grassy openings and mesic areas may provide marginally suitable habitat for this species. Johnny-nip has low potential to occur. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Point Reyes Ceanothus

Point Reyes ceanothus (*Ceanothus gloriosus* var. *gloriosus*) is not listed as pursuant to either the federal or California ESAs, but is designated as a CRPR 4.3 species. This species is a perennial evergreen shrub that occurs in sandy soils within coastal bluff scrub, closed-cone coniferous forest, coastal dunes, and coastal scrub. Point Reyes Ceanothus blooms from March through May and occurs from 15 to 1,705 feet above MSL. Point Reyes Ceanothus is endemic to California and its current range includes Marin, Mendocino, Monterey, and Sonoma counties (CNPS 2024a).

There are no mapped CNDDB occurrences for Point Reyes Ceanothus within the BSA. The Bishop pine woodland provides suitable habitat for this species. Point Reyes Ceanothus has potential to occur within the BSA. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Swamp Harebell

Swamp harebell (*Campanula californica*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 1B.2 species. This species is an herbaceous rhizomatous perennial that occurs in mesic areas of bogs and fens, closed–cone coniferous forest, coastal prairie, meadows and seeps, freshwater marshes and swamps, and North Coast coniferous forest. Swamp harebell blooms from June through October and is known to occur at elevations ranging from 5 to 1,330 feet above MSL. Swamp harebell is endemic to California; the current range of this species includes Marin, Mendocino, and Sonoma counties. It is presumed extirpated from Santa Cruz County (CNPS 2024a).

There are 23 mapped occurrences for swamp harebell within five miles of the BSA. This species was observed in two patches adjacent to the pond within the seasonal wetland during the July and August 2024 surveys (Figure 4.4-3). Approximately 25 to 40 individuals were estimated to occur in the two patches mapped onsite. Swamp harebell is present within the BSA.

Pacific Gilia

Pacific gilia (*Gilia capitata* ssp. *pacifica*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 1B.2 species. This species is an herbaceous annual that occurs in coastal bluff scrub, openings in chaparral, coastal prairie, and valley and foothill grassland. Pacific gilia blooms from April through August and is known to occur at elevations ranging from 15 to 5,465 feet above MSL. The current range of Pacific gilia includes Del Norte, Humboldt, Mendocino, Sonoma, and Trinity counties (CNPS 2024a).

There is one mapped CNDDB occurrence for Pacific gilia within five miles of the BSA. There is limited habitat for this species within the BSA, but small stands of manzanita may provide marginally suitable habitat for this species. Pacific gilia has low potential to occur. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

American Manna Grass

American manna grass (*Glyceria grandis*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 2B.3 species. This species is a rhizomatous herbaceous perennial that occurs in bogs and fens, meadows and seeps, and streambanks and lake margins of marshes and swamps. American manna grass blooms from June through August and is known to occur at elevations ranging from 50 to 6,495 feet above MSL. The current range of this species in California includes El Dorado, Fresno, Humboldt, Mendocino, Mono, Placer, and Tulare counties. (CNPS 2024a).

There are no mapped CNDDB occurrences for American manna grass within five miles of the BSA. There is marginally suitable habitat within the pond for this species. American manna grass has low potential to occur; however, none were observed onsite during the August 2024 special-status plant survey.

Harlequin Lotus

Harlequin lotus (*Hosackia gracilis*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 4.2 species. This species is an herbaceous rhizomatous perennial that occurs on roadsides in broadleafed upland forest, coastal bluff scrub, closed-cone coniferous forest, cismontane woodland, coastal prairie, coastal scrub, meadows and seeps, marshes and swamps, North Coast coniferous forest, and valley and foothill grassland. Harlequin lotus blooms from March through July and is known to occur at elevations ranging from sea level to 2,295 feet above MSL. The current range of this species in California includes Del Norte, Humboldt, Marin, Mendocino, Monterey, San Francisco, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, and Sonoma counties (CNPS 2024a).

There are no mapped CNDDB occurrences for Harlequin lotus within the BSA. The Bishop pine woodland provides suitable habitat for this species. Harlequin lotus has potential to occur within the BSA. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Island Tube Lichen

Island tube lichen (*Hypogymnia schizidiata*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 1B.3 species. This species is a foliose lichen that occurs on bark and wood of hardwoods and conifers within closed-cone coniferous forest and chaparral. This species occurs from 1,180 to 1,330 feet above MSL. Island tube lichen occurs in California and Baja California and its current range in California includes Marin, Mendocino, San Mateo, and Santa Barbara counties (CNPS 2024a).

There are no mapped CNDDB occurrences for island tube lichen within the BSA. The Bishop pine woodland provides suitable habitat for this species. Island tube lichen has potential to occur within the BSA; however, none were observed onsite during the August 2024 special-status plant survey.

Coast Iris

Coast iris (*Iris longipetala*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 4.2 species. This species is an herbaceous rhizomatous perennial that occurs in mesic areas in coastal prairie, lower montane coniferous forest, and meadows and seeps. Coast iris blooms from March through May and is known to occur at elevations ranging from sea level to 1,970 feet above MSL. Coast iris is endemic to California; the current range of this species includes Alameda, Contra Costa, El Dorado, Glenn, Humboldt, Mendocino, Merced, Monterey, Marin, Santa Clara, Santa Cruz, San Francisco, San Mateo, Solano, Sonoma, and Ventura counties (CNPS 2024a).

There are no mapped CNDDB occurrences for coast iris within five miles of the BSA. There is marginally suitable habitat within the pond for this species. Coast iris has low potential to occur within the BSA. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Small groundcone

Small groundcone (*Kopsiopsis hookeri*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 2B.3 species. This species is an herbaceous, rhizomatous, perennial that is also parasitic. It occurs in lower montane coniferous forest, North Coast coniferous forest, and upper montane coniferous forest. It blooms from April through August and is known to occur at elevations ranging from 295 to 2,905 feet above MSL. The current of this species in California includes Del Norte, Humboldt, Marin, Mendocino, Sonoma, and Trinity counties (CNPS 2024a).

There is one mapped CNDDB occurrence for small groundcone within five miles of the BSA. The Bishop pine woodland provides marginally suitable habitat for this species. Small groundcone has low potential to occur within the BSA. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Baker's Goldfields

Baker's goldfields (*Lasthenia californica* ssp. *bakeri*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 1B.2 species. This species is an herbaceous annual that occurs in closed-cone coniferous forest openings, coastal scrub, meadows, seeps, marshes and swamps. Baker's goldfields blooms from April through October and is known to occur at elevations ranging from 195 to 1,705 feet

above MSL. This species is endemic to California; its current range includes Marin, Mendocino, San Luis Obispo, and Sonoma counties (CNPS 2024a).

There is one mapped CNDDB occurrence for Baker's goldfields within five miles of the BSA. The Bishop pine woodland provides suitable habitat for this species. Baker's goldfields has potential to occur within the BSA; however, none were observed onsite during the August 2024 special-status plant survey.

Marsh Pea

Marsh pea (*Lathyrus palustris*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 2B.2 species. This species is an herbaceous perennial that occurs in mesic areas of bogs and fens, coastal prairie, coastal scrub, lower montane coniferous forest, marshes and swamps, and North Coast coniferous forest. Marsh pea blooms from April through September and is known to occur at elevations ranging from 5 to 330 feet above MSL (CCH2 2024). The current range of this species in California includes Del Norte, Humboldt, Mendocino, and Sonoma counties (CNPS 2024a).

There are no mapped CNDDB occurrences for marsh pea within five miles of the BSA. The pond may provide marginally suitable habitat for this species. Marsh pea has low potential to occur within the BSA. None were observed onsite during the August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Coast Lily

Coast lily (*Lilium maritimum*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 1B.1 species. This species is an herbaceous bulbiferous perennial that sometimes occurs on roadsides within broadleafed upland forest, closed-cone coniferous forest, coastal prairie, coastal scrub, freshwater marshes and swamps, and North Coast coniferous forest. Coast lily blooms from May through August and occurs from 15 to 1,560 feet above MSL. Coast lily is endemic to California and its current range includes Marin, Mendocino, and Sonoma counties (CNPS 2024a).

There are thirteen mapped CNDDB occurrences for coast lily within five miles of the BSA. The Bishop pine woodland provides suitable habitat for this species. Potential coast lily specimens were observed during the July and August 2024 site visits but were not identifiable to species at the time of the survey (Figure 4.4-3). Coast lily may be present within the BSA, but needs to be confirmed during an early season plant survey.

Running Pine

Running pine (*Lycopodium clavatum*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 4.1 species. This species is an herbaceous rhizomatous perennial that occurs along roadsides and openings and often along edges within mesic areas of lower montane coniferous forest and North Coast coniferous forest, and marshes and swamps. Running pine blooms from June through September (CCH2 2024). This species occurs at elevations ranging from 150 to 4,020 feet above MSL. The current range in California for running pine includes Del Norte, Humboldt, Mendocino, and Sonoma counties (CNPS 2024a).

There is one mapped CNDDB occurrence for running pine within five miles of the BSA. The openings in the forest near the pond provide suitable habitat for this species. Running pine has potential to occur within the BSA; however, none were observed onsite during the August 2024 special-status plant survey.

Marsh Microseris

Marsh microseris (*Microseris paludosa*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 1B.2 species. This species is an herbaceous perennial that occurs in closed-cone coniferous forest, cismontane woodland, coastal scrub, and valley and foothill grassland. Marsh microseris blooms from April through June and is known to occur at elevations ranging from 15 to 1,165 feet above MSL. Marsh microseris is endemic to California; its current range includes Mendocino, Monterey, Marin, Santa Cruz, San Francisco, San Luis Obispo, San Mateo, Solano, and Sonoma counties. It is likely extirpated from San Francisco and San Mateo counties (CNPS 2024a).

There are no mapped CNDDB occurrences for marsh microseris within the BSA. The Bishop pine woodland provides suitable habitat for this species. Marsh microseris has potential to occur within the BSA. None were observed onsite during August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Gairdner's Yampah

Gairdner's yampah (*Perideridia gairdneri* ssp. *gairdneri*) is not listed pursuant to either the federal or California ESAs, but is designated as a CRPR 4.2 species. This species is an herbaceous perennial that occurs in vernally mesic areas in broadleaf upland forest, chaparral, coastal prairie, valley and foothill grassland, and vernal pools. Gairdner's yampah blooms from June through October and is known to occur at elevations ranging from sea level to 2,000 feet above MSL. Gairdner's yampah is endemic to California. The current range of this species includes Contra Costa, Del Norte, Kern, Mendocino, Monterey, Marin, Napa, Santa Clara, Santa Cruz, San Luis Obispo, San Mateo, Solano, and Sonoma counties. It has been confirmed in San Mateo County, but is presumed extirpated (CNPS 2024a).

There are no mapped CNDDB occurrences for Gairdner's yampah within five miles of the BSA. The grassy patches of mesic areas within the BSA may provide marginally suitable habitat for this species. Gairdner's yampah has low potential to occur within the BSA; however, none were observed onsite during the August 2024 special-status plant survey.

Nuttall's Ribbon-Leaved Pondweed

Nuttall's ribbon-leaved pondweed *(Potamogeton epihydrus)* is not listed pursuant to the federal or California ESAs, but is designated as a CRPR 2B.2 species. This species is an aquatic herbaceous rhizomatous perennial assorted shallow freshwater marshes and swamps. Nuttall's ribbon-leaved pondweed blooms from July through September and is known to occur at 1,210 to 7,125 feet above MSL. This species' current range includes El Dorado, Madera, Mendocino, Modoc, Mariposa, Nevada, Placer, Plumas, Shasta, and Tuolumne counties (CNPS 2024a).

There are no mapped CNDDB occurrences for Nuttall's ribbon-leaved pondweed within five miles of the BSA. The pond may provide marginally suitable habitat for this species. Nuttall's ribbon-leaved pondweed

has low potential to occur within the BSA; however, none were observed onsite during the August 2024 special-status plant survey.

Monterey Clover

Monterey clover (*Trifolium trichocalyx*) is listed as endangered pursuant to both the federal and California ESAs and is designated as a CRPR 1B.1 species. This species is an herbaceous annual that occurs within burned areas, openings, and sandy soils within closed-cone coniferous forest. Monterey clover blooms from April through June and is known from elevations ranging from 100 to 1,000 feet above MSL. Monterey clover is endemic to California and its current range includes Mendocino and Monterey counties (ECORP 2024a).

There are no mapped CNDDB occurrences for Monterey clover within five miles of the BSA. The openings within the Bishop pine woodland provide marginally suitable habitat. Monterey clover has low potential to occur. None were observed onsite during August 2024 special-status plant survey; however, the survey occurred outside of the optimal identifiable period for this plant.

Invertebrates

One special-status invertebrate were identified as having the potential to occur within the BSA. A brief description of the species is provided below.

Monarch

The monarch (*Danaus plexippus*) is a candidate for listing under the federal ESA. This butterfly occurs throughout a variety of habitats and requires blooming nectar resources for adults to feed on during breeding and migration, and milkweed (*Asclepias* spp.) for oviposition and larval feeding. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.). Larvae emerge after 2 to 5 days and then develop through five larval instars over a period of 9 to 18 days, feeding on milkweed and sequestering toxic cardenolides as a defense against predators. The larvae then pupate into chrysalis before emerging 6 to 14 days later as an adult butterfly. Multiple generations of monarchs are produced during the breeding season, with most adult butterflies living approximately 2 to 5 weeks. Overwintering adults enter into reproductive diapause and live 6 to 9 months (ECORP 2024a).

In many regions where monarchs are present, monarchs breed year-round. Individual monarchs in temperate climates, such as eastern and western North America, undergo long-distance migration. Monarchs may use a variety of roosting trees along fall migration routes. Migratory individuals of eastern and western North America require a specific microclimate at overwintering sites that provides protection from the elements and moderate temperatures. Migratory monarchs in the western population primarily overwinter in groves of a variety of tree species along the coast of California and Baja California.

There are six mapped CNDDB occurrences within five miles of the BSA. China Gulch in the town of Gualala is a known overwintering site for Monarch, and there are multiple other known overwintering sites within the towns of Fish Rock and Sea Ranch. Monarch has potential to occur within the BSA.

Fish

No special-status fish species have potential to occur within the BSA due to lack of suitable habitat. No further discussion of these species is included.

Amphibians

Two special-status amphibians were identified as having the potential to occur within the BSA (Table 4). Brief descriptions of the two species are provided below.

California Giant Salamander

The California giant salamander (*Dicamptodon ensatus*) is a large (up to 17 centimeters snout-vent length), heavy-bodied salamander of California's central mesic coast forests. Dorsal coloration is copper to tan or root beer colored, with darker brown blotches and dorsal mottles. Ventral coloration is lighter and usually plain (Thomson et al. 2016). The head and limbs are large, and the skin is smooth without tubercules (Stebbins 2003). The tail is laterally flattened. Adults are terrestrial most of the year and are found under rocks, debris, bark, and other cover near streams. Breeding is aquatic, with adults laying eggs in streams in both spring and fall. They occur in wet, cold redwood forests or oak woodlands with permanent to semi-permanent creeks and streams. Diet presumably consists of a wide variety of arthropods and suitably sized vertebrates and may feature a high proportion of banana slugs (ECORP 2024a).

There are fifteen (15) mapped CNDDB occurrences within five miles of the BSA. There is no suitable breeding habitat within the BSA, but the cooler, moister areas within the park may provide upland habitat for this species. California giant salamander has potential to occur within the BSA.

California Red-Legged Frog

The California red-legged frog (CRLF) is listed as Threatened pursuant to the ESA and is a California Species of Special Concern (SSC). The current range and abundance of CRLF is greatly reduced from historic levels, with most remaining populations occurring along the coast from Marin County to Ventura County and in blue oak woodland, foothill pine/oak, and riparian deciduous forests in the foothills of the western slope of the Sierra Nevada (ECORP 2024a).

Breeding habitat includes coastal lagoons, marshes, springs, permanent and semi-permanent natural ponds, and ponded and backwater portions of streams. Creeks and ponds with dense growths of woody riparian vegetation, especially willows (*Salix* spp.) are preferred. Adult CRLFs use dense, shrubby or emergent riparian vegetation near deep [≥ 0.6 to 0.9 m (2 to 3 feet)], still or slow-moving water, especially where dense stands of overhanging willow and an intermixed fringe of cattail (*Typha* sp.) occur adjacent to open water. CRLFs breed from November through April, and larvae generally metamorphose by mid to late summer. Upland and riparian areas provide important sheltering habitat during summer when CRLFs aestivate in dense vegetation, burrows, and leaf litter (ECORP 2024a).

Reptiles

One special-status reptile species was identified as having the potential to occur within the BSA (Table 4). A brief description of this species follows.

Northwestern Pond Turtle

The northwestern pond turtle (NWPT; *Actinemys marmorata*) is proposed for listing as Threatened pursuant to the federal ESA and is considered an SSC by the CDFW. The range of the NWPT in California extends from the Coast Ranges on the Oregon border southward to Marin County, throughout the lower elevations and foothills of the southern Cascades and Sierra Nevada Mountains, and within the Sacramento and San Joaquin Valleys (Thomson et al. 2016). They can occur in a variety of waters including ponds, lakes, streams, reservoirs, rivers, settling ponds of wastewater treatment plants, and other permanent and ephemeral wetlands. However, in streams and other lotic features they generally require slack- or slow-water aquatic microhabitats (Jennings and Hayes 1994). Northwestern pond turtles also require basking areas such as logs, rocks, banks, and brush piles for thermoregulation (Bury et al. 2012). Nesting sites for pond turtles are typically located in annual grasslands adjacent to a watercourse with little slope and hard, dry soil. Nesting habitat soils typically display high clay or silt fraction, with few nests located in sandy soils. Nests are usually within 400m of a watercourse, with the majority being within 50m of the water's edge (ECORP 2024a).

There are no mapped CNDDB occurrences for this species within five miles of the BSA. The pond provides suitable habitat for this species, but the presence of predatory fish species (*Micropterus* sp.) diminishes the likelihood of presence of turtles. Northwestern pond turtle has potential to occur.

Birds

Four special-status bird species were identified as having the potential to occur within the BSA (Table 4). Brief descriptions of these four species are presented in the following sections.

Rufous Hummingbird

The rufous hummingbird (*Selasphorus rufus*) is not listed and protected under either the federal or California ESAs; however, it is considered a U.S. Fish and Wildlife Service (USFWS) Bird of Conservation Concern (BCC) according to the USFWS. Rufous hummingbirds breed from coastal southeastern Alaska south to British Columbia and Alberta, Canada; Washington, Idaho, Montana, and Oregon (Healy and Calder 2020). Rufous hummingbirds do not nest in California but are common in the foothills and lower conifer zones of the west slope of the Sierra Nevada during migration.

