



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

BRENT SCHULTZ, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

July 1, 2019

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT NEGATIVE
DECLARATION FOR PUBLIC REVIEW

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, August 1, 2019 at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project and the Negative Declaration at the time listed or as soon thereafter as the item may be heard.

CASE#: U_2015-0018

DATE FILED: 3/13/2015

OWNER: JACKSON GRUBE FAMILY AND GARY QUINTON

APPLICANT: WILLARD JACKSON

AGENT: WYNN COASTAL PLANNING

REQUEST: Standard Coastal Development Use Permit to construct a multi-use recreational trail, requiring the exportation of approximately 2,445 cubic yards of cut material to the Kibesillah Rock Quarry.

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: 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)

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: Sam Vandy Vandewater

A copy of the Negative Declaration will be available for public review 21 days before the hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California, and on the Department of Planning and Building Services website at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>

Your comments regarding the above project and/or the Draft Negative Declaration are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California, no later than **July 31, 2019**. Oral comments may be presented to the Planning Commission during the public hearing.

The Planning Commission's action regarding the item shall constitute final action by the County unless appealed to the Board of Supervisors. If appealed, the Board of Supervisors action shall be final except that an approved project may be appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee within 10 calendar days of the Planning Commission's decision. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

BRENT SCHULTZ, Director of Planning and Building Services



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July 2, 2019

Fort Bragg Planning & Building Services
Department of Transportation
Environmental Health - Fort Bragg
Caltrans

Department of Forestry/ CalFire
Department of Fish and Wildlife
Division of Mines & Geology
Coastal Commission

RWQCB
US Fish & Wildlife Services

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STAFF PLANNER: Sam Vandy Vandewater

RESPONSE DUE DATE: **July 31, 2019.** If no response is received by this date, we will assume no recommendation or comments are forthcoming and that you are in agreement with the contents of the Draft Negative Declaration. A copy of the Draft Negative Declaration is attached for your review.

A copy of the Negative Declaration will be available for public review 21 days before the hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California, and on the Department of Planning and Building Services website at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>

It should be noted that the decision making body may consider and approve modifications to the requested project(s). Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street Ukiah, California. Oral comments may be presented to the Planning Commission during the public hearing(s).

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BRENT SCHULTZ, Director of Planning and Building Services



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July 1, 2019

TO: Fort Bragg Advocate
FROM: James F. Feenan, Commission Services Supervisor
SUBJECT: Publication of Legal Notice.

Please publish the following notice one time on July 11, 2019 in the Legal Notices Section of the Fort Bragg Advocate.

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APPLICANT: WILLARD JACKSON

AGENT: WYNN COASTAL PLANNING

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STAFF PLANNER: Sam Vandy Vandewater

A copy of the Negative Declaration will be available for public review 21 days before the hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California, and on the Department of Planning and Building Services website at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>

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Street, Ukiah, California 95482, no later than **July 31, 2019**. Oral comments may be presented to the Planning Commission during the public hearing.

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BRENT SCHULTZ, Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT – COASTAL USE PERMIT**

**AUGUST 1, 2019
U_2015-0018**

SUMMARY

OWNER: JACKSON GRUBE FAMILY
PO BOX 430
MIDDLEBURY, VT 05753

APPLICANT: WILLARD JACKSON
PO BOX 430
MIDDLEBURY, VT 05753

AGENT: WYNN COASTAL PLANNING
703 N MAIN STREET
FORT BRAGG, CA 95437

REQUEST: Coastal Development Use Permit to construct a multi-use recreational trail, including the removal of 2,445 cubic yards of cut material to the Kibesillah Rock Quarry.

LOCATION: 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 (APNs 015-070-40, 015-070-41, and 015-070-57).

