EXHIBIT B

August 08, 2025

Addendum to the previously adopted Negative Declaration

For Use Permit Renewal Modification and Application UM_2021-0005

Prepared By: Mark Cliser, Senior Planner

This Addendum has been prepared in accordance with Section 15164 Article II, Title 14 of the California Code of Regulations (CCR) as required by the California Environmental Quality Act (CEQA) and serves as an Addendum to the previously adopted Negative Declaration for Use Permit U_2015-0018. The County of Mendocino was the lead agency for the environmental review.

Modified Project Description and Project History: On August 1, 2019 the Mendocino County Planning Commission adopted a negative declaration and approved Use Permit U_2015-0018 to allow for the establishment of a recreational trail, located in the Coastal Zone, 2. 7± miles south of Westport town center, on the east side of State Route 1, 0.5± miles south of Bruhel Point parking, located at 33051 N Hwy 1, Westport (APN 015-070-40, 015-070-41, and 015-070-57).; General Plan RL 160/FL160; Zoning FL 160/RL 160; Supervisorial District 4.

The current project involves relocation of the multi-use recreational trail to APN 015-070-41 only. Construction of trail will utilize an existing road. The Applicant did not begin construction of the previously approved trail.

Purpose: Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent ND have occurred. Section 15162 states that when an ND has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. *Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

2. *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No substantial changes are proposed which would require major revisions to the previously approved Negative Declaration. The relocation of the project will not increase the severity of previously identified significant effects. The newly proposed location will utilize an existing road thereby lessening the impact of the project. The proposed changes will not result in a new environmental effect. No additional mitigation is required.

Explanation of Decision Not to Prepare a Supplemental Negative Declaration:

See Purpose section above. In every impact category analyzed in this review, the projected consequences of the proposed modification are either the same or less than significantly increased compared to the project for which the Negative Declaration was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified local coastal program. The proposed trail is in conformity with the certified Local Coastal Program as a conditionally allowed use in the Rangeland zoning district per Title 20, Division II of the Mendocino County Zoning Code, Section 20.368.015(E), as Commercial Recreation: Outdoor Sports and Recreation Use Type as defined by MCC Section 20.324.045(D). Furthermore, various other sections of the staff report demonstrated LCP Consistency; and

2. Pursuant with MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. Access is provided from State Route 1 and all necessary utilities exist on the subject parcel, though the project does not entail the use of electricity, water, wastewater drainage, or other facilities; and

3. Pursuant with MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district. As noted in finding #1, the proposed project adheres to all sections of Title 20, Division II of the Mendocino County Code, which includes preserving the integrity of the Range Lands zoning district; and

4. Pursuant with MCC Section 20.532.095(A)(4), proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. This can be demonstrated through the Initial Study and proposed Negative Declaration prepared for this project which concludes that the project will not have any significant adverse impacts on the environment; and

5. Pursuant with MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource. An archaeological survey for the subject location was conducted and determined the old Goodwin Homestead to be of historical importance, but the project has been conditioned to remain outside the buffer of the historical resource. The proposed project will not have any adverse impact on any known archaeological or paleontological resources, and the project has been conditioned for when archaeological sites or artifacts are discovered; and

6. Pursuant with MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and shall be adequate to serve the site. The site is currently developed with a small mine and residence and the proposed trail would not affect demands on public services; and

7. Pursuant to MCC Section 20.532.100(A)(1), no development shall be allowed in an ESHA unless the resource as identified will not be significantly degraded by the proposed trail, there is no feasible less environmentally damaging alternative, and all feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted. The proposed trail does not entail any development in the ESHA, and the California Department of Fish and Wildlife has agreed to a buffer reduction from 100 feet to 50 feet from the ESHA. As conditioned, the proposed development will not significantly degrade the resources as identified; and

8. Pursuant to MCC Section 20.532.100(A)(2), no development shall be allowed in the Range Lands zoning district unless the proposed use is compatible with the long-term protection of resource lands. The proposed project is not only compatible with resource land uses, but the project would arguably make the resources (grazing land) more accessible to livestock; and

9. Pursuant with MCC Section 20.532.100(B)(2), conversion of prime land and/or land under Williamson Act Contract to non-agricultural uses shall be prohibited, unless all of the appropriate findings are made. On December 17, 2015, the Resource Land Protection Committee determined

the proposed project was consistent with the Williamson Act and is located in non-prime soils, thus conversion of prime land is not occurring and further findings no not need to be made.

CONCLUSION

Based on these findings it is concluded that an Addendum to the adopted Negative Declaration is appropriate to address the requirements under CEQA for the proposed ordinance changes.