There are no mapped CNDDB occurrences for rufous hummingbird within five miles of the BSA. This species does not breed in the area, but has potential to occur as a migrant. Rufous hummingbird has potential to occur within the BSA.

Allen's Hummingbird

The Allen's hummingbird (*Selasphorus sasin*) is not listed and protected under either the federal or California ESAs; however, it is considered a BCC according to the USFWS. Allen's hummingbirds breed along the Pacific Coast from Oregon to Southern California. Male breeding territories are located in open areas of coastal scrub or riparian vegetation, and females select nest sites in densely vegetated areas with some tree cover such as mixed evergreen, Douglas fir, redwood and Bishop pine forests, riparian

woodlands, eucalyptus and cypress groves, live oak woodlands, and coastal scrub (Clark and Mitchell 2020). Nesting occurs from February through June (ECORP 2024a).

There are no mapped CNDDB occurrences for Allen's hummingbird within five miles of the BSA. The Bishop pine woodland provides suitable nesting habitat for this species. Allen's hummingbird has potential to occur within the BSA.

Olive-Sided Flycatcher

The olive-sided flycatcher (*Contopus cooperi*) is not listed pursuant to either the California or federal ESAs but is a CDFW SSC and a USFWS BCC. In the western U.S., olive-sided flycatchers breed from Washington south throughout California, except the Central Valley, eastern deserts, and mountains of Southern California. This species breeds in late-successional coniferous forests including Ponderosa pine woodlands, black oak woodlands, mixed coniferous forests, and Jeffrey pine forests, usually at mid to high elevations. They use edges and clearings surrounding dense forests, foraging primarily on bees and wasps. Nesting occurs during May through August (ECORP 2024a).

There are no mapped CNDDB occurrences for olive-sided flycatcher within the BSA. The Bishop pine woodland provides suitable nesting habitat or this species. Olive-sided flycatcher has potential to occur within the BSA.

Chestnut-Backed Chickadee

Chestnut-backed chickadee (*Poecile rufescens*) are not listed and protected under either the state or federal ESAs but the "northern" subspecies *P. r. rufescens* is considered a USFWS BCC. The northern chestnut-backed chickadee is found between Alaska and Sonoma County, California and inland to Montana and the Sierra Nevada. They breed in coniferous forests and adjacent deciduous woodlands (Dahlsten et al. 2020). Nesting occurs from March through June (ECORP 2024a).

There are no mapped CNDDB occurrences for this species within five miles of the BSA, but this species was observed during the July 12, 2024 site reconnaissance visit. Chestnut-backed chickadee is present within the BSA.

Mammals

Four special-status mammal species were identified as having the potential to occur within the BSA (Table 4). Brief descriptions of these four species are presented in the following sections.

Point Arena Mountain Beaver

The Point Arena mountain beaver (*Aplodontia rufa* ssp. *nigra*) is listed as endangered pursuant to the federal ESA and is designated as a California SSC. This species is known only from a small area in Mendocino County around Point Arena. This species differs from other subspecies of mountain beaver in its black coloration and some cranial characteristics. Like other mountain beavers, it rarely exceeds lengths of over 30 centimeters and weighs between 453 to 1,814 grams. Point Arena mountain beavers utilize a variety of different habitats including northern coastal scrub, coastal bluff scrub, northern riparian scrub, northern dune scrub, freshwater seeps, north coast riparian, and closed-cone coniferous forest. They

prefer sites within friable soils, moderate slopes, and plant communities with abundant herbaceous vegetation (ECORP 2024a).

There are no mapped CNDDB occurrences for Point Arena mountain beaver within five miles of the BSA. The Bishop pine woodland within the BSA provides suitable habitat for the species; however, the BSA is two miles south of the known range for the species. Point Arena mountain beaver has low potential to occur within the BSA.

Sonoma Tree Vole

The Sonoma tree vole (*Arborimus pomo*) is not listed pursuant to either the federal or California ESAs, but is designated as a California SSC. Sonoma tree voles occur along the Pacific Coast from the Oregon border to Sonoma County, California, more or less restricted to the fog belt. They are found predominantly in old-growth forests, but may be found in younger stands as well. They consume Douglas-fir needles as their primary food source and they typically choose habitats dominated by Douglas-fir, redwood, and other montane hardwood-conifer habitats. Nests composed primarily of Douglas-fir needles are built in trees and can be quite large, sometimes approaching a meter in height (ECORP 2024a).

There are five CNDDB occurrences for Sonoma tree vole within five miles of the BSA. The Douglas firs within the Bishop pine woodland provide suitable habitat for this species. Sonoma tree vole has potential to occur.

Townsend's Big-Eared Bat

The Townsend's big-eared bat (*Corynorhinus townsendii*) is not listed pursuant to either the California or federal ESAs; however, this species is considered an SSC by the CDFW. The Townsend's big-eared bat is a fairly large bat with prominent bilateral noes lumps and large rabbit-like ears. This species occurs throughout the west and ranges from the southern portion of British Columbia south along the Pacific coast to central Mexico and east into the Great Plains. The Townsend's big-eared bat has been reported from a wide variety of habitat types and elevations from sea level to 10,827 feet above MSL. Habitats used include coniferous forests, mixed mesophytic forests, deserts, native prairies, riparian communities, active agricultural areas, and coastal habitat types. Its distribution is strongly associated with the availability of caves and cave-like roosting habitat including abandoned mines, buildings, bridges, rock crevices, and hollow trees. This species is readily detectable when roosting due to their habit of roosting pendant-like on open surfaces. The Townsend's big-eared bat is a moth specialist with more than 90 percent of its diet composed of them. Foraging habitats are generally edge habitats along streams adjacent to and within a variety of wooded habitats. This species often travels long distances when foraging and large home ranges have been documented in California.

There is one mapped CNDDB occurrence for Townsend's big-eared bat within five miles of the BSA. The buildings and trees within the BSA provide suitable roosting habitat for the species. Townsend's big-eared bat has potential to occur.

American Badger

The American badger (*Taxidea taxus*) is designated in California as an SSC. The species historically ranged throughout much of the state, except in humid coastal forests. Badgers were once numerous in the Central Valley; however, populations now occur in low numbers in the surrounding peripheral parts of the valley and in the adjacent lowlands of eastern Monterey, San Benito, and San Luis Obispo counties. Badgers occupy a variety of habitats including grasslands and savannas. The principal requirements seem to be significant food supply; friable soils; and relatively open, uncultivated ground.

There are no mapped CNDDB occurrences for American Badger within five miles of the BSA. The open areas within the Bishop pine woodland provide marginally suitable habitat within the BSA. American badger has low potential to occur.

4.4.1.4 Critical Habitat or Essential Fish Habitat

There is no designated critical habitat mapped within the BSA. While the "Gualala, California" 7.5-minute U.S. Geological Survey (USGS) quadrangle does contain essential fish habitat for Coho and Chinook salmon (National Oceanic and Atmospheric Administration 2024b), there are no suitable habitats within the BSA that may support the species for which the essential fish habitat is designated.

4.4.2 Biological Resources (IV) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

Less Than Significant Impact With Mitigation Incorporated.

Special-status species have the potential to occur within the BSA. Four species of special-status plants were identified onsite during special-status plant surveys. Focused wildlife surveys have not yet been conducted onsite; however, several-species status wildlife species have potentially suitable habitat onsite. Possible adverse impacts associated with construction and operation of the Project are described below, followed by mitigation measures recommended to avoid and minimize these effects.

<u>Special-Status Plants</u>

Project implementation could result in direct loss of individuals or populations of special-status plants during construction and operation of the Project. Plants could be crushed or damaged by movement of vehicular traffic, trampling by construction personnel or park visitors and employees on foot, or operation of construction or maintenance equipment. Expansion of facilities into undeveloped portions of the site

could result in permanent loss of habitat for special-status plants. Plants could also be adversely impacted by application of herbicides or the introduction or spread of non-native invasive plant species during construction or operation of the Project.

Two special-status plants were identified on-site during the late season special-status plant survey (swamp harebell and watershield). Two other species were observed onsite but require confirmation during an early season plant survey (Bolander's reed grass and coast lily). Of these four plants, coast lily and swamp harebell would likely meet the definition of rare or endangered under CEQA, as they have a CRPR 1B status, indicating they are rare, threatened, or endangered in California and elsewhere. Coast lily is seriously threatened in California, and swamp harebell is moderately threatened in California. Watershield has a CRPR 2B status, indicating it is rare, threatened or endangered in California but more common elsewhere, and Bolander's reed grass has a CRPR 4 status, indicating it is on a watch list of plants of limited distribution. In addition, the site contains potential habitat for thirteen other special-status plants that require an early season survey to determine presence.

The special-status plants observed onsite are located around or within the onsite pond, or on the western edge of the site. Under the current Project design, site improvements are not proposed for the locations of the identified special-status plants. However, it is possible that existing plants could be inadvertently impacted during construction, or by human encroachment or maintenance activities during operation of the Project. Additional special-status plants could occur onsite that were not identifiable during the late season special-status plant survey.

To mitigate the potential impact to special-status plant species, mitigation measure BIO-1 shall be implemented. With mitigation measure BIO-1, impacts to special-status plants, including state or federally listed rare, threatened or endangered species or CRPR List 1B and 2B plants, would be less than significant.

Invertebrates

There is suitable overwintering habitat present for one special-status invertebrate, the Monarch butterfly. Given the existing disturbed nature of the site, removal of a limited number of trees is not expected to result in a significant loss of overwintering habitat for this species. Individual monarchs could be killed or injured if tree removal is planned during the winter. Therefore, mitigation measure BIO-2 shall be implemented, and any impacts to special-status invertebrates will be less than significant.

Amphibians and Reptiles

California giant salamander could occur in the upland portions of the site, while NWPT and CRLF have potential to occur in the pond or the upland areas. Ground disturbance during construction, including earth-moving, mowing, vegetation and tree removal, and have potential to impact special-status amphibians and reptiles through direct mortality or injury. Indirect effects could occur due to the presence of construction crews, increased noise levels, and ground vibrations that may alter the behavior of amphibians and reptiles that may utilize the site. Given the existing recreational use of the site, surrounding land uses and disturbances, and the marginal suitability of the pond as breeding habitat, there is a low potential for NWPT or CRLF to occur onsite. No breeding habitat for California giant

salamander is present, but the species could occur in the upland areas. The Project is not expected to result in a substantive loss of habitat or reduce the number or restrict the range of these species. To avoid impacts to special-status amphibians and reptiles during construction, mitigation measure BIO-3 shall be implemented.

Nesting Birds (including Raptors)

The Project Area contains suitable nesting habitat for several special-status and other birds protected under the California Fish and Game Code and Migratory Bird Treaty Act If active bird nests are present within the site at the onset of Project-related activities, Project construction could result in direct loss of individuals and active nests with eggs or nestlings. Construction activities in close proximity to active nests could result in nest abandonment. Project construction is not likely to significantly impact bird foraging or roosting habitat, as it is abundant throughout the vicinity and onsite habitats will be restored following construction. Therefore, the Project shall implement mitigation measure BIO-4, and any impacts to nesting birds, including raptors, will be a less than significant impact.

Special Status Bats

Trees within the Project Area provide potential bat roosting habitat. If occupied bat roosts are present, removal of the habitat feature could result in direct mortality or injury to special-status bats. Removal during the maternity roosting season could result in the loss of an established maternity roosting site and injury or mortality of pups that are not yet able to fly. Removal of a roost site during the winter season could also result in direct injury or death of special-status bats, particularly during time periods of colder weather or heavy rain, when bats are more likely to be in torpor. Impacts to special-status bats and maternity roost sites are considered significant under CEQA. Therefore, the Project shall incorporate mitigation measure BIO-5, and any impacts to special-status bats will be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

Less Than Significant Impact.

The Bishop pine woodland that occurs onsite most closely resembles the *Pinus muricata – Pinus radiata* alliance and is considered a sensitive natural community by the CDFW (CDFW 2023) and an Environmentally Sensitive Habitat Areas (ESHA) under the Coastal Element of the General Plan. Project activities would result in small areas of disturbance and tree removal within this sensitive natural community; however, given that the Project Area is already occupied by a regional park with multiple facilities, the Proposed Project is not expected to appreciably reduce the extent or function of the existing

habitat. Therefore, the Project shall incorporate mitigation measure BIO-1 to reduce any impacts to the Bishop Pine habitat less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☒	☐	☐

Less Than Significant With Mitigation Incorporated.

The aquatic resources in the Project Area, with the exception of the constructed ditches, are likely considered potential jurisdictional waters of the State and California Coastal Commission wetlands but not waters of the U.S. The ephemeral drainages in the Project Area and the pond may also be subject to regulation under Section 1602 of the California Fish and Game Code. Aquatic features onsite could be directly or indirectly impacted by Project activities. Direct impacts to aquatic resources would include any grading, trenching, excavation, or placement of temporary or permanent fill within a regulated feature. Indirect impacts may include inadvertent encroachments, changes in hydrology, and runoff and erosion from the Project Area. Therefore, the Project shall incorporate mitigation measure BIO-6, and any impacts to wetlands will be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

The BSA is occupied by existing recreational uses and is surrounded by a mosaic of rural residences and an active runway. The BSA does not contain any streams, riparian corridors or undisturbed stretches of natural habitat that may provide pathways for wildlife movement through the area. It is unlikely to act as an important wildlife movement corridor. There were no nursery sites or rookeries observed during the site reconnaissance or identified during the database searches.

Project construction is likely to temporarily disturb and displace most wildlife from the Project area. Some wildlife such as birds or nocturnal species are likely to continue to use the habitats opportunistically for the duration of construction. Once construction is complete, wildlife movements are expected to resume. Therefore, the Project is not expected to substantially interfere with wildlife movement.

There are no documented nursery sites and no nursey sites were observed within the Project area during the BRA site reconnaissance. Therefore, the Project is expected to have less than significant impact to wildlife nursery sites. No mitigation measures are required.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

No Impact.

The BSA does not contain oak woodlands and there are no local ordinances governing the removal of trees. The Project is on land owned by Mendocino County. There are no impacts to local policies or ordinances protecting biological resources. No mitigation measures are required.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

No Impact.

The Project area is not covered by any local, regional, or State conservation plan. Therefore, the Project would not conflict with any plans. No impact and no mitigation measures required.

4.4.3 Mitigation Measures

The following measures are recommended to avoid and/or minimize potential impacts to biological resources from the proposed Project:

BIO-1: **Special-Status Plants.** Perform early season floristic plant surveys according to current USFWS, CDFW, and CNPS protocols prior to construction to identify any additional special-status plants. Surveys shall be conducted throughout all suitable habitat within the Project footprint and a 50-foot buffer to address potential direct and indirect impacts of the Project. Surveys shall be conducted by a qualified biologist and timed according to the appropriate phenological stage for identifying target species. Known reference populations shall be visited and/or local herbaria records shall be reviewed, if available, prior to surveys to confirm the phenological stage of the target species.

To protect swamp harebell, coast lily, and other rare or endangered plants or sensitive communities identified within 50 feet of the Project impact area, implement the following measures:

- If avoidance is feasible, establish and clearly demarcate avoidance zones for rare or endangered plant occurrences prior to construction and maintain until the completion of construction. Avoidance zones shall include the extent of the plant occurrences plus a 50-foot buffer, unless otherwise determined by a qualified biologist. No ground- or vegetation-disturbing activities shall occur within avoidance zones unless work is monitored by a qualified biologist/biological monitor to ensure the plants are not impacted by the work.
- If avoidance of rare or endangered plants is not feasible, mitigation measures shall be developed in consultation with the CDFW and/or the USFWS. Mitigation measures may include restoration or permanent preservation of an equivalent acreage of onsite or offsite habitat for the impacted species and/or translocation of plants or seeds from impacted areas to unaffected habitats.
- Prior to issuance of any building permits in reliance of this Coastal Development Permit, an active management plan shall be developed for the Bishop pine forest in order to provide for the long term health of the forest habitat. The active management plan shall be prepared by a qualified ecologist and may include things such as: invasive species removal; an understory management regimen to facilitate the growth of new recruits; and identification, removal, and prevention of pathogens killing Bishop pine trees and other native flora.
- During construction, clothing, vehicles, and equipment (including shoes, equipment undercarriage and tires/tracks) should be cleaned prior to entering the Project Area, and materials used for the Project, such as fill dirt or erosion control materials, should be from weed-free locations or certified weed free to avoid the introduction and spread of non-native invasive plant species.
- Areas containing special-status plants shall be protected during Project operations by installation of natural (e.g., planting of relatively impenetrable vegetation) or constructed (e.g., fencing) permanent barriers, and/or installation of appropriate signs alerting the public that foot traffic is prohibited in the sensitive habitat.
- Landscape maintenance activities including mowing or application of herbicides shall be prohibited in the area of the special-status plant occurrences, or shall be conducted under the supervision of a qualified biologist.

BIO-2: **Special-Status Invertebrates.** If tree removal would occur during the winter months (November through February) when there is potential for Monarchs to be utilizing roost trees within the BSA, a survey shall be conducted to ensure no monarchs are utilizing the tree. If monarchs are observed, tree removal shall not occur until the end of the winter season and all monarchs have moved from the tree.

BIO-3: **Special-Status Amphibians and Reptiles.** A qualified biologist shall perform a preconstruction survey within 24 hours prior to the initiation of construction to confirm the site is clear of California giant salamander, CRLF, and NWPT, and shall be on-site during initial vegetation removal and ground-disturbance to monitor special-status amphibians and reptiles. Should California giant salamander be detected, a CDFW-approved biologist shall relocate individuals to suitable nearby habitat that won't be disturbed by Project construction. If CRLF or NWPT are discovered onsite, they may be allowed to leave the area of their own volition but may not be moved or herded from the area. In the event that CRLF or NWPT is observed, work shall stop and applicant shall contact the USFWS for technical guidance regarding ESA consultation requirements and appropriate avoidance and minimization measures.

- If feasible, construction activities will occur during the non-breeding season for CRLF (June – October).
- A USFWS approved biologist(s) shall conduct training session(s) for all construction and park personnel involved in construction of the Proposed Project. At a minimum, the training shall include a description of California giant salamander, CRLF and NWPT, their habitats, the status of the species, the general measures being implemented to conserve the species as they relate to the Project, and the physical boundaries within which the Project may be accomplished. The training session will include instruction in the appropriate protocol to follow in the event that one of these species is observed on site. Informational handouts with species photos will be provided to. construction personnel.
- Stumps, rocks, logs, or other habitat features moved during the Proposed Project construction will be done so very carefully, under the observance of the approved biologist(s) and will be replaced in adjacent suitable habitat or stored for re-use in the revegetation phase.