TOTAL ACREAGE: 96± Acres

GENERAL PLAN: Range Lands (RL) / Forest Lands (FL)

ZONING: Range Lands (RL:160) / Forest Lands (FL:160)

SUPERVISORIAL DISTRICT: 4th Supervisorial District (Dan Gjerde)

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Sam "Vandy" Vandewater

BACKGROUND

PROJECT DESCRIPTION: Coastal Development Use Permit to construct a multi-use recreational trail, including the removal of 2,445 cubic yards of cut material to the Kibesillah Rock Quarry. The proposed project is considered to be a Commercial Recreation: Outdoor Sports and Recreation Use Type as defined by Mendocino County Code (MCC) Section 20.324.045(D), a conditionally permitted use for the Range Lands zoning district per MCC 20.368.015(C). The trail itself would be .4 miles long and a full bench cut into the slope, ranging in width from 7 to 10 feet.

SITE CHARACTERISTICS: The subject parcels (APNs: 015-070-40, 015-070-41, and 015-070-57) are located in the coastal zone, accessed off State Route 1, roughly 3 miles south of Westport. The parcels are within the CalFire responsibility and provided electricity by PG&E, though the proposed project will not require any utilities. The proposed trail would begin at the road terminus on the western parcel boundary of APN: 015-070-40, at an elevation 190± feet above sea level, and head south up the slope to the ridge on APNs: 015-070-41 and ending on 015-070-57, at an elevation of 465± feet above sea level.

Kibesillah Creek flows south through the subject parcels which is identified as an environmentally sensitive habitat area and hosts to willow riparian vegetation. The eastern slopes of the ridge, along which the trail will climb, are covered with northern coastal scrub and emergent Douglas fir trees, while the ridgetop consists mostly of non-native grasses and emergent coyote brush. Of the three alternatives for the trailhead, staff recommends Option B as this route begins at or outside the 50 foot buffer to the riparian area and can also adhere to the recommendations of the Archaeological Commission. Options A and C both begin within the riparian buffer and are thus unable to be supported by staff.

RELATED APPLICATIONS. The proposed project is located adjacent to the Kibesillah – Wilsey Ranch Mine operation, which was recently renewed to continue operations by permit **CDUR_2015-0001**. The subject project was originally submitted as a Standard Coastal Development Permit (**CDP_2015-0010**) before it was determined the project use type is a conditionally permitted use within the Rangeland zoning district.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES (Acres)	USES
NORTH	Remote Residential/Rangeland	Timber Production	44±, 90±, 40±, 40±	Residential
EAST	Forestland	Rangeland/Open Space	516±, 160±	Timberland
SOUTH	Rangeland	Rangeland	26±	Residential
WEST	Agriculture	Agriculture/Open Space	7±, 15±, 7±, 69±	Agriculture/Commercial

PUBLIC SERVICES:

Access: State Route 1
 Fire District: California Department of Forestry (CalFire)
 Water District: None
 Sewer District: None
 School District: Fort Bragg Unified School District

LOCAL COASTAL PROGRAM CONSISTENCY: The proposed trail is consistent with the goals and policies of the Local Coastal Program, General Plan, and Zoning Codes as detailed below:

Land Use: The General Plan Land Use Designation of the subject parcel is Rangeland (RL) which:

“is intended to be applied to lands which are suited for and are appropriately retained for the grazing of livestock and which may also contain some timber producing areas. The classification includes land eligible for incorporation into Type II Agricultural Preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands.”

The proposed project, which would establish a recreation trail, is consistent with the Rangeland designation. Several of the subject parcels are already under Williamson Act contracts meant to reserve the land for grazing purposes. As the trail requires minimum land dedication, the project would not create any detriment or obstacle in the protection and efficient management of the subject range lands. Arguably, the trail would provide better access to the land which would enable efficient management. Parcels 015-070-40 and 015-070-41 are partially located in the Forest Lands General Plan Land Use Designation, but the proposed project is not located within this designation as it only exists outside the coastal zone boundary, which runs through both parcels.

Zoning: The proposed project is located within the Range Lands zoning district, which:

“is intended to be applied to encompass lands within the Coastal Zone which are suited for and are appropriately retained for the grazing of livestock and which may also contain some timber producing areas.”