BIO-4: **Nesting Bird Surveys.** A preconstruction nesting bird survey shall be conducted within 14 days prior to the commencement of Project-related activities during the active nesting season (February 1 through September 15), including tree/shrub removal, to identify active nests that could be impacted by construction. The preconstruction nesting bird survey shall include accessible areas within 100 feet of proposed construction areas. If active nests are found, a no-disturbance buffer shall be established around the nest by a qualified biologist, in consultation with the USFWS and/or the CDFW. The buffer shall be maintained until the nestlings fledge or the nest is otherwise no longer occupied, to be determined by a qualified biologist. No further measures are necessary once the young are independent of the nest.

BIO-5: **Special-Status Bats.** To avoid and minimize significant impacts to special-status bats or roosting colonies, the following mitigation measures are recommended:

- If trees within the Project Area need to be removed, a qualified bat biologist shall conduct a bat habitat assessment to determine if potential roosting habitat is present.

- If suitable habitat features, roosting bats, bat sign, or evidence of previous occupation by bats is found during the bat habitat assessment, an acoustic and/or emergence survey will be conducted to determine if bats are actively using the tree. If no sign of bat use is found, no further measures are necessary. If bats are found roosting in trees that cannot be avoided, the trees will be protected until the end of the maternity roosting season (April 15 to September 1). Trees with roosting bats may be removed during the bat active period outside of maternity season and prior to or after the hibernation season (October 16 to February 28) following the two-step tree removal process under the direction of a qualified bat biologist.
- As much as feasible, vegetation and trees within the area that are not suitable for roosting bats will be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat.
- Two-step tree removal will occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat on habitat trees, as identified by a qualified bat biologist, shall be removed first using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed.

BIO-6: **Wetlands.** The Project shall avoid aquatic resources to the extent feasible. Aquatic resources located within 50 feet of the Project footprint shall be clearly demarcated with orange construction fencing or other visible barrier, and no Project-related activities shall be permitted within the delineated area.

- To minimize potential indirect effects, the applicant shall prepare and implement an Erosion and Sediment Control Plan to avoid and minimize erosion and runoff to wetlands and other waters that are to remain within or adjacent to the Project Area.
- If the Project will disturb at least 1 acre of land, the Project applicant shall obtain coverage under the General Construction Storm Water Permit from the Regional Water Quality Control Board (RWQCB) by preparing a Stormwater Pollution Prevention Plan (SWPPP) and implementing best management practices to reduce water quality effects during construction.
- Authorization under the Section 404 of the federal Clean Water Act must be obtained from the U.S. Army Corps of Engineers (USACE) prior to discharging any dredged or fill materials into any features determined to be Waters of the U.S. Mitigation measures will be developed as part of the Section 404 Permit process to ensure no net loss of wetland function and values. Mitigation for permanent impacts to Waters of the U.S. is typically required at a minimum 1:1 ratio; however, final mitigation requirements will be developed in consultation with the USACE.
- If temporary impacts to Waters of the U.S. or State will occur, the applicant shall prepare a site restoration plan describing the methods that will be used to restore impacted aquatic features to pre-Project conditions. The restoration plan will include, at a minimum, the proposed methods for stabilizing and revegetating the

site, any maintenance requirements (e.g., watering and invasive species control), the expected timeframe for restoration.

- If discharges will occur to Waters of the U.S., Section 401 Water Quality Certification must be obtained from the RWQCB before a 404 Permit can be issued. An application for a 401 Water Quality Certification will be prepared and submitted to the RWQCB in accordance with the State Water Resources Control Board's *State Wetland Definition and Procedures for the Discharge of Dredged or Fill Material to Waters of the State* (April 2021).
- If discharges to Waters of the State will occur, the applicant shall obtain waste discharge requirements or a waiver of waste discharge requirements from the RWQCB as required pursuant to the Porter-Cologne Water Quality Control Act.
- If alteration of the bed, channel, or bank of an ephemeral drainage or the onsite pond is proposed, or if the Project will impact associated aquatic or riparian vegetation, the applicant shall notify the CDFW of the Proposed Project activities and obtain a Lake or Streambed Alteration Agreement prior to Project implementation.
- A Coastal Development Permit would be required for any activity impacting wetlands subject to the jurisdiction of the CCC. Various alternatives exist for mitigating the adverse effects of wetland development projects on CCC wetlands including in-kind compensatory wetland mitigation (i.e., creation, restoration, or enhancement of wetland habitat) and out-of-kind mitigation where impacts to one habitat type are mitigated through the creation, restoration, or enhancement of another habitat type. Mitigation for impacts to CCC wetlands will be vetted through the Coastal Development Permit process.

4.5 Cultural Resources

ECORP Consulting, Inc. prepared a Cultural Resources Inventory Report (Appendix C) for the proposed Project to determine if cultural resources were present in or adjacent to the Project Area and assess the sensitivity of the Project Area for undiscovered or buried cultural resources. Cultural resources include prehistoric archaeological sites, historic archaeological sites, and historic structures, and generally consist of artifacts, food waste, structures, and facilities made by people in the past. Prehistoric archaeological sites are places that contain the material remains of activities carried out by the native population of the area (i.e., Native Americans) prior to the arrival of Europeans in Southern California. Places that contain the material remains of activities carried out by people during the period when written records were produced after the arrival of Europeans are considered historic archaeological sites. Historic structures include houses, garages, barns, commercial structures, industrial facilities, community buildings, and other structures and facilities that are more than 50 years old. Historic structures may also have associated archaeological deposits, such as abandoned wells, cellars, privies, refuse deposits, and foundations of former outbuildings.

The information provided below is an abridged version of the Cultural Resources Inventory and is included here to provide a brief context of the potential cultural resources in the Project Area. Due to the sensitive nature of cultural resources and their records and documentation, which are restricted from public distribution by state and federal law, the IS/MND appendices do not include the cultural resources report; however, all pertinent information necessary for impact determinations is included in this section.

4.5.1 Environmental Setting

The Project Area is situated within the North Coast region of California in a relatively flat forested area to the north of Gualala. Elevations within the Project Area range from 925 to 940 feet above mean sea level. The general vicinity is characterized by coastal woodlands and rural residential areas. The Project Area is bounded by Old Stage Road to the northeast and rural residential and woodlands to the northwest, west, and south. The Project Area is on the opposite side of Old Stage Road from the Ocean Ridge Airport and approximately 2 miles north of the Community of Gualala.

4.5.1.1 Local Pre-Contact History

The Early Period (Middle Archaic), between about 3,500 and 500 BC (5,500 and 2,450 years Before Present [BP]) showed the first signs of increased sedentism and regional trade networks (Milliken et al. 2007). *Olivella* and *Haliotis* shell beads, sometimes associated with red ochre, began to appear in burials dating to this time period, such that rectangular Haliotis and Olivella beads are the markers of the Early Period bead horizon until 2,800 years ago. Obsidian trade, particularly that which originated from the obsidian sources of Clear Lake and Napa, was also prevalent during this time period (ECORP 2024b).

The Lower Middle Period (Initial Upper Archaic) between 500 BC and AD 430 (2,450 and 1,520 BP) is signaled by the virtual disappearance of the rectangular shell beads, which had been in use for the previous three millennia. They were replaced by split-beveled and tiny saucer *Olivella* beads, which have been interpreted as decorative and religious in function. The sedentism that had begun in the Early Period continued during the Lower Middle Period, by which time thick, rich, black midden soils had accumulated at habitation sites. Bone and shell tools and ornaments began to appear as well (Milliken et al. 2007).

The Upper Middle Period (Late Upper Archaic) between AD 430 and 1050 (1,520 and 900 BP) was marked by a dramatic cultural disruption. The *Olivella* saucer bead network completely collapsed, and half of the sites abandoned. The shell bead assemblages and burial patterns of this time period reflect a new cultural tradition emerging in the Bay Area, referred to as the Megaños complex. The new cultural expressions that accompanied the Megaños complex has been suggested to have been brought by a new group of people - one that preferred sea otter pelts for cloaks or vests and dorsal extended burials (Milliken et al. 2007).

The Initial Late Period (Lower Emergent) and Terminal Late Period (Protohistoric) occurred between AD 1050 and 1550 (900 and 400 BP) and between AD 1550 and 1776, respectively. Due to the arrival of European-Americans in the region, cultural traditions of pre-contact humans were affected as well. It included fully shaped show mortars, new *Olivella* and *Haliotis* bead types and ornaments, effigies, arrow-sized projectile points, and social elite control of obsidian, which point towards an increase in social stratification. The Terminal Late Period was characterized by the emergence of clam shell disk beads,

which abruptly replaced the signature *Olivella* bead types. Some suggest that the change in shell bead types, mortuary wealth distribution, and technology shifts was a result of populations exceeding the environment's carrying capacity, or forced migrations due to conflict, or both (Milliken et al. 2007).

4.5.1.2 Ethnohistory

Ethnographically, the Project Area is the tribal territory of the Northern Pomo, one of seven linguistic divisions of the Pomo language. The Northern Pomo territory includes 22 miles of coastline and extends 50 miles inland to the northwestern shores of Clear Lake. The Northern Pomo territory includes land surrounding the present-day towns of Fort Bragg, Noyo, Mendocino, Ukiah, Willits, and Calpella. More information regarding the ethnohistory of the Project site is available in Section 4.18, Tribal Cultural Resources.

4.5.1.3 Mendocino County and Gualala

Mendocino County was one of California's original 27 counties. The county seat was always located in Ukiah; however, Sonoma County officials governed the County for nearly a decade. Logging in Mendocino County began in 1852 following an 1851 expedition to assess the wreckage of the brig *Frolic*, which ran aground and sank in July 1850 near the present-day Point Cabrio Lighthouse while carrying Chinese goods to San Francisco. Although the surveyors searching for the shipwreck never found it, they discovered the vast redwood forests of the region. Several lumbermills sprung up along the coast soon after, including at the mouth of the Gualala River near the Project Area. *Gualala* originates as a Pomo word meaning *where the water flows down*. The Gualala Mill Company was one of the first lumber companies established in 1862; a small town soon sprang up around it (ECORP 2024b).

4.5.1.4 Bower Park Area History

In 1974, a man named John Bower offered to donate 10 acres to Mendocino County from his 50-acre subdivision in the Pacific Woods. The Board of Supervisors approved the subdivision the following year and acknowledged that the 10-acre parcel would be developed as a park. Development began in 1976. Bower's original 50-acre subdivision was originally planned to be developed as a private golf course, and although progress was made, the golf course was never finished. The holding pond that was constructed for irrigation purposes is now Bower Park's fishing pond (Mendocino County 2024).

4.5.2 Research Methods

ECORP requested a records search for the Project Area at the Northwest Information Center (NWIC) of the California Historical Resources Information System at California State University, Sonoma on July 1, 2024 (NWIC File No. 24-0009; Appendix C). The purpose of the records search was to determine the extent of previous surveys within a 1-mile (1,600-meter) radius of the Proposed Project Area and whether previously documented pre-contact or historic archaeological sites, architectural resources, or traditional cultural properties exist within this area. NWIC staff completed and returned the records search to ECORP on July 30, 2024.

In addition to the official records and maps for archaeological sites and surveys in Mendocino County, the following historic references were also reviewed: Built Environment Resource Directory; the National Register Information System; California Historical Landmarks; California Points of Historical Interest; Caltrans Local Bridge Survey (Caltrans 2019); Caltrans State Bridge Survey; and *Historic Spots in California* (ECORP 2024b).

Other references examined include a RealQuest Property Search and historic General Land Office land patent records. Maps reviewed include the following.

- Bureau of Land Management General Land Office Plat maps for Township 24 North Range 3 West from 1868, 1875, and 1882
- USGS Point Arena, California topographic quadrangle map (1:62,500 scale) from 1943
- USGS Gualala, California topographic quadrangle map (1:24,000 scale) from 1960 (including the 1977 photorevised version) and 1998 (ECORP 2024b).

ECORP reviewed aerial photos taken in 1971, 1982, 1993, 2004, 2005, 2009, 2010, 2012, 2013, 2015, 2017, 2018, and 2021 through 2024 for any indications of property usage and built environment.

In addition to the records search, ECORP contacted the California Native American Heritage Commission (NAHC) on July 1, 2024 to request a search of the Sacred Lands File for the Project Area.

ECORP sent letters to the Historical Society of Mendocino County on July 1, 2024 to solicit comments or obtain historical information that the repository might have regarding events, people, or resources of historical significance in the area.

ECORP subjected the Project Area to an intensive pedestrian survey on August 1, 2024, under the guidance of the *Secretary of the Interior's Standards for the Identification of Historic Properties* using 15-meter transects. At the time, ECORP examined the ground surface for indications of surface or subsurface cultural resources. The archaeologists inspected the general morphological characteristics of the ground surface for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, ECORP examined the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or vegetation disturbances for artifacts or for indications of buried deposits. ECORP did not conduct any subsurface investigations or artifact collections during the pedestrian survey (ECORP 2024b).

Standard professional practice requires that all cultural resources encountered during the survey be recorded using Department of Parks and Recreation (DPR) 523-series forms approved by the California Office of Historic Preservation. The resources are usually photographed, mapped using a handheld Global Positioning System receiver, and sketched as necessary to document their presence using appropriate DPR forms.

4.5.3 Research Results

Thirty-three previous cultural resource investigations have been conducted within 1 mile of the Project Area, covering approximately 70 percent of the total area surrounding the Project Area within the records

search radius. Of the 33 studies, three were conducted within the Project Area. These studies revealed the presence of historic-era and built environment resources, including cabins and residential complexes, were conducted between 1977 and 2019, and vary in size from 1 linear mile to approximately 625 acres.

The records search also determined that three previously recorded pre-contact and historic-era cultural resources are located within 1 mile of the Project Area. Of these, all are historic-era resources associated with early European-American ranching activities. There are no previously recorded cultural resources within or adjacent to the Project Area.

A search of the Sacred Lands File by the NAHC resulted in a negative indication for the presence of Native American sacred sites or cultural resources. Additionally, ECORP has not received a response to the letter sent to the Historical Society of Mendocino County as of the date of the preparation of this document.

ECORP surveyed the Project Area for cultural resources on August 1, 2024. Ground cover within the Project Area consisted of trees, woodchips, grasses, bare ground, blackberry bushes, and pavement; overall ground visibility was approximately 70 to 100 percent throughout the Project Area. As a result of previous investigations by other firms, no resources have been recorded within the Project Area. As construction of the park did not start until after 1974, none of the features meet the 50 year threshold to be considered of historic age. Therefore, the 2024 survey by ECORP did not identify any new cultural resources within the Project Area.

4.5.4 Cultural Resources (V) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐

Less Than Significant Impact.

As outlined above in Section 4.5.4 above, ECORP did not identify any archaeological or architectural history resources on the property as a result of the records search and field survey; therefore, no known Historic Properties under Section 106 of the National Historic Preservation Act (NHPA) or Historical Resources under CEQA will be affected by the Proposed Project. Any impacts would be less than significant. No mitigation measures are necessary.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐

Less Than Significant Impact With Mitigation Incorporated.

Although the Project Area is located near (i.e., approximately 0.25 mile away) the respective sources of the seasonal drainages Glennen Gulch, Bourns Gulch, and Big Gulch, and despite the propensity for alluvial deposits to preserve archaeological material and the likelihood of pre-contact archaeological sites located along perennial waterways, the Project Area does not contain alluvium because it is located at the top of a ridge, approximately 200 feet above the abovementioned drainage sources. Therefore, there exists a low potential for buried pre-contact archaeological sites within the Project Area. This likelihood is further supported by the following:

- Despite the construction of Bower Park within the Project Area in the late 1970s and multiple cultural resources surveys in the surrounding area since 1977, no pre-contact resources have been recorded within 1 mile of the Project Area.
- Any pre-contact cultural material within the Project Area would likely have been obliterated during the initial construction of the park.

Considering the entirety of the evidence examined in this report, the likelihood of encountering any undiscovered, intact, and *in-situ* pre-contact cultural resources during the Project is considered low.

Likewise, although Old Stage Road appears on maps beginning in 1943, the only previously recorded historic-era resources within 1 mile of the Project Area are associated with residential activities. Because any such built environment or historic-period archaeological material would have been obliterated during the initial construction of Bower Park, the overall likelihood of encountering any intact and in-situ historic-era cultural material is also low.

However, there always remains the potential for ground-disturbing activities to expose previously unrecorded cultural resources. Therefore, implementation of mitigation measure CUL-1 would be required to ensure that impacts remain less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Less Than Significant Impact With Mitigation Incorporated.

No signs of human remains were found during the records search or field survey. CEQA requires the lead agency to address any unanticipated cultural resource discoveries during project construction. Therefore, the mitigation measure CUL-1 shall be adopted and implemented by the lead agency to reduce potential adverse impacts to less than significant.

4.5.5 Mitigation Measures

CUL-1: **Unanticipated Discoveries.** If subsurface deposits believed to be cultural or human in origin are discovered during construction, the Project shall adhere to the Mendocino County

Archaeological Ordinance, Chapter 22.12. This ordinance dictates that all work must halt within a 100-foot radius of the discovery and the contractors shall make notification of the discovery to the Director of Planning and Building Services (Director). A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined by CEQA or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.
- If the find includes human remains, or remains that are potentially human, they shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Mendocino County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction:

- The Director may arrange for an on-site inspection of the area of discovery by one or more of his/her representatives within seventy-two (72) hours of the time of such notification. The Director shall give notice of the time of the on-site inspection to the owner, or other person who made notification of the discovery, who shall be entitled to accompany the Director's representatives at all times on the property in question. The purpose of the inspection shall be to determine whether the site is one of archaeological significance. In the event that such inspection does not take place within such seventy-two (72) hour period and the Director has not, within such time, issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may resume.
- If the Commission determines that the site of the discovery is one of archaeological significance, it shall, within seventy-two (72) hours of being notified of the discovery, notify the person making the discovery of (1) such determination, (2) the apparent boundaries of the site, and (3) its specific recommendations for the conservation of the site. The Commission may then also issue an order to cease and desist from all further excavation or disturbance of the site for a specific period of time not to exceed thirty (30) days; provided, however, that the period may be extended up to forty-five (45) additional days by minute order of the Board of Supervisors. In issuing such a cease and desist order, the Commission shall take into account both the need for conserving the site and the need for avoiding unnecessary financial hardships to any person engaged in construction work on the site. The cease and desist order shall be subject to whatever conditions the Commission determines will promote the purposes of this Chapter. During the period such cease and desist order is in effect, the site shall be open to physical inspection, photographing, supervised excavation, study and all other reasonable related activities by any person duly authorized by the Commission. The land owner, or the person making the original notification of discovery, shall be kept advised of the times at which any such duly authorized person is on the site and shall be given the opportunity to accompany such person while on the site.
- The Commission may, for the purpose of giving or receiving notifications under this Chapter, designate as its representatives one or more professional archaeologists.
- It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archaeological site without complying with the provisions of this section.
- 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, any archaeological site (1) in violation of any order to cease and desist issued pursuant to this section; or (2) during the seventy-two (72) hour period commencing from the time of the required notification of discovery.

4.6 Energy

Energy consumption is analyzed according to the potential direct and indirect environmental impacts associated with the construction and operation of the Project. Such impacts include the depletion of nonrenewable resources (e.g., oil, natural gas, coal, etc.) and emissions of pollutants during the construction phase and the use of electricity during normal operations. This impact analysis focuses on the sources of energy that are relevant to the Proposed Project, which include the equipment fuel necessary for Project construction. While the Project would contain increased lighting, this would be a negligible source of energy consumption.

4.6.1 Environmental Setting

Energy relates directly to environmental quality. Energy use can adversely affect air quality and other natural resources. The vast majority of California's air pollution is caused by burning fossil fuels. Consumption of fossil fuels is linked to changes in global climate and depletion of stratospheric ozone. Transportation energy use is related to the fuel efficiency of cars, trucks, and public transportation; choice of different travel modes (auto, carpool, and public transit); vehicle speeds; and miles traveled by these modes. Construction and routine operation and maintenance of transportation infrastructure also consume energy. In addition, residential, commercial, and industrial land uses consume energy, typically through the usage of natural gas and electricity.

California relies on a regional power system comprised of a diverse mix of natural gas, renewable, hydroelectric, and nuclear generation resources. Natural gas provides California with a majority of its Pacific Gas & Electric Company (PG&E) electricity followed by renewables, large hydroelectric and nuclear (California Energy Commission 2022). PG&E provides electricity and natural gas to Mendocino County. It generates or buys electricity from hydroelectric, nuclear, renewable, natural gas, and coal facilities. PG&E provides natural gas and electricity to most of the northern two-thirds of California, from Bakersfield and Barstow to near the Oregon, Nevada and Arizona State Line. It provides 5.2 million people with electricity and natural gas across 70,000 square miles. In 2019, PG&E announced that 100 percent of the company's delivered electricity comes from greenhouse gas emission-free sources, including renewables, nuclear, and hydropower (PG&E 2019).

4.6.1.1 Energy Consumption

Vehicle fuel use is typically measured in gallons (e.g., of gasoline or diesel fuel), although energy use for electric vehicles is measured in kWh. Total automotive fuel consumption in Mendocino County from 2019 to 2023 is shown in Table 4.6-1. As shown, automotive fuel consumption has generally stayed the same since 2019.

Table 4.6-1. Automotive Fuel Consumption in Mendocino County 2019 - 2023	
Year	**Total Fuel Consumption (gallons)**
2023	83,535,012
2022	84,647,090
2021	85,329,218
2020	77,443,315
2019	85,621,332

Source: California Air Resources Board 2024

4.6.2 Energy (VI) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	☐	☐	☒	☐

Less Than Significant Impact.

This impact analysis focuses on the source of energy that is relevant to the Proposed Project: the equipment-fuel necessary for Project construction. Addressing energy impacts requires an agency to make a determination as to what constitutes a significant impact. There are no established thresholds of significance, statewide or locally, for what constitutes a wasteful, inefficient, and unnecessary consumption of energy for a proposed land use project. For the purposes of this analysis, the amount of fuel necessary for Project construction is calculated and compared to that consumed in Mendocino County.

Table 4.6-2. Proposed Project Energy and Fuel Consumption		
Energy Type	**Annual Energy Consumed**	**Percentage Increase Countywide**
Vehicular/Equipment Fuel Consumption		
Construction Calendar Year One	37,438 gallons	0.044

Source: Refer to Appendix D for Fuel Consumption calculations.

Notes: The Project increase construction-related fuel consumption is compared with the countywide construction-related fuel consumption in 2023, the most recent full year of data.

As shown in Table 4.6-2, the Project's gasoline fuel consumption during the first calendar year of construction is estimated to be 37,438 gallons of fuel. This would increase the annual gasoline fuel use in the county by 0.044 percent during Project construction. As such, Project construction would have a nominal effect on local and regional energy supplies, especially over the long-term. Additionally, construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with state regulations limiting engine idling times and require recycling of construction debris, would further reduce the amount of transportation and equipment fuel demand

during Project construction. For these reasons, it is expected that construction fuel consumption associated with the Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature.

Since the Project is proposing improvements to the existing Bower Park and would not change the use of the Project Site, it would not contribute to a quantifiable amount of energy consumption beyond current conditions. No long-term operational energy consumption impacts would occur as a result of the Project.

For these reasons, this impact would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Less Than Significant Impact.

The Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources. The Project would be built to the Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the CCR (Title 24). Title 24 was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years; the 2019 Title 24 updates went into effect on January 1, 2020. The 2022 standards became effective January 1, 2023. The 2022 Energy Standards improve upon the 2019 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2022 update to the Energy Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings, encouraging better energy efficiency, strengthening ventilation standards, and more. The 2022 Energy Standards are a major step toward meeting Zero Net Energy. Buildings permitted on or after January 1, 2023, must comply with the 2022 Standards. Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments. Additionally, in January 2010, the State of California adopted the California Green Building Standards Code (CalGreen) that establishes mandatory green building standards for all buildings in California. The code was subsequently updated in 2013. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. With these building standards in place, the Project would not obstruct any state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

4.6.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.7 Geology and Soils

4.7.1 Environmental Setting

4.7.1.1 Topography and Local Geology

The California Geological Survey (CGS) has identified 11 geomorphic provinces within California (CGS 2002); the Project Area lies within the Coast Ranges Province. The Coast Ranges are located along the coast of California and stretch from the Oregon border to the Gulf of California. The underlying geology consists of "thick Mesozoic and Cenozoic sedimentary strata" (CGS 2002), and the valleys and ranges trend northwestward. Furthermore, "[t]he coastline is uplifted, terraced, and wave-cut" by the Pacific Ocean (CGS 2002). The northern and southern ranges are separated by a large depression, which is filled by the San Francisco Bay. The Coast Ranges parallel the San Andreas Fault and resulted from the subduction of the Pacific Plate by the North American Plate, which began approximately 20 million years ago. According to the CGS, the Northern Coast Ranges are older than the Southern Coast Ranges (CGS 2002).

The underlying geology of the Project Area consists of German Rancho Formation (Pgr); this formation is composed of gray arkosic sandstone, gray-black mudstone interbeds, and minor conglomerate formed on deep sea fans and submarine channels deposited during the late Paleocene (40 to 60 million years ago) (Wagner and Bortugno 1982).

4.7.1.2 Regional Seismicity and Fault Zones

In accordance with the severity zones, the CGS defines the following:

- Fault- A fracture or zone or closely associated fractures along which rocks on one side have been displaced with respect to those on the other side.
- Fault Zone – A zone of related faults, which commonly are braided and subparallel but may be branching and divergent. A fault zone has significant width (with respect to the scale at which the fault is being considered, portrayed, or investigated), ranging from a few feet to several miles.
- Potentially Active Fault – A fault that showed evidence of surface displacement during Quaternary time (last 1.6 million years).
- Sufficiently Active Fault – A fault that has evidence of Holocene (10,000 years) surface displacement along one or more of its segments or branches.
- Well-Defined Fault – A fault whose trace is clearly detectable by a trained geologist as a physical feature at or just below the ground surface.

Five faults or fault zones traverse Mendocino County and are considered potentially active or active (Jennings 1994):

- San Andreas Fault

- Whale Gulch Fault
- Maacama Fault
- Round Valley Fault
- Etsel Ridge Fault

The proposed Project is approximately 0.5 miles away from the San Andreas Fault line (DOC 2024c). The San Andreas Fault is a major structural boundary on the surface of the earth. It is capable of generating very strong earthquakes. The last major earthquake on this portion of the San Andreas Fault was in the 1906 San Francisco earthquake, which was estimated at a magnitude (M) of 7.9 (8.3 on the Richter scale). This earthquake caused severe shaking in Mendocino County and extensive structural damage, particularly along the southern coast of the county (Mendocino County 2008).

4.7.1.3 Soils

ECORP staff obtained soil survey mapping for the BSA from the Natural Resources Conservation Service (NRCS) *Web Soil Survey* accessed on July 3, 2024 (Figure 4.7-1). Table 4.7-1 provides an overview of the soil series mapped within the BSA and key features of the soil series).

Table 4.7-1. Soil Series Mapped in the Biological Study Area

Map unit symbol	Map unit name	Rating	Hydric Soil Rating
158	Havensneck sandy loam, 2 to 15 percent slopes	Residuum weathered from sandstone and shale	Yes

4.7.1.4 Landslides

Landsliding in Mendocino County has been a major part of the natural erosion process for tens of thousands of years. The climate (with rainy wet winters and relatively dry summers), the mountainous terrain, commonly weak bedrock conditions, and commonly thick colluvial mantle all contribute to the development of landslides. Activities of man that impact vegetation, slope gradients, and drainage processes can also contribute to landsliding and erosion.

According to the Mendocino County Multi-Hazard Mitigation Plan (Mendocino County 2021), the Project area landslide risk exposure is considered high.

Map Contents

Project Area - 7.88 ac.

Series Number - Series Name

158-Havensneck sandy loam, 2 to 15 percent slopes

Natural Resources Conservation Service (NRCS) Soil Survey Geographic (SSURGO) Database for Mendocino County, CA

Sources: Esri, Maxar

Location: N:\2023\2023-250 Bower Park Restoration Grant Project\MAPS\Soils_and_Geology\Bower Soils.aprx - Bower Park Restoration Soils Map 20240707 (jgalvez - 7/7/2024)

Map Date: 7/7/2024

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Scale in Feet
0 300

Figure 4.7-1. Natural Resources Conservation Service Soil Types

2023-250 Bower Park Restoration Grant Project

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4.7.1.5 Liquefaction

Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other rapid loading. Soil liquefaction and related phenomena have been responsible for tremendous amounts of damage in historical earthquakes around the world. Soil liquefaction occurs when occurs when seismic waves pass through saturated granular soil, distorting its granular structure, and causing some of the pore spaces between granules to collapse. Pore-water pressure may also increase sufficiently to cause the soil to behave like a fluid for a brief period and cause deformations. Saturated or partially-saturated soil substantially loses strength and stiffness in response to an applied stress such as shaking during an earthquake or other sudden change in stress condition. The phenomenon is most often observed in saturated, loose, low-density or uncompacted, sandy soils. Loose sand tends to compress when a load is applied. Dense sands, by contrast, tend to expand in volume or 'dilate'. If the soil is saturated by water, which often occurs when soil is below the water table or sea level, then water fills the pore spaces between soil grains.

4.7.1.6 Paleontological Resources

ECORP conducted a query of the University of California Museum of Paleontology (UCMP) catalog records, a review of regional geologic maps from the CGS, a review of local soils data, and a review of existing literature on paleontological resources of Mendocino County. The purpose of the assessment was to determine the sensitivity of the Project Area, whether known occurrences of paleontological resources are present within or immediately adjacent to the Project Area, and whether implementation of the Project could result in significant impacts to paleontological resources. Paleontological resources include mineralized (i.e., fossilized) or unmineralized bones, teeth, soft tissues, shells, wood, leaf impressions, footprints, burrows, and microscopic remains.

The results of the search of the UCMP indicated that 323 paleontological specimens were recorded from 221 identified localities and 102 unidentified localities in Mendocino County but none specifically listed within Bower Park. Paleontological resources identified within Mendocino County include fossilized remains of birds, mammals, reptiles, and amphibians (UCMP 2024).

4.7.2 Geology and Soils (VII) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐

i) Less Than Significant Impact.

The proposed Project Site is not located within the Alquist-Priolo Earthquake Zone (CGS 2024). The Project Site is not within a currently established State of California Earthquake Fault Zone for surface fault rupture hazards. No active or potentially active faults are known to pass directly beneath the Site. By CGS definition, an active fault is one with surface displacement within the last 11,000 years. A potentially active fault has demonstrated evidence of surface displacement within the past 1.6 million years. Faults that have not moved in the last 1.6 million years are typically considered inactive. Any impacts would be less than significant.

ii) Less Than Significant Impact.

Depending upon the magnitude, proximity to epicenter, and subsurface conditions (e.g., bedrock stability and the type and thickness of underlying soils), ground shaking damage could vary from slight to intensive. According to CGS' Earthquake Shaking Potential for California mapping, the proposed Project Site is located in an area with a moderate to high likelihood of experiencing ground shaking (CGS 2016). The proposed Project includes modifications and enhancements to the existing Bower Park. The Project would have to comply with Mendocino County building requirements. The proposed Project would have a less than significant impact related to strong ground shaking.

iii) Less Than Significant Impact

Liquefaction occurs when loose sand and silt saturated with water behaves like a liquid when shaken by an earthquake. Liquefaction can result in the following types of seismic-related ground failure:

- Loss of bearing strength – soils liquefy and lose the ability to support structures,
- Lateral spreading – soils slide down gentle slopes or toward stream banks,
- Flow failures – soils move down steep slopes with large displacement,
- Ground oscillation – surface soils, riding on a buried liquefied layer, are thrown back and forth by shaking,
- Flotation – floating of light buried structures to the surface,

- Settlement – settling of ground surface as soils reconsolidate, and
- Subsidence – compaction of soil and sediment.

Liquefaction potential has been found to be greatest where the groundwater level and loose sands occur within a depth of about 50 feet or less. The DOC provides mapping for areas susceptible to liquefaction in California. According to this mapping, the Project Site is not located in an area identified for the risk of liquefaction (CGS 2022). As such, the proposed Project would result in less than significant impacts with regard to seismic-related ground failure, including liquefaction.

iv) Less Than Significant Impact.

Steep slopes, in conjunction with certain soil types, can be prone to soil erosion and landslides. Landslides occur as a result of topographical and soil conditions, where loose soils move down steep slopes. Some of the natural causes of this instability are earthquakes, weak soils, erosion, and heavy rainfall. Human activities such as poor grading that undercuts steep slopes or overloads them with fill, excessive irrigation, and removal of vegetation can also contribute to ground failure.

According to the Mendocino County Multi-Hazard Mitigation Plan (Mendocino County 2021), the Project area landslide risk exposure is considered high. However, the proposed Project is providing enhancements to Bower Park. The Project would not create any new sources of landslide hazards as the park is currently existing, and the enhancements would not extend past the current footprint. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

Less Than Significant Impact.

As previously discussed in section 4.6.1.3, the project site soil has an erosion potential. The proposed Project enhancements to Bower Park, with construction involving grading, excavation, and soil hauling, which would disturb soils and potentially expose them to wind and water erosion.

Any development involving clearing, grading, or excavation that causes soil disturbance of 1 or more acres, or any project involving less than 1 acre that is part of a larger development plan and includes clearing, grading, or excavation, is subject to National Pollutant Discharge Elimination System (NPDES) State General Permit (Order No. 2009-0009-DWQ) provisions. Any development of this size, including the Project Site, would be required to prepare and comply with an approved SWPPP that provides a schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details and a time schedule. The SWPPP would consider the full range of erosion control Best Management Practices (BMPs), including any additional site-specific and seasonal conditions. Erosion control BMPs include, but are not limited to, the application of straw mulch, hydroseeding, the use of geotextiles, plastic covers, silt fences, and erosion control blankets, as

well as construction site entrance and outlet tire washing. The State General Permit also requires that those implementing SWPPPs meet prerequisite qualifications that would demonstrate the skills, knowledge, and experience necessary to implement SWPPPs. The NPDES requirements would significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development. In addition, the Proposed Project would be required to use BMPs to control runoff from all new development and thus limit erosion.

Since erosion impacts are often dependent on the type of development, intensity of development, and amount of lot coverage of a particular project site, impacts can vary. However, compliance with NPDES and SWPPP requirements would ensure that soil erosion and related impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

Lateral spreading is a form of horizontal displacement of soil toward an open channel or other *free* face, such as an excavation boundary. Lateral spreading can result from either the slump of low cohesion and unconsolidated material or, more commonly, by liquefaction of either the soil layer or a subsurface layer underlying soil material on a slope, resulting in gravitationally driven movement. One indicator of potential lateral expansion is frost action. Potential for frost action is the likelihood of upward or lateral expansion of the soil caused by the formation of segregated ice lenses (frost heave) and the subsequent collapse of the soil and loss of strength on thawing (NRCS 2024). As indicated in Table 4.7-1 above, the Web Soil Survey identifies the Project Site as having soils with no frost action potential. Additionally, as discussed in Item a) iii) above, the Project Site is identified as not being susceptible to liquefaction. As such, the potential for impacts due to lateral spreading would be less than significant.

With the withdrawal of fluids, the pore spaces within the soils decrease, leading to a volumetric reduction. If that reduction is significant enough over an appropriately thick sequence of sediments, regional ground subsidence can occur. This typically only occurs within poorly lithified sediments and not within competent rock. This can occur as a result of high-volume water, oil, or gas extraction operations. No oil, gas, or high-volume water extraction wells are known to be present in the Project vicinity. According to the USGS Areas of Land Subsidence in California webpage, the Project Site is located in an area of land subsidence due to groundwater pumping (USGS 2023). However, as the Project entails the restoration of an existing community park, with no occupation of structures. As such, the potential for impacts due to subsidence would be less than significant.

Collapse occurs when water is introduced to poorly cemented soils, resulting in the dissolution of the soil cementation and the volumetric collapse of the soil. In most cases, the soils are cemented with weak clay (argillic) sediments or soluble precipitates. This phenomenon generally occurs in granular sediments situated within arid environments. Collapsible soils will settle without any additional applied pressure when sufficient water becomes available to the soil. Water weakens or destroys bonding material between particles that can severely reduce the bearing capacity of the original soil. As the Project proposes the restoration and park improvements to Bower Park, impacts associated with off-site landslide, lateral spreading, subsidence, liquefaction or collapse is negligible. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

Expansive soils are types of soil that shrink or swell as the moisture content decreases or increases. Structures built on these soils may experience shifting, cracking, and breaking damage as soils shrink and subside or expand. Expansive soils can be determined by a soil's linear extensibility. There is a direct relationship between linear extensibility of a soil and the potential for expansive behavior, with expansive soil generally having a high linear extensibility. Thus, granular soils typically have a low potential to be expansive, whereas clay-rich soils can have a low to high potential to be expansive.

Havensneck sandy loam is generally not considered an expansive soil. Expansive soils are typically those with high clay content that can swell significantly when wet and shrink when dry, leading to potential structural issues. Havensneck sandy loam, being well-drained and formed from weathered sandstone and shale, does not exhibit these characteristics. Additionally, due to the nature of the proposed Project being the improvements within Bower Park, with no potential for human occupancy, the Project would have a less than significant impact in this area.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐

Less Than Significant Impact.