The proposed project, which entails the establishment of a recreational trail, is a conditionally permitted use within the Range Lands zoning district, pursuant to MCC Section 20.368, as a form of *Commercial Recreation: Outdoor Sports and Recreation* Use Type as defined by (MCC) Section 20.324.045(D). Parcels 015-070-40 and 015-070-41 are partially located in the Forest Lands zoning district, but the proposed project is located outside this zone as it only exists outside the coastal zone boundary.

The project is subject to minimum front, side, and rear yard setback requirements of 50 feet for a Range Lands zoning district parcel of this size. The maximum building height allowed in Range Lands zoning district is 28 feet above natural grade when east of State Route 1. The proposed project is consistent with these standards as there are no proposed structures and the trail will maintain a setback greater than 200 feet from all parcel boundaries. The project, as proposed, would not result in any additional structures, thus height limits will be adhered.

The proposed coastal development use permit is consistent with use permit findings set forth in the MCC Section 20.196.020. While not required to meet these findings, since the project is located in the coastal zone, staff has included a discussion of each finding and how the use permit meets those requirements.

- A. *That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan;*

As shown in the previous section, the proposed project is in conformity with the General Plan.

- B. *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;*

The subject parcel has connections to PG&E for electricity and utilizes an on-site well for water supply, though the project does not entail the use of either utility. With regards to access, the subject parcels gain access from State Route 1, with the access road following the drainage of the Kibesillah Creek. Thus the subject parcels maintain all necessary facilities for the proposed project.

- C. *That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect;*

An Initial Study pursuant to CEQA regulations was completed for the proposed project and it has been determined that no aspects of the proposed project would have potentially significant impacts on the environment. A Negative Declaration was prepared for the project and includes conditions to ensure that impacts remain less than significant.

- D. *That such use preserves the integrity of the zoning district.*

Similarly to the General Plan conformity, compliance with the MCC zoning district is discussed in the previous section; the proposed project is in conformity with the zoning district through the application of this use permit to allow the *Commercial Recreation: Outdoor Sports and Recreation* Use Type in the Range Lands zoning district.

In addition to the local Coastal Program findings, parcels 015-070-40 and 015-070-41 are under a Williamson Act contract, but are considered non-prime agricultural lands per the *Williamson Act Map* attachment. To ensure compatibility with the Williamson Act, the proposed project was reviewed by the Resource Lands Protection Committee on December 17, 2015 and was found to be consistent with the Williamson Act Guidelines and Policies. As this compatibility determination indicates, conversion of Williamson Act land to a non-agricultural use is not occurring, therefore the proposed project is not subject to MCC Section 20.532.100(B)(2).

Visual Resources: The proposed project is located in an area designated as 'Highly Scenic' per the Local Coastal Program (LCP). With regards to Highly Scenic Areas, the proposed project is subject to Mendocino County Code (MCC) Section 20.504.015(C)(6)(b) which regulates the alterations to the appearance of natural landforms. On April 19, 2019, County staff conducted a site visit with the project Agent (Wynn Coastal Planning) and determined that the trail would not be visible from State Route 1 except with the potential for the trail terminus on the ridgetop. However, considering the height above State Route 1 and the vegetation, it is very unlikely that the trail itself would be visible, though those accessing the trail might be visible (i.e. hikers, horses, etc) which are of a temporary nature. Furthermore, a dirt road already exists along the ridge. Therefore, staff finds no inconsistencies with the findings in MCC Section 20.504.015(C)(6)(b). The project has been conditioned to prevent construction on the ridgetop to limit alterations to the landscape.

Hazards Management: With regards to fire, the subject parcels are located in moderate to high fire hazard areas, per the *Fire Hazard Zones & Responsibility Area Map* Attachment. The subject parcels are under state responsibility for fire responses, though the Westport Fire Protection district is also within close proximity to the subject parcels. The proposed project is not highly exposed to any natural or man-made hazards, such as earthquakes, tsunamis, or hazardous waste. The potential exposure to landslides increases due to cut along a steep slope to provide the multi-use trail, but is limited due to large amounts of vegetation that provide soil stability. Staff finds the project would not result in hazardous impacts. The use of best management practices, in terms of grading, has been included as a condition to the project.