Due to the nature of the Project, the proposed Project does not require any new wastewater sewer system and would not require the construction of septic tanks or alternative wastewater disposal systems. The

existing bathrooms on site utilize a septic tank and the bathroom facilities would be improved, but there would be no changes to the existing septic tank system. Thus, there any impacts would be less than significant to the Project Site soils and their capability of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Less Than Significant Impact With Mitigation Incorporated.

Bower Park is an existing community park within Mendocino County. During initial construction of the park in 1976, any paleontological resources were likely destroyed. However, ECORP performed a search for paleontological resources via UCMP, and the query failed to indicate the presence of paleontological resources in the Project Area. Although paleontological resources sites were not identified in the Project Area, there is the possibility that unanticipated paleontological resources will be encountered during ground-disturbing Project-related activities. As such, mitigation measure GEO-1 is included to reduce impacts to unknown paleontological resources to a less than significant level.

4.7.3 Mitigation Measures

GEO-1: If paleontological or other geologically sensitive resources are identified during any phase of project development, the construction manager shall cease operation at the site of the discovery and immediately notify the County. Mendocino County shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the consulting paleontologist, Mendocino County shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the Project Site while mitigation for paleontological resources is carried out.

4.8 Greenhouse Gas Emissions

4.8.1 Environmental Setting

Greenhouse Gas (GHG) emissions are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases, such as carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and chlorofluorocarbons, creates a blanket around the earth that allows light to pass through but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as the greenhouse effect, human activities have accelerated the

generation of GHGs beyond natural levels. The overabundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the Earth's climate system.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH_4 traps more than 25 times more heat per molecule than CO_2, and N_2O absorbs 298 times more heat per molecule than CO_2. Often, estimates of GHG emissions are presented in Carbon Dioxide Equivalents (CO_2e). Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted.

The local air quality agency regulating the NCAB is the MCAQMD, the regional air pollution control officer for the basin. To provide guidance to local lead agencies on determining significance for the GHG emissions in CEQA documents, MCAQMD adopted the air quality CEQA thresholds of significance from the Bay Area Air Quality Management District in June of 2010. Significance thresholds were provided for GHGs originating from stationary source projects and non-stationary source projects for operations only. There was not a construction related significance threshold adopted, but the operation related significance threshold is used below for comparison purposes. The Proposed Project includes several upgrades to an existing park, so this analysis only focuses on construction emissions. Additionally, in their 2013 Advisory, the MCAQMD stated that, "no GHG or Risk Reduction Plans have been adopted using CEQA, therefore no local projects can use those documents to support a CEQA determination" (MCAQMD 2013). There is some ambiguity between the significance thresholds adopted in 2010 and the advisory published in 2013, so whether or not the operational significance threshold still stands is unclear. For these reasons, Proposed Project GHG emissions are quantified and compared to the thresholds issued by the California Air Pollution Control Officers Association (CAPCOA), which is an association of the air pollution control officers from all 35 local air quality agencies throughout California, including the MCAQMD. CAPCOA recommends a significance threshold of 900 metric tons annually. This threshold is based on a capture rate of 90 percent of land use development projects, which in turn translates into a 90 percent capture rate of all GHG emissions. The 900 metric ton threshold is considered by CAPCOA to be low enough to capture a substantial fraction of future projects that will be constructed to accommodate future statewide population and economic growth, while setting the emission threshold high enough to exclude small projects that will in aggregate contribute a relatively small fraction of the cumulative statewide GHG emissions.

In *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal. 4th 2014, 213, 221, 227, following its review of various potential GHG thresholds proposed in an academic study [Crockett, *Addressing the Significance of Greenhouse Gas Emissions: California's Search for Regulatory Certainty in an Uncertain World* (July 2011), 4 Golden Gate U. Envtl. L. J. 203], the California Supreme Court identified the use of numeric bright-line thresholds as a potential pathway for compliance with CEQA GHG requirements. The study found numeric bright line thresholds designed to determine when small projects were so small as to not cause a cumulatively considerable impact on global climate change was consistent with CEQA. Specifically, Public Resources Code section 21003(f) provides it is a policy of the State that "[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available

financial, governmental, physical and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment." The Supreme Court-reviewed study noted, "[s]ubjecting the smallest projects to the full panoply of CEQA requirements, even though the public benefit would be minimal, would not be consistent with implementing the statute in the most efficient, expeditious manner. Nor would it be consistent with applying lead agencies' scarce resources toward mitigating actual significant climate change impacts." (Crockett, *Addressing the Significance of Greenhouse Gas Emissions: California's Search for Regulatory Certainty in an Uncertain World* (July 2011), 4 Golden Gate U. Envtl. L. J. 203, 221, 227.)

The significance of the Proposed Project's GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b)(2) by considering whether the Project complies with applicable plans, policies, regulations and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The Project is compared to two thresholds: the MCAQMD numeric bright-line threshold for operational emissions as well as the CAPCOA significance threshold of 1,100 and 900 annual metric tons of CO_2e, respectively.

4.8.2 Greenhouse Gas Emissions (VIII) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

Less Than Significant Impact.

A potent source of GHG emissions associated with the Proposed Project would be combustion of fossil fuels during construction activities. Construction-related activities that would generate GHG emissions include worker commute trips, haul trucks carrying supplies and materials to and from the Project Site, and off-road construction equipment (e.g., dozers, loaders, excavators). Table 4.8-1 illustrates the specific construction generated GHG emissions that would result from construction of the Project. Once construction is complete, the generation of these GHG emissions would cease.

Table 4.8-1. Construction-Related Greenhouse Gas Emissions

Emission Source	CO_2e (Metric Tons/Year)
Construction Calendar Year One	380
CAPCOA Significance Threshold	900
MCAQMD Numeric Bright-line Threshold	1,100
Total Construction Emissions Exceed Annual Thresholds?	No

Source: California Emissions Estimator (CalEEMod) Version 2022.1. Refer to Appendix A for Model Data Outputs. CAPCOA = California Air Pollution Control Officer's Association; MCAQMD; Mendocino County Air Quality Management District

As shown in Table 4.8-1, Project construction would result in the generation of approximately 380 metric tons of CO_2e, which is below both of the significance thresholds for annual metric tons of CO_2e. Once construction is complete, the generation of these GHG emissions would cease.

Operational GHG emissions impacts are long-term GHG emissions that are associated with any changes in the permanent use of the Project Site by onsite stationary and offsite mobile sources that substantially increase emissions. The Project proposes upgrades to an existing park. Once upgrades are complete, the Project would not be a greater source of operational emissions beyond current conditions. Therefore, Proposed Project operations would not contribute to on- or offsite emissions. Impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

No Impact.

The Project would not conflict with any adopted plans, policies, or regulations adopted for the purpose of reducing GHG emissions. The Project would not include new permanent sources of GHG emissions and would not generate new or unplanned permanent GHG emissions. As discussed previously, the Proposed Project-generated GHG emissions would not surpass the CAPCOA GHG significance threshold, which was developed in consideration of statewide GHG reduction goals. Additionally, the Proposed Project-generated GHG emissions would not surpass the Mendocino County GHG threshold for operational emissions used in this analysis for comparison purposes.

Mendocino County's General Plan's Policy RM-51 states that the County will implement existing strategies to reduce GHG emissions and incorporate future measures that the state adopts in the coming years. The General Plan also lists three action items related to developing GHG inventories, the creation of a GHG reduction plan for the County's unincorporated areas that will set specific reduction strategies and targets to meet, and, generally, reducing Mendocino County's GHG emissions by adopting measures that reduce fossil fuel energy resource consumption (Mendocino County 2009). However, Mendocino County has not adopted a GHG reduction plan at the time of this analysis.

For these reasons, the Project would not conflict with any applicable plan, policy or regulation related to the reduction in GHG emissions. There is no impact.

4.8.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.9 Hazards and Hazardous Materials

4.9.1 Environmental Setting

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined by the California Health and Safety Code, Section 25501 as follows:

> "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 administering 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.

A hazardous material is defined in 22 CCR Section 662601.10 as follows:

> A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

Transporters of hazardous waste in California are subject to several federal and state regulations. They must register with the California Department of Health Services (DHS) and ensure that vehicle and waste container operators have been trained in the proper handling of hazardous waste. Vehicles used for the transportation of hazardous waste must pass an annual inspection by the California Highway Patrol (CHP). Transporters must allow the CHP or DHS to inspect its vehicles and must make certain required inspection records available to both agencies. The transport of hazardous materials that are not wastes is regulated by the U.S. Department of Transportation through national safety standards.

Other risks resulting from hazardous materials include the use of these materials in local industry, businesses, and agricultural production. The owner or operator of any business or entity that handles a hazardous material above threshold quantities is required by state and federal laws to submit a business plan to the local Certified Unified Program Agency (CUPA). The Mendocino County Environmental Health is designated by the State Secretary for Environmental Protection as the CUPA for Mendocino County in order to focus the management of specific environmental programs at the local government level. The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits and conduct inspection and enforcement activities throughout Mendocino County.

Under Government Code Section 65962.5, both the California Department of Toxic Substances Control (DTSC) and the State water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. The Project Site is not listed by the DTSC as a hazardous substances site on the list of

hazardous waste sites compiled pursuant to Government Code Section 65962.5 (Cortese List) (SWRCB 2024 and DTSC 2024).

4.9.2 Hazards and Hazardous Materials (IX) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

Less Than Significant Impact.

Construction may include the use of hazardous materials given that construction activities involve the use of heavy equipment, which uses small and incidental amounts of oils and fuels and other potentially flammable substances. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials used during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, state, and federal law.

Therefore, potential construction-related impacts for creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials from the Proposed Project would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

Less Than Significant Impact.

As discussed in Issue a), the Project would not result in the routine transport, use, disposal, handling, or emission of any hazardous materials that would create a significant hazard to the public or the environment. Potential construction-related hazards could be created during the course of Project construction at the Site, given that construction activities involve the use of heavy equipment, which uses small and incidental amounts of oils and fuels and other potentially flammable substances. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials used during construction. The construction contractor would be required to use standard construction controls and safety procedures

that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, state, and federal law.

All hazardous materials on the Project Site would be handled in accordance with State regulations. Long-term impacts associated with handling, storing, and disposing of hazardous materials from Project operation would be less than significant because any hazardous materials used for operations would be in small quantities.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐

Less Than Significant Impact.

The Project Site is located approximately 1.5 miles southwest of the Forager Elementary School, which is located at 39145 CA-1 within the community of Gualala. The school would not be within 0.25 miles of the Project Site. The construction or operation of the Proposed Project would not include uses that would emit hazardous emissions or include activities that use acutely hazardous materials. Any hazardous materials used on Site would be typical of construction land uses and would not create hazardous emissions that could adversely affect nearby schools. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	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?	☐	☐	☐	☒

No Impact.

Under Government Code Section 65962.5, both the DTSC and the SWRCB are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A search of the DTSC and SWRCB lists identified that the Proposed Project Site is not located on or adjacent to a hazardous materials site. Given that there are no existing hazardous waste sites within or directly adjacent to the Project Site, the Project will have no impact in this area.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 for people residing or working in the project area?	☐	☐	☒	☐

Less Than Significant Impact.

The runway at Ocean Ridge Airport in Gualala is approximately 500 feet east of the Proposed Project's site boundary. However, this is an existing park within Mendocino County and would not introduce any new uses to the Project site, nor would it expand the existing footprint of the park.

The Ocean Ridge Airport is a privately owned airport that has been opened to the public. The airport has become a community asset for tourism, resident pilots, and emergency medical transport services (Ocean Ridge 2024). Because the proposed Project does not introduce any uses that would change how the existing park is being utilized, there would be no safety hazard to people working in the Project Area due to proximity to planes overhead and in the immediate vicinity. Therefore, any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

Less Than Significant Impact.

The Mendocino County Offices of Emergency Services has an online link to the Mendocino County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) which identifies resources, information, and strategies for reducing risk from natural hazards. Elements and strategies in the plan were selected because they meet a program requirement and because they best meet the needs of the planning partners and their citizens. The plan was originally Federal Emergency Management Agency- (FEMA) approved in 2006. The plan was comprehensively updated in 2014 and again in 2020 (Mitigate Hazards 2020). The County followed a planning process in alignment with FEMA guidance during its original development and update, which began with the formation of a hazard mitigation planning committee comprised of key county, city, and district representatives and other stakeholders. The committee conducted a risk assessment that identified and profiled hazards that pose a risk to the County, assessed the County's vulnerability to these hazards, and examined the capabilities in place to mitigate them. The County is vulnerable to several hazards that are identified, profiled, and analyzed in this plan. Floods, wildfires, severe weather, drought, and agricultural hazards are among the hazards that can have a significant impact on the County.

Additionally, the County of Mendocino has adopted an Evacuation Plan in July 2020 (Mendocino County 2020). The Evacuation Plan is an Annex of the Mendocino County Emergency Operations Plan (EOP). The EOP serves as the primary guide for coordinating and responding to all emergencies and disasters within the County's jurisdiction. It complies and integrates with local city plans and ordinances, state law, and state and federal emergency planning guidance including the Standardized Emergency Management System, National Incident Management System, and the Incident Command System.

The EOP addresses response to and short-term recovery from disasters and emergency situations affecting the Mendocino County Operational Area. In disaster situations, emergency management starts at the local level and expands to include regional, state, federal and private/non-profit sector assets as the impacted jurisdictions require additional resources and capabilities. The purpose of both the EOP, and this Plan in turn, is to facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, the four local cities, adjoining counties, local tribal governments, and special districts and public utilities as well as state and federal agencies.

The proposed Project is located adjacent to Old Stage Road, which could be utilized during an emergency evacuation. However, the Project does not include any actions that would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. No construction activities would impede the use of surrounding roadways in an emergency evacuation. The proposed Project involves the rehabilitation or construction of park amenities and would not interfere with any emergency response or evacuation plans. Implementation of the proposed Project would result in a less than significant impact and no mitigation is required.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project is located within Mendocino County, which has an elevated risk of wildfires; Section 4.20 provides further discussion. According to the California Department of Forestry and Fire Protection (CAL FIRE), the Project site is located within a high fire hazard severity zone (FHSZ) and is State Responsibility Area (SRA) (CAL FIRE 2023).

To address Hazard Mitigation in Mendocino County, the County partnered with other incorporated communities to update their 2*020 Multi-Jurisdiction Multi-Hazard Mitigation Plan*. The MJHMP acknowledges that the likelihood of future wildfires occurring is high and that the area has a high vulnerability to wildfires. The MJHMP states that adherence to building codes and the use of fire-resistant construction methods as well as implementing sound vegetation management practices will reduce the impact of wildlife on future development.

The proposed Project would be required to comply with existing County standards to provide adequate access, fire flows, and other facilities to maintain an appropriate level of fire protection. Additionally, the Project would be required to comply with the *Mendocino County Community Wildfire Protection Plan*, *California Building Code*, and *California Fire Code*. Therefore, the proposed Project would not exacerbate the existing conditions and would not expose people or structures to a significant risk of loss, injury or death involving wildfires. Therefore, impacts would be less than significant. No mitigation is required.

4.9.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.10 Hydrology and Water Quality

4.10.1 Environmental Setting

4.10.1.1 Regional Setting

Mendocino County is located within the boundaries of the North Coast Regional Water Quality Control Board's region. The North Coast region encompasses a total area of approximately 19,390 square miles and includes all basins draining into the Pacific Ocean from the California-Oregon state line to the southernly boundary of the watershed of the Estero de San Antonio and Stemple Creek in Marin and Sonoma counties. The North Coast region is divided into two natural drainage basins, the Klamath River Basin and the North Coastal Basin (2018).

The California Department of Water Resources defines state groundwater basins based on geologic and hydrogeologic conditions. The main water supply in Mendocino County primarily comes from groundwater. Groundwater is essential for municipal and individual domestic water systems and significantly contributes to irrigation. There are no defined groundwater basins in the Project area.

4.10.1.2 Surface Waters

As mentioned in Section 4.4, Biological Resources, there are a formal assessment of waters was conducted during the August 28 and 29, 2024 site visit. A total of 1.479 acres of aquatic resources were identified on-site. The aquatic feature types identified onsite include seasonal wetland, ephemeral drainage, pond, and ditch (Figure 4.4-2, Table 4.). These features are further described in the following sections.

Seasonal Wetland

Seasonal wetlands are ephemerally wet due to accumulation of surface runoff and rainwater within low-lying areas. Inundation periods tend to be relatively short and vegetation is commonly dominated by non-native annual and sometimes perennial hydrophytic species. There is one seasonal wetland within the Project area located at the northwest corner of the pond.

Ephemeral Drainage

Ephemeral drainages are linear features that exhibit a bed and bank and an OHWM. These features typically convey runoff for short periods of time, during and immediately following rain events, and are not influenced by groundwater sources at any time during the year. There is one ephemeral drainage within the Project area. This drainage flows into the seasonal wetland on the northwest corner of the pond and is connected to a small upstream ditch via a culvert.

Pond

Ponds are depressions that are permanently or intermittently inundated and support open water during the growing season. Ponds exhibit an OHWM but may or may not support hydrophytic vegetation and hydric soils. The pond on-site is man-made and is surrounded by a low fence and includes a small island in the center. The pond is approximately 1.42 acres in size, including the island.

Ditch

Ditches are linear features constructed to convey storm water and/or irrigation water. There are two small ditches in the Project Area, one located on the north side of the access road that leads to the ball field and one around the north and east edges of the parking lot.

A review of historical topographic mapping and aerial imagery shows that the ditches appear to be man-made features constructed in uplands that did not relocate or drain a natural drainage or wetland feature. The ditches appear to have been constructed to convey surface water runoff water around the access road and parking lot to a culvert that empties to the onsite pond. Based on this analysis, the ditches are likely not considered jurisdictional waters of the U.S. or state, and are not considered wetlands under the Coastal Act.

California Coastal Commission Wetlands

The BSA supports 1.468 acres of wetlands that meet the criteria for CCC wetlands. The Mendocino County General Plan's Coastal Element, Appendix 8, contains the CCC's statewide guidelines for defining wetlands under the Coastal Act and states that non-tidal manmade ditches excavated from dry land are excepted from the definition. All aquatic resources identified onsite, except the two constructed ditches, are considered California Coastal Commission wetlands. No additional 1-parameter wetlands were identified onsite.

4.10.1.3 Flooding and Drainage

Flooding is inundation of normally dry land as a result of a rise in surface water levels or rapid accumulation of stormwater runoff during storm events. The Federal Emergency Management Agency (FEMA), through its Flood Insurance Rate Mapping program, designates areas where urban flooding could occur during 100-year and 500-year flood events. A 100-year flood event has a one-percent probability of occurring in a single year. 100-year floods can occur in consecutive years or periodically throughout a

decade. A 500-year flood event has a 0.2 percent probability of occurring in a single year. The Project area is not within an identified flood hazard zone (FEMA 2024).

4.10.2 Hydrology and Water Quality (X) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any Water quality standards or Waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐

Less Than Significant Impact.

Without implementation of appropriate control measures, grading involved in preparing the Project Site for construction would decrease vegetative cover and potentially increase the rate and quantity of stormwater runoff. This would result in accelerated soil erosion and sediment delivery to the on-site waterway and off-site areas. This could increase the quantity of suspended solids in local waterways.

Prior to initiation of construction activities, the applicant would be required to demonstrate coverage for Project activities under the SWRCB's NPDES General Permit for Storm Water Discharges Associated with Construction Activities. To obtain coverage under the permit, the Project applicant would submit a Notice of Intent with the required permit fee and prepare a SWPPP for review by the Central Valley Regional Water Quality Control Board. The SWPPP would include the following four major elements:

1. Identify pollutant sources, including sources of sediment, which may affect the quality of stormwater discharges from the construction site.
2. Identify non-stormwater discharges.
3. Identify, construct, implement in accordance with a time schedule, and maintain BMPs to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from the construction site during construction.
4. Identify, construct, implement in accordance with a time schedule, and assign maintenance responsibilities for post-construction BMPs to be installed during construction that are intended to reduce or eliminate pollutants after construction is completed.

In addition, dischargers are also required to inspect construction sites before and after storms to identify stormwater discharge from construction activity, and to identify and implement controls where necessary.

Typical BMPs that would be appropriate to implement at the Project Site may include: scheduling or limiting activities to certain times of the year; implementing dust control procedures throughout the site; stabilizing cut and fill slopes as soon as possible; controlling erosion through a variety of means such as mulch and compost blankets, riprap, and installation of sediment retention structures (such as a sediment

retention basin); and sediment control through the use of measures such as storm drain inlet protection, vegetated buffers, fiber rolls and berms, sediment fencing, and straw or hay bales.

Other temporary BMPs would ensure *good housekeeping* at the Project Site during construction. These would include cleaning construction equipment and preventing the leakage of fluids, storing materials away from surface water, protecting sensitive areas with sediment barriers or other containment methods, controlling laying of concrete and washing of related equipment, and collecting debris and gravel associated with paving operations. Adequate temporary storm drainage controls would be provided, including on-site drainage containment, the placement of silt fences around construction areas, and constructing temporary sediment basins, as necessary.

Compliance with the provisions contained in the SWPPP approved by the Regional Water Quality Control Board (RWQCB) would reduce potential impacts to water quality due to construction activities to less than significant by ensuring that all appropriate and necessary BMPs are implemented to avoid or minimize the discharge of pollutants and sediment to surface water.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project is limited to the restoration and enhancement to Bower Park and there is no component of the Project that would substantially decrease groundwater supplies or interfere with groundwater recharge. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 that would:				
i) result in substantial erosion or siltation onsite or offsite;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite;	☐	☐	☒	☐

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐

i) Less Than Significant Impact.

Construction activities within the Project Site would result in soil disturbances. For activities that disturb 1 acre or more of land, an NPDES Construction General Permit would be required prior to the start of construction. To comply with the requirements of the NPDES Construction General Permit, these projects will be required to file a Notice of Intent with the State of California and submit a SWPPP defining BMPs for construction and post-construction-related control of the Proposed Project Site runoff and sediment transport. Requirements for the SWPPP include incorporation of both erosion and sediment control BMPs as discussed previously. Preparation of and compliance with a required SWPPP will reduce potential runoff, erosion, and siltation associated with construction and operation.

As such, the effects of the Proposed Project on on-site and off-site erosion and siltation would be less than significant.

ii-iii) Less Than Significant Impact.

Implementation of the Proposed Project may result in an increase of the rate or amount of surface runoff as the Site is developed. As discussed above, this area of impervious surface is insignificant in size and all surface runoff would be directed to the drainage ditches within the Project Site. As such, the Project would have a less than significant impact in this area.

iv) Less Than Significant Impact.

FEMA flood hazard map 06045C1950G indicates that the Project site is not located in a FEMA 100-year flood zone. Additionally, as the Project consists of park restoration, with no occupied buildings proposed, there would be no redirection or impediment of flood flows onsite. As such, the Project would have a less than significant impact in this area.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	☐	☐	☐	☒

Less than Significant Impact.

The proposed Project is located inland within Mendocino County. As mentioned above, the Project is not within a FEMA designated flood zone. Additionally, according to the DOC Mendocino County Tsunami Hazard Areas (DOC 2024d), the Project is not located in an area that is subject to tsunamis. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Less Than Significant Impact.

As described in a) above, temporary impacts to water quality could result from ground-disturbing activities that produce sediments and through releases of fuels or other fluids from equipment during the construction process. The Project is obliged to comply with water quality protection requirements of the NPDES Construction General Permit BMPs for construction and post-construction-related control of the Proposed Project Site runoff and sediment transport. Compliance with these requirements would eliminate the potential for conflicts with the water quality control plan. As such, the Project would have a less than significant impact in this area.

4.10.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.11 Land Use and Planning

4.11.1 Environmental Setting

The 10.75-acre Site is within the area of the County zoned Open Space (OS) and designated Open Space in the Mendocino County Zoning Web Map (Mendocino County 2024a). The General Plan Coastal Element describes the land use plan for each of the 13 planning areas and lists the policies applicable to that planning area.. In conjunction with the General Plan, the Mendocino County Code establishes zoning districts in the County and specifies allowable uses and development standards for each district. Under State law, each jurisdiction's zoning ordinance must be consistent with its general plan.

4.11.2 Land Use and Planning (XI) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project would be accommodated by existing roadways and would not require construction of new roadways that would preclude access to the surrounding areas. Implementation of the proposed Project would not physically divide an established community and any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☒

Less than significant with Mitigation.

The proposed Project would not alter any land use plan and is consistent with the Mendocino County's adopted General Plan policy and Zoning Code. The project is located within the Coastal Zone; however, implementation of Bio-1 through Bio-6 would reduce impacts on ESHA to less than significant..

4.11.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.12 Mineral Resources

4.12.1 Environmental Setting

The State-mandated Surface Mining and Reclamation Act of 1975 requires the identification and classification of mineral resources in areas within the State subject to urban development or other irreversible land uses that could otherwise prevent the extraction of mineral resources. These designations categorize land as Mineral Resource Zones (MRZ) MRZ-1 through MRZ-4. According to DOC, Mendocino County has not been mapped and no MRZ zones have been applied in the County (DOC 2024e).

According to the Mendocino County Resource Management Element (2020), a variety of mineral resources are known to exist in the county. 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. However, according to the Department of Mines and Reclamation (2024), the Project Site is not located within a Surface Mining and Reclamation Act study area. The closest mining location is a sand and gravel resource mine and is located approximately 9.15 miles south of the Site within Sonoma County. There is currently no mining activity occurring within the Project vicinity. Additionally, Mendocino County does not identify the Project area as an important mineral resource area (Mendocino County 2009).

4.12.2 Mineral Resources (XII) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

No Impact.

As discussed above, the County's existing General Plan does not identify any mineral resources in the Project vicinity, including on the Project Site. Therefore, no impacts would occur to mineral resources.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒

No Impact.

The Project Site is not identified as a mineral resource recovery site in the Mendocino County General Plan. There would be no impact in this area.

4.12.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.13 Noise

4.13.1 Environmental Setting

4.13.1.1 Noise Fundamentals

Noise is generally defined as sound that is loud, disagreeable, or unexpected. The selection of a proper noise descriptor for a specific source is dependent on the spatial and temporal distribution, duration, and fluctuation of the noise. The noise descriptors most often encountered when dealing with traffic, community, and environmental noise include the average hourly noise level (in L_{eq}) and the Average Daily Noise Levels/Community Noise Equivalent Level (in L_{dn}/CNEL). The L_{eq} is a measure of ambient noise, while the L_{dn} and CNEL are measures of community noise. Each is applicable to this analysis and defined as follows:

- Equivalent Noise Level (L_{eq}) is the average acoustic energy content of noise for a stated period of time. Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver

the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.

- Day-Night Average (L_{dn}) is a 24-hour average L_{eq} with a 10-decibel (dBA) "weighting" added to noise during the hours of 10:00 pm to 7:00 am to account for noise sensitivity in the nighttime. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.4 dBA L_{dn}.
- Community Noise Equivalent Level (CNEL) is a 24-hour average L_{eq} with a 5-dBA weighting during the hours of 7:00 pm to 10:00 pm and a 10-dBA weighting added to noise during the hours of 10:00 pm to 7:00 am to account for noise sensitivity in the evening and nighttime, respectively.

Noise can be generated by a number of sources, including mobile sources, such as automobiles, trucks and airplanes, and stationary sources, such as construction sites, machinery, and industrial operations.

Sound spreads (propagates) uniformly outward in a spherical pattern, and the sound level decreases (attenuates) at a rate of approximately 6 Decibels (dB) for each doubling of distance from a stationary or point source. Sound from a line source, such as a highway, propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of approximately 3 dB for each doubling of distance from a line source, such as a roadway, depending on ground surface characteristics (Federal Highway Administration [FHWA] 2011). Soft surfaces, such as soft dirt or grass, can absorb sound, so an excess ground-attenuation value of 1.5 dB per doubling of distance is normally assumed (FHWA 2011).

The manner in which older structures in California were constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows (Caltrans 2002). The exterior-to-interior reduction of newer structures is generally 30 dBA or more (Harris Miller Miller & Hanson Inc. 2006).

4.13.1.2 Human Response to Noise

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day or night or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60- to 70-dBA range, and high, above 70 dBA. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet, suburban, residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate-level noise environments are urban residential or semi-commercial areas (typically 55 to 60 dBA) and commercial locations (typically 60 dBA). People may

consider louder environments adverse, but most will accept the higher levels associated with noisier urban residential or residential-commercial areas (60 to 75 dBA) or dense urban or industrial areas (65 to 80 dBA). Regarding increases in dBA, the following relationships should be noted in understanding this analysis:

- Except in carefully controlled laboratory experiments, a change of 1.0 dBA cannot be perceived by humans.
- Outside of the laboratory, a 3.0-dBA change is considered a just-perceivable difference.
- A change in level of at least 5.0 dBA is required before any noticeable change in community response would be expected. An increase of 5.0 dBA is typically considered substantial.
- A 10.0-dBA change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

4.13.1.3 Sensitive Noise Receptors

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as schools, daycares, group homes, and medical facilities are considered sensitive to increases in exterior noise levels (Mendocino County 2009). Churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses.

The nearest noise sensitive receptors to the Project Site are residences located directly north and south of the Project Site boundary fronting Old Stage Road. There is also a residence located across Old Stage Road from the park to the east. Lastly, there are residences to the west of the park fronting Ocean Ridge Drive. The nearest permanent, offsite sensitive receptor to the Project Site is a single-family home, located approximately 396 feet distant from the center of Bower Park.

4.13.1.4 Vibration Sources and Characteristics

Ground vibration can be measured several ways to quantify the amplitude of vibration produced, including through Peak Particle Velocity (PPV) or root mean square velocity. These velocity measurements measure maximum particle at one point or the average of the squared amplitude of the signal, respectively. Vibration impacts on people can be described as the level of annoyance and can vary depending on an individual's sensitivity. Generally, low-level vibrations may cause window rattling but do not pose any threats to the integrity of buildings or structures.

4.13.1.5 Existing Ambient Noise Environment

Mendocino County relies principally on standards in the Noise chapter of its General Plan Development Element, its Zoning Ordinance, and the Mendocino County Airport Comprehensive Land Use Plan to evaluate noise-related impacts to development (Mendocino County 2009). According to the Mendocino

County General Plan, major noise sources in Mendocino County consist of the highway and local traffic, railroad operations, airports, commercial and industrial uses, and recreation and community facilities.

Public use airports are in or near Ukiah, Willits, Covelo, Boonville, Gualala, and Little River. The runway at Ocean Ridge Airport in Gualala is approximately 500 feet east of the Proposed Project's site boundary. Although the Proposed Project includes updates to an already existing park located in close proximity to the Ocean Ridge Airport, an analysis of the airport's effect on existing ambient noise is included.

For land use compatibility determinations, airport noise levels are typically depicted as concentric noise contours. These noise contours take into account the number, time of day, and frequency of aircraft operations, as well as variations in monthly and seasonal flight schedules. The result is a 24-hour day/night average noise contour, depicted in CNEL. Because the CNEL noise metric is time weighted to consider noise events that occur during the more noise-sensitive periods of the day, this metric is typically used for the analysis of land use compatibility with aircraft operations.

Operational statistics for the 12-month period ending August 31, 2023, at the Ocean Ridge Airport reported that the airport averaged 71 aircraft operations per month and there were 11 single engine airplanes based on the field (AirNav 2024). The Noise Chapter in the Development Element of Mendocino County's General Plan contains figures depicting future noise conditions for two major noise sources, roadways (based on future traffic levels) and airports (based on the approved master plans for the airports). The Project Site is located outside the 55 dBA noise contours and airport boundary for Ocean Ridge Airport.

Another potential source for ambient noise next to the Proposed Project area is from vehicular traffic along Old Stage Road. The Noise Chapter in the Development Element of Mendocino County's General Plan does not include noise-related information about Old Stage Road on the chart with projected noise levels on major roadways. Since the Proposed Project includes upgrades to an existing park, vehicular traffic during operation is not expected to change substantially from current operations and an analysis focusing on construction-related vehicular traffic is included below.

Aside from the airport, several neighboring residences, and the paved Old Stage Road, the Project Site is located in a wooded area with several unpaved private roads. The American National Standards Institute (ANSI) Standard 12.9-2013/Part 3 "Quantities and Procedures for Description and Measurement of Environmental Sound – Part 3: Short-Term Measurements with an Observer Present" provides a table of approximate background sound levels in L_{dn}, daytime L_{eq}, and nighttime L_{eq}, based on land use and population density. The ANSI standard estimation divides land uses into six distinct categories. Descriptions of these land use categories, along with the typical daytime and nighttime levels, are provided in Table 4.13-1. At times, one could reasonably expect the occurrence of periods that are both louder and quieter than the levels listed in the table. ANSI notes, "95% prediction interval [confidence interval] is on the order of +/- 10 dB." The majority of the Project Area would be considered ambient noise Category 3.

Table 4.13-1. ANSI Standard 12.9-2013/Part 3 A-weighted Sound Levels Corresponding to Land Use and Population Density

Category	Land Use	Description	People per Square Mile	dBA		
				Typical L_{dn}	**Daytime L_{eq}**	**Nighttime L_{eq}**
1	Noisy Commercial & Industrial Areas and Very Noisy Residential Areas	Very heavy traffic conditions, such as in busy, downtown commercial areas; at intersections for mass transportation or other vehicles, including elevated trains, heavy motor trucks, and other heavy traffic; and at street corners where many motor buses and heavy trucks accelerate.	63,840	67	66	58
2	Moderate Commercial & Industrial Areas and Noisy Residential Areas	Heavy traffic areas with conditions similar to Category 1, but with somewhat less traffic; routes of relatively heavy or fast automobile traffic, but where heavy truck traffic is not extremely dense.	20,000	62	61	54
3	Quiet Commercial, Industrial Areas and Normal Urban & Noisy Suburban Residential Areas	Light traffic conditions where no mass-transportation vehicles and relatively few automobiles and trucks pass, and where these vehicles generally travel at moderate speeds; residential areas and commercial streets, and intersections, with little traffic, compose this category.	6,384	57	55	49

Table 4.13-1. ANSI Standard 12.9-2013/Part 3 A-weighted Sound Levels Corresponding to Land Use and Population Density

Category	Land Use	Description	People per Square Mile	dBA		
				Typical L_{dn}	**Daytime L_{eq}**	**Nighttime L_{eq}**
4	Quiet Urban & Normal Suburban Residential Areas	These areas are similar to Category 3, but for this group, the background is either distant traffic or is unidentifiable; typically, the population density is one-third the density of Category 3.	2,000	52	50	44
5	Quiet Residential Areas	These areas are isolated, far from significant sources of sound, and may be situated in shielded areas, such as a small-wooded valley.	638	47	45	39
6	Very Quiet Sparse Suburban or rural Residential Areas	These areas are similar to Category 4 but are usually in sparse suburban or rural areas; and, for this group, there are few if any nearby sources of sound.	200	42	40	34

Source: The American National Standards Institute (ANSI) 2013

Although the Project Site's surrounding area is not densely residential, the proximity to the Ocean Ridge Airport could contribute to ambient noise levels. The Project Site is located outside the 55 dBA noise contours and airport boundary for Ocean Ridge Airport, however, to be conservative in the following analysis of noise impacts, an ANSI Category 3 classification is assigned (57 dBA L_{dn}). Thus, for the purposes of this analysis, the ambient noise environment affecting the Project Area is considered to be around 57 dBA L_{dn} with daytime and nighttime noise levels of 55 dBA L_{eq} and 49 dBA L_{eq}, respectively.

4.13.2 Noise (XIII) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in 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?	☐	☐	☒	☐

Less Than Significant Impact.

As previously described, noise-sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, daycares, churches, libraries, group homes, and medical facilities would each be considered noise sensitive and may warrant unique measures for protection from intruding noise. The Proposed Project includes updates to an existing park which may result in a temporary increase in ambient noise levels during construction as well as a permanent increase in ambient noise levels with the addition of the pickleball courts. The nearest permanent, offsite sensitive receptor to the Project Site is a single-family home, located approximately 396 feet distant from the estimated center of the Proposed Project.

Acceptable levels of noise vary depending on the receiving land use. The following assessment compares modeled construction-related and operational noise to the Exterior Noise Limit Standards found in Appendix C of the County Code and ensure the policies in Mendocino County's General Plan are followed.

4.13.2.1 Onsite Construction Noise Impacts

Construction noise associated with the Proposed Project would be temporary and would vary depending on the specific nature of the activities being performed. Noise generated would primarily be associated with the operation of off-road equipment for onsite construction activities as well as construction vehicle traffic on area roadways. Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., site preparation, demolition, grading, etc.). Noise generated by construction equipment, including earth movers, pile drivers, and portable generators, can reach high levels. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). During construction, exterior noise levels could negatively affect sensitive land uses in the vicinity of the construction site.

The nearest noise sensitive receptors to the Proposed Project are residences located in all directions. The County does not promulgate a numeric threshold pertaining to the noise associated with construction. This is because construction noise is temporary, short term, intermittent in nature, and would cease on completion of the Project.