Habitats and Natural Resources: A Biological Scoping and Botanical Survey Report was completed for the proposed project by Spade Natural Resources Consulting (2014) which indicates a riparian environmentally sensitive habitat area (ESHA) on the east side of the existing road and parking area. Pursuant to MCC Section 20.496.050(A)(1), the California Department of Fish and Wildlife has provided approval for the reduction of the ESHA buffer from 100 feet to 50 feet in email correspondence dated June 7, 2019. The eastern slope of the ridge hosts northern coastal scrub, several Douglas fir trees, poison oak, and some invasive plant species. The trail would be cut through some coastal scrub, while the ridgetop hosts invasive grasses and coyote brush, but no aspect of the proposed project would impact the riparian ESHA. Therefore, the proposed trail is consistent with ESHA policies.

Archaeological/Cultural Resources: The project applicant had an archaeological and cultural survey completed by Thad Van Bueren on July 22, 2014. The results of the survey did not indicate any archaeological resources but identified and recorded the Goodwin Farmstead, a historical resource. Due to the ESHAs located along the access road, the most appropriate alternative for the initial trailhead is Option B. While this option is located closest to the provisional site limits of the Goodwin Farmstead, the trailhead can be initiated in the buffer zone of the historical site and, through archaeological monitoring as recommended by Van Bueren, the trail can avoid impacts to the identified historical resource.

Groundwater Resources: The project site is located within a mapped "Critical Water Resources" area in which the site's density may be increased only upon proof of public water or a positive hydrological report. One of the subject parcels currently utilizes an on-site well, though the area in which the trail will be established does not have any water provision infrastructure. Since no new parcels or building sites are proposed, additional water studies are not required per MCC Section 20.516.015(B). Furthermore, the proposed project does not include the use of water, thus staff finds the proposed project would not adversely affect groundwater resources.

Grading Erosion and Run-Off: The proposed project would require the cut of roughly 2,500 cubic yards of soil from a slope to allow for the establishment of a multi-use trail. Conditions have been included to ensure adherence to the recommendations of SHN Engineers, which includes rolling grades to divide trail surface runoff and strategic slope cuts to ensure appropriate gradients created by slope alteration. A trail maintenance plan shall also be submitted to provide a guide to managing the trail and includes soil erosion measures. Additionally, best management practices for grading must be acknowledged and utilized by the applicant during any occurrence of grading. As conditioned, the proposed project would not impact erosion or run-off.

Transportation/Circulation: The project would contribute minimal new sources of traffic on local and regional roadways. The cumulative effects of traffic resulting from development on this site were considered when the Coastal Element land use designations were assigned. The project was referred to the Mendocino County Department of Transportation (DoT) and CalTrans for review and comment. As of this date, no response has been provided. As conditioned, Staff finds the project would not impact transportation or circulation and would be provided with adequate access. Parking is provided on-site at the trailhead in an existing driveway.

ENVIRONMENTAL DETERMINATION: Staff has completed an Initial Study for the project and determined that the project could have some impacts on the environment, but can be considered less than significant. As discussed in the Initial Study, conditions have been identified to keep impacts to the environment at a less than significant level. Staff recommends that the Planning Commission adopt a Negative Declaration for the project.

RECOMMENDATION

By resolution, adopt a Negative Declaration and grant Coastal Development Use Permit #U_2015-0018 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

7/2/19

DATE



SAM VANDY VANDEWATER
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Site Plan
- D. Zoning Map
- E. General Plan
- F. LCP Map
- G. Adjacent Owner Map
- H. Fire Hazards Map
- I. Wetland Map
- J. Coastal Ground Water Resource Area Map
- K. Highly Scenic Map
- L. Soils Map
- M. Williamson Act Map
- N. Timber Production Map
- O. Historical Buffer Map

RESOLUTION (Exhibit A):

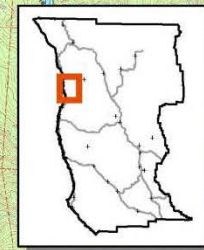
[NEGATIVE DECLARATION] Initial Study available online at:

<https://www.mendocinocounty.org/government/planning-building-services>



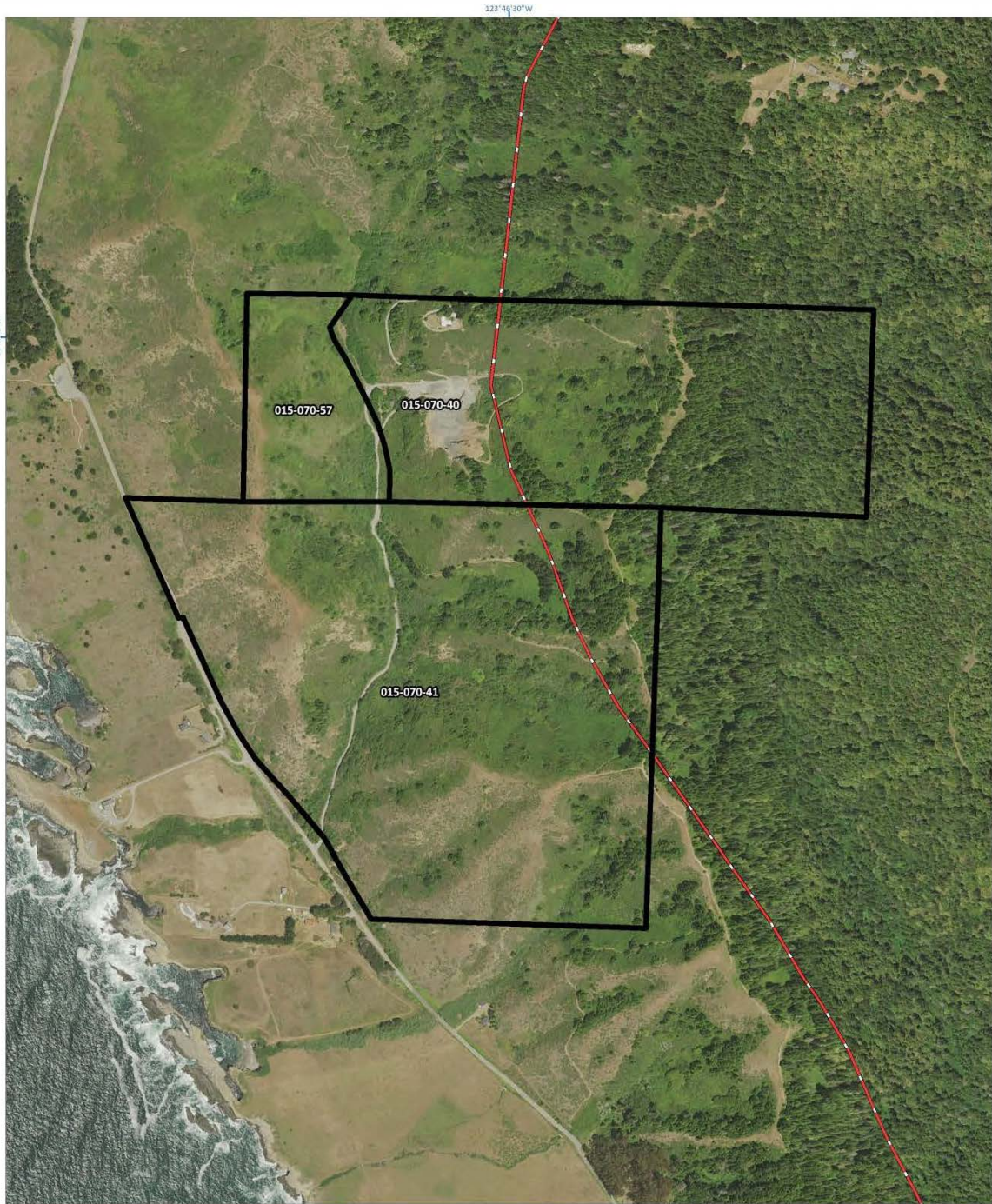
CASE: CDP 20150010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE

-  Major Rivers
-  Highways
-  Major Roads



LOCATION MAP

Map produced by the Mendocino County Planning & Building Services, April, 2015
All spatial data is approximate. Map provided without warranty of any kind.



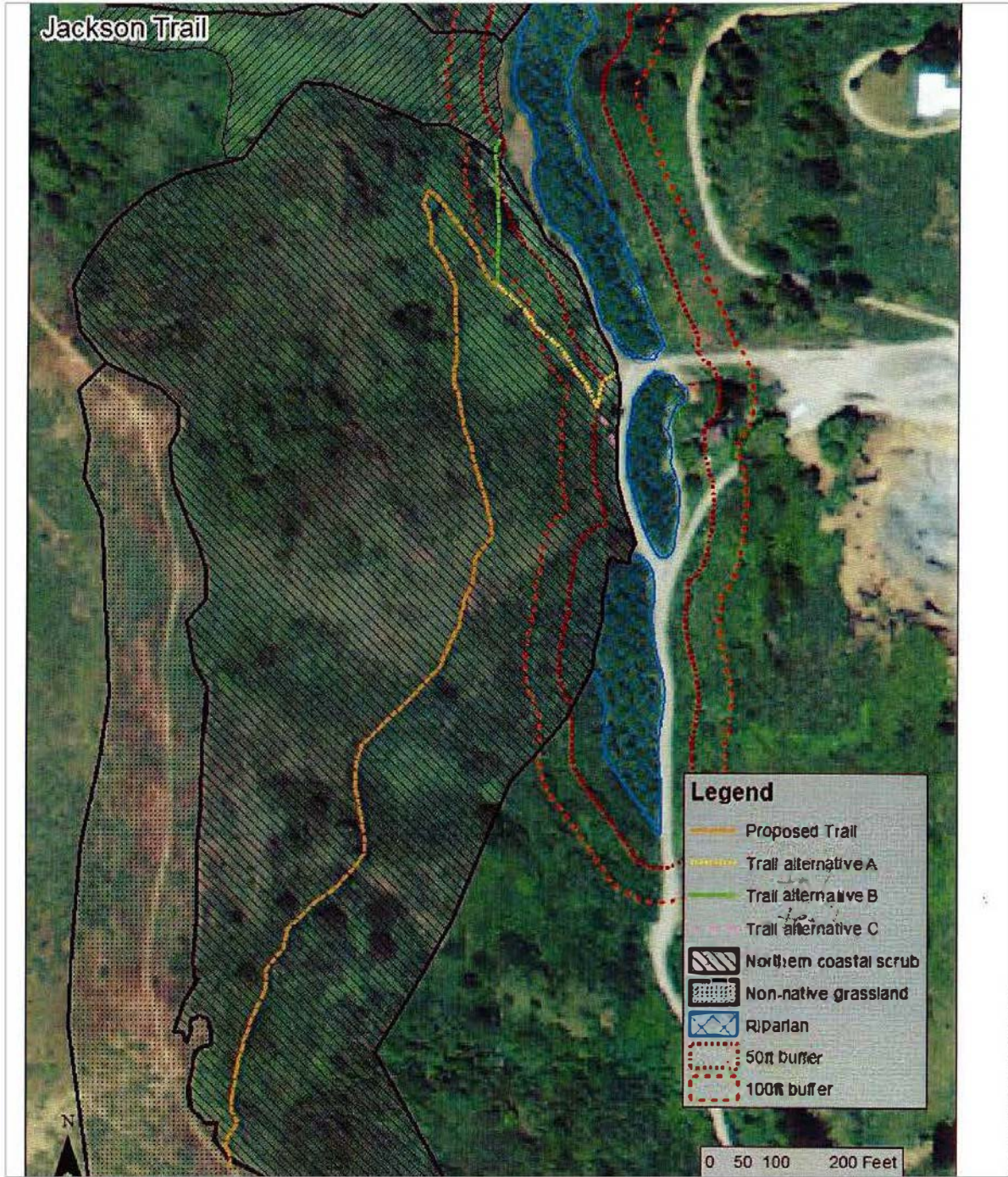
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 Coastal Zone Boundary