To estimate the worst-case onsite construction noise levels that may occur at the nearest noise-sensitive receptors and in order to evaluate the potential health-related effects (physical damage to the ear) from construction noise, the construction equipment noise levels were calculated using the Federal Highway Administration's Roadway Noise Construction Model and compared against the construction-related noise level threshold established in the Criteria for a Recommended Standard: Occupational Noise Exposure prepared in 1998 by the National Institute for Occupational Safety and Health (NIOSH). As a division of the U.S. Department of Health and Human Services, NIOSH identifies a noise level threshold based on the duration of exposure to the source. The NIOSH construction-related noise level threshold starts at 85 dBA for more than 8 hours per day (NIOSH 1998); for every 3-dBA increase, the exposure time is cut in half. This reduction results in noise level thresholds of 88 dBA for more than 4 hours per day, 92 dBA for more than 1 hour per day, 96 dBA for more than 30 minutes per day, and up to 100 dBA for more than 15 minutes per day. For the purposes of this analysis, the lowest, more conservative threshold of 85 dBA L_{eq} is used as an acceptable threshold for construction noise at the nearby sensitive receptors.

It is acknowledged that the majority of construction equipment is not situated at any one location during construction activities, but rather spread throughout the Project Site and at various distances from sensitive receptors. Therefore, this analysis employs Federal Transit Administration (FTA) guidance for calculating construction noise, which recommends measuring construction noise produced by all construction equipment simultaneously from the center of the Project Site (FTA 2018), which in this case is approximately 396 feet from the nearest residence. The anticipated short-term construction noise levels generated for the necessary equipment for each phase of construction are presented in Table 4.13-2.

Table 4.13-2. Construction Average (dBA) Noise Levels at Nearest Receptors (396 Feet Distant)

Equipment	Average Ambient Noise Level* (dBA L_{eq})	Existing Ambient Noise + Estimated Exterior Construction Noise Levels (dBA L_{eq})	Construction Noise Standards (dBA L_{eq})	Exceeds Standards?
Demolition	55.0	68.5	85	No
Site Preparation		69.6	85	No
Grading		70.2	85	No
Building Construction & Paving & Architectural Coating		72.5	85	No

Source: Construction noise levels were calculated by ECORP Consulting, Inc. using the Federal Highway Administration (FHWA) Roadway Noise Construction Model (FHWA 2006). Refer to Appendix E for Model Data Outputs.

Table 4.13-2. Construction Average (dBA) Noise Levels at Nearest Receptors (396 Feet Distant)				
Equipment	**Average Ambient Noise Level* (dBA L_{eq})**	**Existing Ambient Noise + Estimated Exterior Construction Noise Levels (dBA L_{eq})**	**Construction Noise Standards (dBA L_{eq})**	**Exceeds Standards?**

Notes: *Average ambient noise levels of the Project Area were estimated using the ANSI Standard 12.9-2013/Part 3 *Quantities and Procedures for Description and Measurement of Environmental Sound* identified in Table 4.13-1. The majority of the Project Area would be considered ambient noise Category 3. The Category 3 daytime average L_{eq} level of 55 dBA was selected as the average ambient noise level because construction activities typically occur during the day. This noise level assigned is generally conservative and verified by the projected noise contours identified in the City General Plan Development Element Noise Chapter that featured the projected noise contours for the Ocean Ridge Airport.
Construction equipment used during construction derived from the California Emissions Estimator Model (CalEEMod), version 2022.1. CalEEMod is designed to calculate air pollutant emissions from construction activity and contains default construction equipment and usage parameters for typical construction projects based on several construction surveys conducted in order to identify such parameters. The nearest sensitive receptor is approximately 396 feet to the northeast from the center of the Project Site. Building construction, paving, and architectural coating assumed to occur simultaneously.
dBA = A-weighted decibel
L_{eq} = Equivalent Noise Level

L_{eq} = The equivalent energy noise level, is the average acoustic energy content of noise for a stated period of time. Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.

As shown in Table 4.13-2, Project onsite construction activities would not exceed the NIOSH threshold of 85 dBA L_{eq} at the nearest noise-sensitive receptors.

4.13.2.2 Offsite Construction Traffic Noise Impacts

Construction associated with the Project would result in additional traffic (e.g., worker commutes and material hauling) on adjacent roadways over the period that construction occurs. According to CalEEMod, which is used to predict the number of construction-related automotive trips, the maximum number of Project construction trips traveling to and from the Project Site during a single construction phase would not be expected to exceed 54 daily trips in total (18 construction worker trips and 36 hauling trips). According to the Caltrans *Technical Noise Supplement to the Traffic Noise Analysis Protocol* (2013), doubling of traffic on a roadway is required to result in an increase of 3 dB (outside of the laboratory, a 3-dBA change is considered a just-perceivable difference). The Project Site is accessible from Old Stage Road. There are over twenty residences that are directly off of Old Stage Road adjacent to the Project Site approximately 0.3 mile in either direction. According to the Institute of Transportation Engineers' 10th Edition Trip Generation Manual (2017), single family homes generate an average of 9.44 trips daily, and therefore these twenty residences could be expected to contribute up to 188 traffic trips daily to Old Stage Road adjacent to the Project Site (9.44 x 20 = 188.8). Thus, Project construction would not result in a doubling of traffic, and therefore its contribution to existing traffic noise would not be perceptible. Additionally, it is noted that construction is temporary, and these trips would cease upon completion of the Project and therefore the impact is less than significant.

4.13.2.3 Operational Noise Impacts

As previously described, the Project is proposing improvements to the existing Bower Park. Once construction is complete, the operational noise as a result of activity on the Project Site would be similar to current conditions. It is not anticipated that these improvements would attract substantially more visitors.

One notable change associated with the Project is the proposed addition of two pickleball courts in the tennis court area, which may contribute to a change in the operational noise already generated at Bower Park. Unlike tennis, the balls used for pickleball are made from hard plastic and the paddles are typically hollow, and both characteristics contribute to noise. In Mendocino County's General Plan Development Element, Policy DE-100 presents the exterior noise level standards not to be exceeded for more than 30 minutes in any hour for single-family residences. Between the hours of 7:00 a.m. and 10:00 p.m., Mendocino County sets a 60 dBA threshold not to be exceeded over 30 minutes in any hour and a similar threshold of 50 dBA between the hours of 10:00 p.m. and 7:00 a.m. (Mendocino County 2009).

Reference noise measurements representing pickleball courts were previously taken by ECORP Consulting Inc. that showed an L_{eq} over a 15-minute period of 63.3 dBA approximately 45 feet from the source (the center of the closest pickleball court at the facility). Another source states that pickleball sounds measure around 70 dBA when collected approximately 100 feet away from the strike of the ball (DDS Acoustical Specialties 2020). As previously described, sound spreads (propagates) uniformly outward in a spherical pattern, and the sound level decreases (attenuates) at a rate of approximately 6 dBA for each doubling of distance from a stationary or point source (FHWA 2011), such as a pickleball court.

The nearest sensitive receptor to the pickleball courts is a residence approximately 360 feet distant. If pickleball noise levels are measured at 63.3 dBA 45 feet from the court, noise levels would attenuate to 57.3 dBA at 90 feet from the court, which is below Mendocino County's 60 dBA exterior noise level threshold not to be exceeded over 30 minutes in any hour for single-family residences. If pickleball noise levels reach 70 dBA at 100 feet from the court, the noise level would attenuate to 64 dBA at 200 feet, and 58 dBA at 300 feet from the court, which is below the County exterior noise threshold. Project noise would continue to attenuate and would be negligible at the closest receptor. There would be a less than significant impact.

Other potential operational sound would not be markedly different from current operational noise levels. Therefore, the impact is less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Result in generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐

Less Than Significant Impact.

4.13.2.4 Construction Vibration Impacts

Excessive groundborne vibration impacts result from continuously occurring vibration levels. Increases in groundborne vibration levels attributable to the Proposed Project would be primarily associated with short-term construction-related activities. Construction on the Project Site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance.

Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of some heavy-duty construction equipment, such as dozers and trucks. It is not anticipated that pile drivers would be necessary during Project construction. Vibration decreases rapidly with distance, and it is acknowledged that construction activities would occur throughout the Project Site and would not be concentrated at the point closest to sensitive receptors. Groundborne vibration levels associated with construction equipment are summarized in Table 4.13-3.

Table 4.13-3. Typical Construction Equipment Vibration Levels

Equipment Type	Peak Particle Velocity at 25 Feet (inches per second)
Large Bulldozer	0.089
Pile Driver	0.170
Caisson Drilling	0.089
Loaded Trucks	0.076
Rock Breaker	0.089
Jackhammer	0.035
Small Bulldozer/Tractor	0.003
Vibratory Roller	0.210

Source: Federal Transit Administration (FTA) 2018; California Department of Transportation (Caltrans) 2020

Mendocino County does not regulate vibrations associated with construction. However, a discussion of construction vibration is included for full disclosure purposes. For comparison purposes, the Caltrans (2020) recommended standard of 0.3 inches per second PPV with respect to the prevention of structural damage for older residential buildings is used as a threshold. This is also the level at which vibrations may begin to annoy people in buildings.

Based on the representative vibration levels presented for various construction equipment types in Table 4.13-3 and the construction vibration assessment methodology published by the FTA (2018), it is possible to estimate the potential Project construction vibration levels. The FTA provides the following equation:

$$[PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}]$$

Table 4.13-4 presents the expected Project related vibration levels at a distance of 396 feet, which is the distance from the center of the Project Site and the nearest offsite structure.

Table 4.13-4. Construction Vibration Levels at 396 Feet								
Receiver PPV Levels (in/sec)						Peak Vibration	Threshold	Exceed Threshold
Large Dozer, Drilling & Rock Breaker	Pile Driver	Loaded Trucks	Jack-hammer	Small Dozer	Roller			
0.001	0.003	0.001	0.0005	0.0000	0.003	0.003	0.3	No

Note: in/sec = inches per second

As shown in Table 4.13-4, vibration as a result of construction activities would not exceed 0.3 PPV. Thus, Project construction would not exceed the recommended threshold. This impact is less than significant.

4.13.2.5 Operational Vibration Impacts

Project operations would not include the use of any stationary equipment that would result in excessive groundborne vibration levels. Traffic occurring during peak hours would not generate enough vibration to cause damage to structures. Therefore, the Proposed Project would result in negligible groundborne vibration impacts during operations. No impacts would occur.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) For a Project located within the vicinity of a 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?	☐	☐	☒	☐

Less Than Significant Impact.

As previously mentioned in Section 4.13.1.5, the runway at Ocean Ridge Airport in Gualala is approximately 500 feet east of the proposed Project's site boundary. The Noise Chapter in the Development Element of Mendocino County's General Plan contains figures depicting future noise conditions for airports which is based on the airport's approved master plan. The Project Site is located outside the 55 dBA noise contours and airport boundary for Ocean Ridge Airport. Implementation of the Proposed Project would not result in increased exposure of people at the park or residing in close proximity to the park to aircraft noise beyond the acceptable noise standards.

4.13.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.14 Population and Housing

4.14.1 Environmental Setting

The proposed Project is located within the unincorporated community of Gualala, within Mendocino County. The Gualala community is just north of Sea Ranch and south of Point Arena, along Highway 1.

According to the Department of Finance, the County of Mendocino had a population of 89,476 (California Department of Finance 2024). The community of Gualala has approximately 2,000 of those residents.

4.14.2 Population and Housing (XIV) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

Less Significant Impact.

The proposed Project aims to improve recreational facilities and provide improved accessibility to these features within the park. There would likely be a slight increase in visitors with implementation of the park improvements, however, this would be negligible as the park is currently existing and in operation. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No Impact.

The proposed Project consists of constructing additional amenities and related improvements within the existing boundaries of Bower Park. The site is currently developed and there is no housing located on the Project Site. Implementation of the proposed Project would not displace any people or existing housing. Therefore, the Project would have no impact in this area.

4.14.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.15 Public Services

4.15.1 Environmental Setting

4.15.1.1 Police Services

Law enforcement in the county is provided by the Mendocino County Sheriff's office. The sheriff is the chief law enforcement officer and is the coordinator for law enforcement and mutual aid, as well as search and rescue services. The sheriff is generally charged with preserving the peace, enforcing criminal statues, and investigating known or suspected criminal activity.

The main sheriff's station, including dispatch and detention facilities, is located in the Mendocino County Administration Center complex in the City of Ukiah. Substations are located in the cities of Willits and Fort Bragg.

4.15.1.2 Fire Services

The closest fire station to the Project Site is the South Coast Fire Protection District, Station 750, located at 39215 Church Street, Gualala, CA, 95445. This fire station is approximately 2 miles from Bower Park. The South Coast Fire Protection District serves Gualala and the surrounding areas. As of July 18, 2024, the South Coast Fire Protection District has fielded 302 calls since the beginning of 2024 (South Coast Fire Protection District 2024).

4.15.1.3 Schools

The existing schools serving the Gualala area are primarily in Point Arena, within the Point Arena Schools District. However, the Forager Elementary School is 1.5 miles southwest of the proposed Project.

4.15.1.4 Parks

The proposed Project involves enhancements to Bower Park, which is an existing community park. Bower Park is a popular semiurban community park with a variety of recreational facilities, including hiking trails, fishing pond, picnic area with tables and barbecue pits, ballfield with concession stand, multiple playground areas with play structures, outdoor theater, basketball & tennis courts, and a multipurpose community room.

4.15.2 Public Services (XV) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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	☐	☐	☒	☐

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other Public Facilities?	☐	☐	☒	☐

Less Than Significant Impact.

4.15.2.1 Fire Protection

Project construction would result in a need for fire protection services to respond to any potential fire or emergency medical service incidents that may occur at the site. However, the Project would not result in the need for new fire personnel or facilities, as services can adequately be provided by existing personnel out of existing facilities. Therefore, this impact is less than significant.

4.15.2.2 Police Services

Project construction would result in a need for police protection services to respond to any potential incidents that may occur at the site. However, the Project would not result in the need for new police personnel or facilities, as services can adequately be provided by existing personnel out of existing facilities. Therefore, this impact is less than significant.

4.15.2.3 Schools

The Project does not propose any housing and would not include any other components that would result in an increased demand for schools. As such, there would be no need for additional facilities to maintain acceptable service ratios for schools. No impact would occur.

4.15.2.4 Parks

The proposed Project involves the restoration and improvement of the existing recreational facilities within Bower Park. Implementation of the proposed Project would likely generate additional park users compared to the existing number of visitors, but it would not result in an increased demand for new

parks. As such, there would be no need for additional facilities to maintain acceptable service ratios for parks. Any impacts would be less than significant.

4.15.3 Mitigation Measures

No significant impacts were identified, and no mitigation measures are required.

4.16 Recreation

4.16.1 Environmental Setting

The Mendocino County Parks system is operated and maintained by the Facilities and Fleet Division of the General Services Agency. The Parks system includes six parks and three public access areas, all of which are maintained by County Facilities and Fleet Division maintenance and grounds keeping staff (Mendocino County 2024b).

Bower Park is situated on a gently sloping ground covered by redwoods and other evergreen trees, including a small grove of redwoods. Bower Park is a popular semiurban community park with a variety of recreational facilities, including hiking trails, fishing pond, picnic area with tables and barbecue pits, ballfield with concession stand, multiple playground areas with play structures, outdoor theater, basketball & tennis courts, and a multipurpose community room (Mendocino County 2024c.

4.16.2 Recreation (XVI) Materials Checklist

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

Less Than Significant Impact

The proposed Project would enhance the existing recreational opportunities within Bower Park. The Project would be designed with the goal of providing children and adults with a venue for both passive and active recreation, which would be a beneficial addition to the community. Therefore, the proposed Project would have no adverse effect on surrounding recreational facilities and any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	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?	☐	☒	☐	☐

Less Than Significant Impact with Mitigation Incorporated.

The proposed Project is an enhancement of an existing neighborhood recreational park project. The Project would include amenities such as a dog park, basketball court, playground, and associated ADA improvements. The environmental impacts of construction and operation of the proposed Project, including required mitigation measures, are discussed in this document. Impacts would be less than significant with mitigation as described in other sections of this document.

4.16.3 Mitigation Measures

Mitigation measures to address potentially significant impacts from park enhancement are provided in the appropriate resource sections of this Initial Study. With implementation of these mitigation measures, impacts would be less than significant.

4.17 Transportation

4.17.1 Environmental Setting

Bower Park is located at 38040 Old State Stage Road, Gualala, CA. Access to the park is provided by a paved road off Old Stage Road on the eastern side of the facility.

4.17.2 Transportation (XVII) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project would be within the existing footprint of Bower Park. The Project does not include any improvements to Old Stage Road. Additionally, the proposed Project does not involve any changes in land uses or impact transportation policies. Construction of the proposed Project would result in temporary increase in truck trips to deliver materials and machinery to the site. There will also be a slight addition of vehicle trips from the work crews during construction working hours (between 7:00 a.m. and

7:00 p.m.). However, the temporary increase in trips from Project related vehicles and trucks is not expected to substantially impact the load on or capacity of Old Stage Road.

Post construction, with the additional amenities to the existing park, there may be an increase of park visitors that would increase the traffic accessing the park area but would not substantially impact the load on or capacity of Old Stage Road than what is currently existing. There would not be a conflict with any program, plan, ordinance, or policy addressing the circulation system, and any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐

Less Than Significant Impact.

Section 15064.3. of the CEQA Guidelines (Determining the Significance of Transportation Impacts) describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project. Anticipated construction activities that would take place during Project construction may result in a temporary increase in VMT as a result of the movement of construction personnel, equipment, and materials to and from the Proposed Project Site; however, these impacts are temporary in nature and will not substantially increase the existing VMT associated with Bower Park. As stated above, the proposed Project is limited to improvements to the existing footprint of Bower Park and is not expected to create a substantial increase to the existing number of daily/yearly visitors to the park and therefore would not increase VMT. Therefore, the impact is less than significant. No mitigation is required.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒

No Impact.

The proposed Project includes improvements to Bower Park and does not involve any improvements to Old Stage Road. Additionally, the site would not cause any incompatible uses with existing conditions. No impact would occur, and no mitigation is required.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Result in inadequate emergency access?	☐	☐	☐	☒

No Impact.

The proposed Project would not result in a change in the availability of emergency access nor create demand for additional points of emergency access. No impact would occur, and no mitigation is required.

4.17.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.18 Tribal Cultural Resources

4.18.1 Regulatory Setting

Effective July 1, 2015, Assembly Bill (AB) 52 amended CEQA to require that: 1) a lead agency provide notice to any California Native American tribes that have requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include tribal cultural resources, the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004." This includes both federally and non-federally recognized tribes.

Section 21074(a) of the Public Resource Code defines Tribal Cultural Resources for the purpose of CEQA as:

1) Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

    a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or

    b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

    c. 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 Section

> 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria a and b also meet the definition of a Historical Resource under CEQA, a Tribal Cultural Resource may also require additional consideration as a Historical Resource. Tribal Cultural Resources may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies initiate consultation with tribes at the commencement of the CEQA process to identify Tribal Cultural Resources. Furthermore, because a significant effect on a Tribal Cultural Resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures.