2014 NAI P AERIAL ORTHOPHOTO

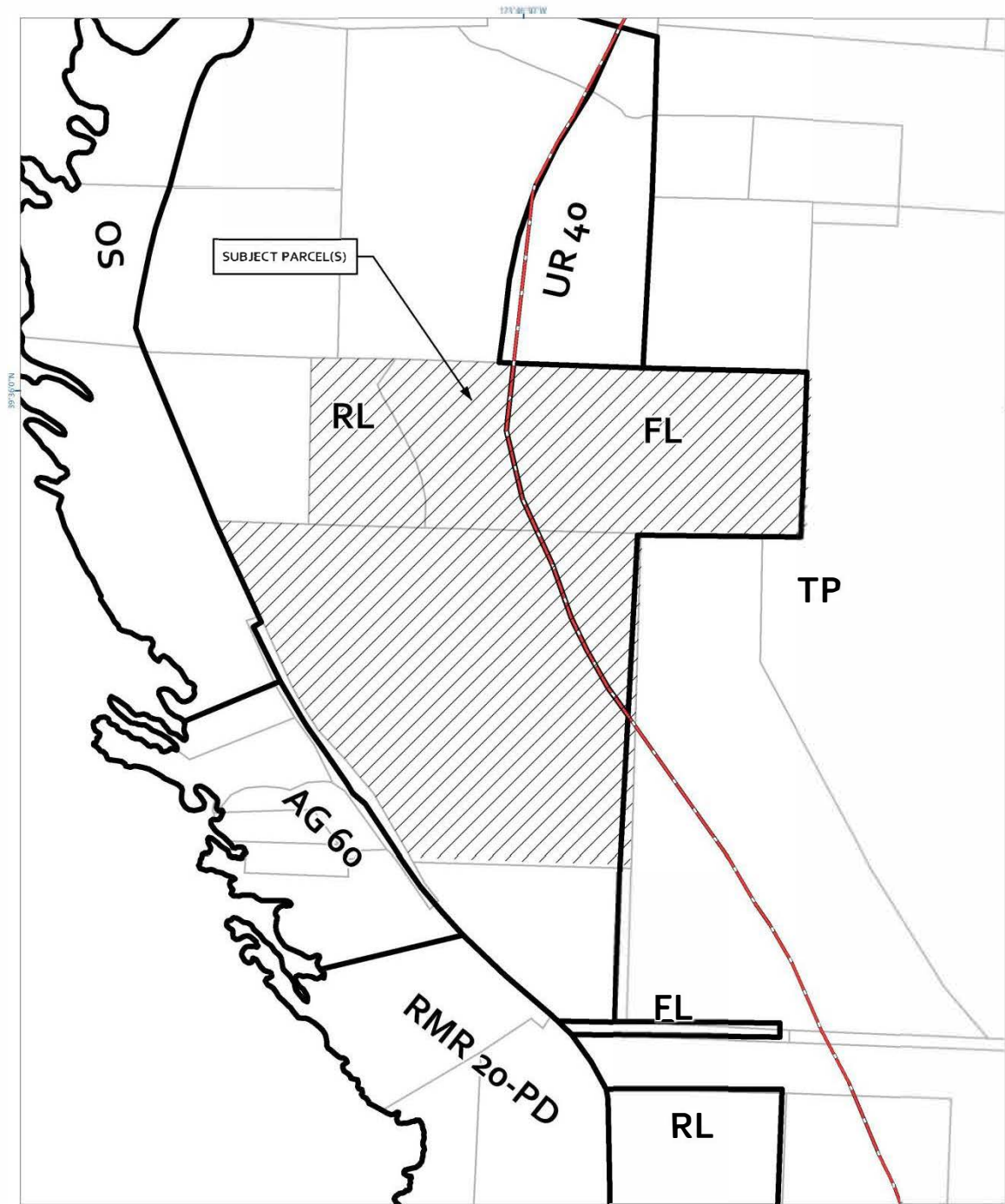
Mapping done by the Mendocino County Planning & Building Services, April, 2015
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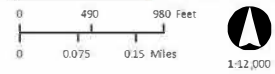
NO SCALE