4.18.1.1 Ethnohistory

Ethnographically, the Project Area is the tribal territory of the Northern Pomo, one of seven linguistic divisions of the Pomo language. The Northern Pomo territory includes 22 miles of coastline and extends 50 miles inland to the northwestern shores of Clear Lake. The Northern Pomo territory includes land surrounding the present-day towns of Fort Bragg, Noyo, Mendocino, Ukiah, Willits, and Calpella. This large territory includes oak-pine and hardwood forests, chaparral and coastal prairie vegetation communities, and contains the north coast redwood and coastal cypress and pine forests.

The Northern Pomo did not have a word for themselves, as opposed to other native speakers of other dialects or languages, but a general term for "people" could be derived from an element incorporated into some tribelet names based on location: *Chamay*. Culturally, linguistically, and socially, the Western and Northeastern Pomo were grouped into 25 separate politically distinct groups called tribelets. Other linguistic divisions include the Southern, Kashaya, Central, and Northern Pomo.

The Northern Pomo lived on the coast and inland. They seasonally exploited marine resources in the summer such as abalone, seaweed, kelp, mussels, and sea fish. Most inland villages were permanent settlements with larger populations than those on the coast, but were bound closely with the smaller villages by trade and kinship ties. The Northern Pomo shared the Ukiah Valley with the Central Pomo. Pinoleville Rancheria, located north of the Project Area on Ackerman Creek, was inhabited mainly by Native Americans from Potter Valley. The Rancheria was originally located in the south-central part of Ukiah, but was later reestablished in 1893 to its site on Ackerman Creek. The Pinoleville Rancheria was terminated in 1966.

A Pomo tribelet was composed of one or more bilaterally related extended kinship groups, ranging in size from 100 to 2,000 people. Each had a headman or minor chief; these men together composed the ruling elite of the individual tribelets and functioned as council. The tribelets were independent political units but sometimes did confederate. On the Russian River, a confederation of several linked tribelets combined to control 16 miles of the river plus the adjacent land and hills. The Pomo maintained regular military trade alliances among themselves and with other groups. Kin groups were the most significant social unit,

united by the ghost and secret societies. However, non-kin friendships were maintained by a system of reciprocal gift exchange.

The Pomo ranked individuals by family, background, wealth, and individual achievement. Special offices were inherited, and other social differences were based on membership in the secret societies, such as the Kuksu cult, which had select membership. Ritual leaders and chiefs ranked the highest, with shamans and sucking doctors right below them. Professions required a system of apprenticeship and mentorship, and included craft specialties, chieftainships, and shamanistic roles. The most dramatic social role was that of the bear doctor, which required long, specialized training and harsh ritual restrictions.

The Pomo had clearly defined concepts of land use rights. Some areas were commonly controlled, and some areas were the right of one family or kin group. Individuals owned all property manufactured by themselves and were free to do with it what they were inclined to do. The Pomo used stone mortar and pestle to grind foods and herbs, and knives and axes were made from obsidian or chert. Bone was used to make awls and fishhooks. The Pomo also made intricately woven, waterproof baskets with designed geometric patterns and adornments of feathers, shells, and beads.

Acorns were a staple food, and other vegetal foods included buckeye, seeds from at least 15 different grasses, and edible greens were eaten directly or dried and stored. Grasshoppers, caterpillars, and larvae were also eaten and these foods were gathered regularly. The taking of game was one of the most important duties of men; it required careful preparation and observance of special regulations. Group hunting was either done by a single hunter with a deer-head mask and disguise assisted by several drivers and packers, or by erecting a brush fence and through which the herd was driven. They typically used bow and arrow to hunt game. Hunters maintained a careful seasonal balance between the size of the herd and available vegetation to keep the herd from straying out of the territory.

Clothing was worn by men for ritual, utilitarian, or social purposes; otherwise they were nude most of the time. When weather called for it, mantles of tule bark were worn, while men of great wealth wore animal skins. Women always wore a skirt of some kind, in the inland area made mostly of shredded redwood bark. During cold weather, both sexes wore rabbit-skin blankets. Feather robes were sometimes worn in ceremony, but usually only by wealthy men. Personal adornments such as bracelets, belts and neckbands were made of shell beads, bone, and feathers, and were indicators of wealth and social positions.

The Pomo made three types of houses: temporary shelters, dwelling houses, and subterranean houses. Small family houses were built of redwood bark slabs with the ground around the house surrounded by a brush fence for drying acorns. Multi-family communal structures built along the Russian River were circular or L-shaped and constructed of brush, grass, or tule. Semi subterranean structures served two main functions: a smaller men's sweathouse, and a larger assembly house for dancing and ceremonies. A special earth-covered lodge, 40-60 feet in diameter, was used only for Ghost Dance ceremonies.

The life cycle of the Pomo began at birth, although Pomo practiced various forms of birth control, such as abortion and coitus interruptus; these practices were supported by the idea that a fetus and baby immediately after birth were not alive. Birth usually took place within a special shelter in which the new baby and mother remained for six weeks after delivery. Children were named around age one after deceased kinsmen, but only the father and mother called the child by their name; others used kinship

terms or nicknames. Boys were taught certain songs during childhood until age 12, when they were presented with a net and bow and arrow. Girls' first menses were the most important event in her life, and was marked by confinement to the menstrual hut, dietary restrictions, and instruction on her new role as a woman. Marriages were arranged by the two families, but the prospective marriage individuals were always consulted. A girl was not usually forced into marriage, but she could not marry against the wishes of her family. The groom's family gave gifts to the bride's family, and after they were wed, the couple moved into the groom's house. Divorce was simple and involved little ceremony.

The first contact between Pomo and non-Native Americans may have occurred as early as 1579 when Sir Francis Drake visited the bay believed to be just south of their territory. By the late 1700s, European trade goods were arriving from San Francisco, and the Spanish were raiding Pomo territories for potential converts to their mission at the Presidio. By 1817, Mission San Rafael was established, extending Spanish influence into Pomo territory, and in 1823 Mission San Francisco de Solano extended influence in to Wappo territory. At least 600 Pomo were baptized at these two missions. About the same time, Russians began exploiting Pomo territory on the coast and established Fort Ross in Kashaya territory in 1811. As opposed to the forced missionization of native people by the Spanish, the Russians contracted with the Pomo for use of their area, and employed tribal members as agricultural workers. Many Pomo adopted Russian customs and occasionally intermarried with Russians.

4.18.2 Sacred Lands File Coordination Methods

In addition to the records search, ECORP contacted the California NAHC on July 1, 2024 to request a search of the Sacred Lands File for the Project Area (Appendix B). This search determines whether or not the California Native American tribes within the Project Area have recorded Sacred Lands, because the Sacred Lands File is populated by members of the Native American community with knowledge about the locations of tribal resources. In requesting a search of the Sacred Lands File, ECORP solicited information from the Native American community regarding Tribal Cultural Resources (TCRs), but the responsibility to formally consult with the Native American community lies exclusively with the federal and local agencies under applicable state and federal laws. The lead agencies do not delegate government-to-government authority to any private entity to conduct tribal consultation.

4.18.3 Tribal Cultural Resources within the Project Area

A Cultural Resources Inventory Report was prepared by ECORP (2024b) for the proposed Project to determine if cultural resources, including tribal cultural resources, were present in or adjacent to the Project Area and assess the sensitivity of the Project Area for undiscovered or buried cultural resources. The information provided below is an abridged version of this report and is provided here to afford a brief context of the potential cultural resources in the Project Area.

Thirty-three previous cultural resource investigations have been conducted within 1 mile of the Project Area, covering approximately 70 percent of the total area surrounding the Project Area within the records search radius. Of the 33 studies, three were conducted within the Project Area. These studies revealed the presence of historic-era and built environment resources, including cabins and residential complexes, were conducted between 1977 and 2019, and vary in size from 1 linear mile to approximately 625 acres.

The records search also determined that three previously recorded pre-contact and historic-era cultural resources are located within 1 mile of the Project Area. Of these, all are historic-era resources associated with early European-American ranching activities. There are no previously recorded cultural resources within or adjacent to the Project Area.

A search of the Sacred Lands File by the NAHC resulted in a negative indication for the presence of Native American sacred sites or cultural resources. Additionally, ECORP has not received a response to the letter sent to the Historical Society of Mendocino County as of the date of the preparation of this document.

ECORP surveyed the Project Area for cultural resources on August 1, 2024. Ground cover within the Project Area consisted of trees, woodchips, grasses, bare ground, blackberry bushes, and pavement; overall ground visibility was approximately 70 to 100 percent throughout the Project Area. As a result of previous investigations by other firms, no resources have been recorded within the Project Area. As construction of the park did not start until after 1974, none of the features meet the 50 year threshold to be considered of historic age. Therefore, the 2024 survey by ECORP did not identify any new cultural resources within the Project Area.

4.18.4 Tribal Consultation

To date, the County has not received a formal request for AB52 consultation within this area. In absence of a formal request, ECORP contacted the NAHC on July 1, 2024, to request a search of the Sacred Lands File for the Project Area. In requesting a search of the Sacred Lands File, ECORP solicited information from the Native American community regarding TCRs, but the responsibility to formally consult with the Native American community lies exclusively with the federal and local agencies under applicable state and federal laws. The lead agencies do not delegate government-to-government authority to any private entity to conduct tribal consultation. On September 16, 2024, general request for information letters were sent via certified mail to the following representative(s) listed for the tribes on the NAHC response letter: Big Valley Rancheria of Pomo Indians, Cahto Tribe, Cloverdale Rancheria of Pomo Indians, Coyote Valley Band of Pomo Indians, Dry Creek Rancheria of Pomo Indians, Elem Indian Colony Pomo Tribe, Estom Yumeka Maidu Tribe of the Enterprise Rancheria, Guidiville Rancheria of California, Hopland Band of Pomo Indians, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, Koi Nation of Northern California, Manchester Band of Pomo Indians of the Manchester Rancheria, Middletown Rancheria of Pomo Indians of California, Noyo River Indian Community, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley or Little River Band of Pomo Indians, Robinson Rancheria of Pomo Indians, Round Valley Reservation/Covelo Indian Community, Scotts Valley Band of Pomo, Sherwood Valley Rancheria of Pomo, and Yokayo Tribe.

Kim Cole, Tribal Administrator, Elem Indian Colony Pomo Tribe: The letter was returned to sender on September 19, 2024 as the mail system was unable to forward. An email was sent to the address on file with the NAHC on October 1, 2024. The email was rejected.

Agustin Garcia, Chairperson, Elem Indian Colony Pomo Tribe: The letter was returned to sender on September 19, 2024 as the mail system was unable to forward. An email was sent to the address on file with the NAHC on October 1, 2024. The email was rejected.

Thomas Brown, Cultural Resources Director, Elem Indian Colony Pomo Tribe: The letter was returned to sender on September 19, 2024 as the mail system was unable to forward. An email was sent to the address on file with the NAHC on October 1, 2024. The email was rejected.

Valerie Stanley, Tribal Historic Preservation Officer, Sherwood Valley Rancheria: Ms. Stanley replied on September 18, 2024 that the project is located outside the Tribe's territory and the tribe would not be participating further.

Valerie Stanley, Noyo River Indian Community: Ms. Stanley replied on September 30, 2024 that the project is located outside the tribe's territory and the tribe would not be participating further.

4.18.5 Tribal Cultural Resources (XVIII) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☒	☐	☐

Less Than Significant With Mitigation Incorporated.

As conveyed in the *Cultural Resources Inventory Report* conducted by ECORP Consulting, Inc., no known tribal cultural resources were identified at the Project Site or within a 0.5-mile radius during the records search and literature review performed. On August 1, 2024, ECORP performed a field investigation of the

Project Site, which concluded that no cultural resources were observed onsite. Additionally, the NAHC records search of the NAHC Sacred Lands File was completed for the proposed Project revealing a negative search result for sacred lands within the Project Site. On September 16, 2024,, general request for information letters were sent to each representative listed for the tribes on the NAHC response letter; to date, the project has not received a request for formal consultation.

No known tribal cultural resources have been identified within the Project Site. The Project Site has not been identified as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe. However, unanticipated, and accidental discovery of California Native American tribal cultural resources are possible during Project implementation, especially during excavation, and have the potential to impact unique cultural resources. As such, mitigation measure CUL-1 have been included to reduce the potential for impacts to cultural resources to a less than significant level.

4.18.6 Mitigation Measures

Impacts would be less than significant with implementation of mitigation measure CUL-1, (Section 4.5).

4.19 Utilities and Service Systems

4.19.1 Environmental Setting

4.19.1.1 Water Service

The North Gualala Water Company (NGWC) is a privately owned public utility that has been serving the coastal communities around Anchor Bay and Gualala since 1953. The company started with just an earthen dam to provide drinking water to a small number of homes in Gualala but over the years, modernized its treatment and distribution infrastructure. NGWC provides potable water to the Project Site (NGWC 2023).

4.19.1.2 Wastewater

Bower Park and the surrounding residential homes utilize a septic tank for wastewater facilities.

4.19.1.3 Solid Waste

Redwood Waste Solutions operates nine stations and recycling centers in rural Mendocino County. These stations function as locations for deposit of municipal solid waste as well as a number of other household and commercial materials that are recycled. When loads of mixed waste are received, they are sorted to the maximum extent feasible to extract recyclables and increase diversion from landfilling. The closest transfer station to the proposed Project is the South Coast Transfer Station at 40855 Fish Rock Road in Gualala (C&S Waste Solutions 2024).

4.19.2 Utilities and Service Systems (XIX) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded Water, Wastewater treatment or storm Water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project involves the restoration and improvement of the existing recreational facilities within Bower Park. Bower Park will continue utilizing existing water services, wastewater facilities, storm drainage, and other utilities and would not generate the need for any new facilities to accommodate the project. Any impacts would be less than significant.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Have sufficient Water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐

Less Than Significant Impact.

The proposed Project involves the restoration and improvement of the existing recreational facilities within Bower Park. Implementation of the proposed Project would not require any additional need for water services, as Bower Park will continue utilizing existing water services provided by NGWC. Any impacts would be less than significant and no mitigation is required.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒

No Impact.

The Proposed Project would not require or impact wastewater service. No mitigation necessary.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

Any construction waste would be disposed of at the South Coast Transfer Station at 40855 Fish Rock Road in Gualala or other local landfill permitted to accept construction waste. The small increase in waste would not be expected to affect the permitted capacity of these landfills. A less than significant impact would occur. No mitigation necessary.

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid Waste?	☐	☐	☐	☒

No Impact.

Waste generated by the proposed Project would comply with statutes and regulations related to solid waste. No impact would occur. No mitigation necessary.

4.19.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required.

4.20 Wildfire

4.20.1 Environmental Setting

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (e.g., winds, temperatures, humidity levels and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area-to-mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface area-to-mass ratio and require more heat to reach the ignition point.

The Project site is located within a high FHSZ and is an SRA (CAL FIRE 2023). The FHSZ mapping is performed by CAL FIRE and is based on factors such as fuels, terrain, and weather.

4.20.2 Wildfire (XX) Environmental Checklist and Discussion

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

Less Than Significant Impact.

The Project Site is not in an area designated by the CAL FIRE as a Very High Fire Hazard Severity Zones (VHFHSZ). However, there is land designated as VHFHSZs located approximately 0.5 miles north of the Project Site. Additionally, the Project Site is located in an SRA (CAL FIRE 2024). The Project Site is an existing park and the proposed Project would not change the existing use of the Project Site. All associated construction with the proposed Project would be located within the Project Site and would not adversely impact Old Stage Road or any other roadways within the County. The implementation of the Project would not substantially impair an adopted emergency response plan or emergency evacuation plan and any impacts would be less than significant.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

The Project Site is not in an area designated by CAL FIRE as a VHFHSZ. However, there is land designated as VHFHSZs located approximately 0.5 miles north of the Project Site. Additionally, the Project Site is located in an SRA (CAL FIRE 2024). The Project Site is an existing park and the proposed Project would not change the existing use of the Project Site. The implementation of the Project would not exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from, a wildfire or the uncontrolled spread of a wildfire impact on SRAs or VHFHSZs due to slope, prevailing winds and other factors. Any impacts would be less than significant.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact.

The Project Site is not in an area designated by CAL FIRE as a VHFHSZ. However, there is land designated as VHFHSZs located approximately 0.5 miles north of the Project Site. Additionally, the Project Site is located in an SRA (CAL FIRE 2024). The Project Site is an existing park and the proposed Project would not change the existing use of the Project Site. Project operation would involve the continued maintenance of the existing park but would not require any additional maintenance which Bower Park is already experiencing. The implementation of the Project would have not require the installation 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. Any impacts would be less than significant.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 changes?	☐	☐	☒	☐

Less Than Significant Impact.

The Project Site is not in an area designated by CAL FIRE as a VHFHSZ. However, there is land designated as VHFHSZs located approximately 0.5 mile north of the Project Site. Additionally, the Project Site is located in an SRA (CAL FIRE 2024). The Project Site is an existing park and the proposed Project would not change the existing use of the Project Site. As described in the Project description in Section 3.0, the additional amenities such as the construction of tennis courts, new play equipment and additional parking would be constructed. The implementation of the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Any impacts would be less than significant.

4.20.3 Mitigation Measures

No significant impacts were identified and no mitigation measures are required

4.21 Mandatory Findings of Significance

4.21.1 Mandatory Findings of Significance (XXI) Environmental Checklist and Discussion

Does the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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?	☐	☒	☐	☐

Less Than Significant Impact With Mitigation Incorporated.

With Mitigation measures described in Section 4.4 Biological Resources, 4.5 Cultural Resources,4.7 Geology and Soils, and 4.18 Tribal Cultural Resources, the Project would not have a significant impact on fish and wildlife species or their habitat or eliminate important examples of major periods of California history or prehistory.

Does the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) 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)?	☐	☒	☐	☐

Less Than Significant Impact With Mitigation Incorporated.

As described in the impact analysis of this IS/MND, potentially significant impacts to biological resources, cultural resources, geology, and tribal cultural resources have been identified and mitigation measures have been proposed to offset any project specific contribution to cumulative impacts. Current and proposed projects in the project area would also implement mitigation, as necessary. All other impacts from the Proposed Project are short term in nature and associated with construction activities on the project site and, therefore, would not be cumulatively considerable. No other cumulative impacts were identified.

Does the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Less Than Significant Impact.

Most Project-related environmental effects have been determined to pose a less than significant impact on humans. However, possible impacts from fugitive dust (Air Quality), earthquakes (Geology and Soils), construction accidents, spills, and wildfire (Hazards and Hazardous Waste), and construction-generated noise (Noise) and traffic control (Transportation/Traffic), though temporary in nature, have the potential to result in significant adverse effects on humans. These potential impacts would remain at less than significant levels with the mitigation measures that are addressed in this document.

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