SITE PLAN



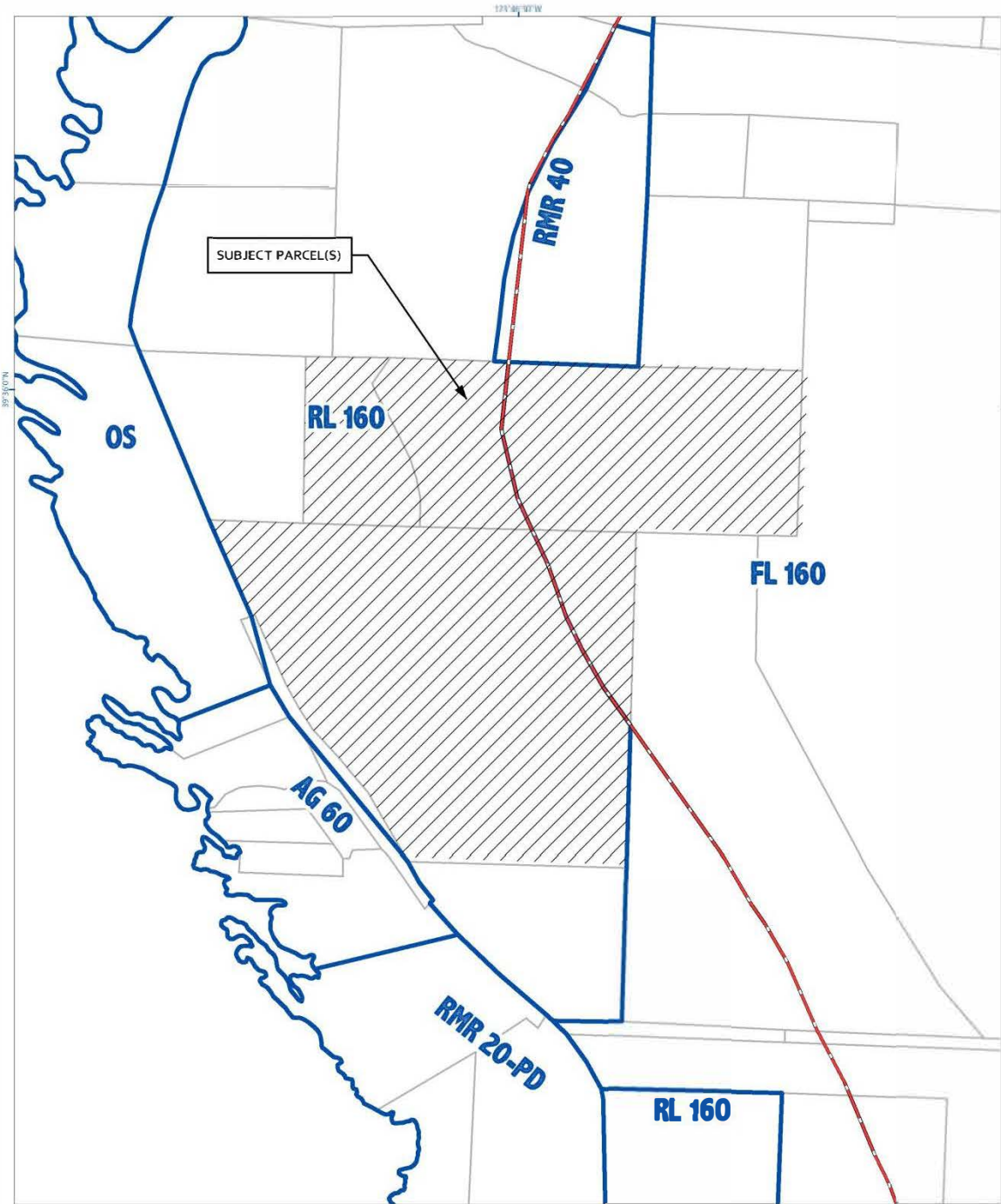
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— Coastal Zone Boundary
□ Zoning Master



ZONING DISPLAY MAP

Map prepared by the Mendocino County Planning & Building Services, April, 2015
All spatial data is approximate. Map provided without warranty of any kind.



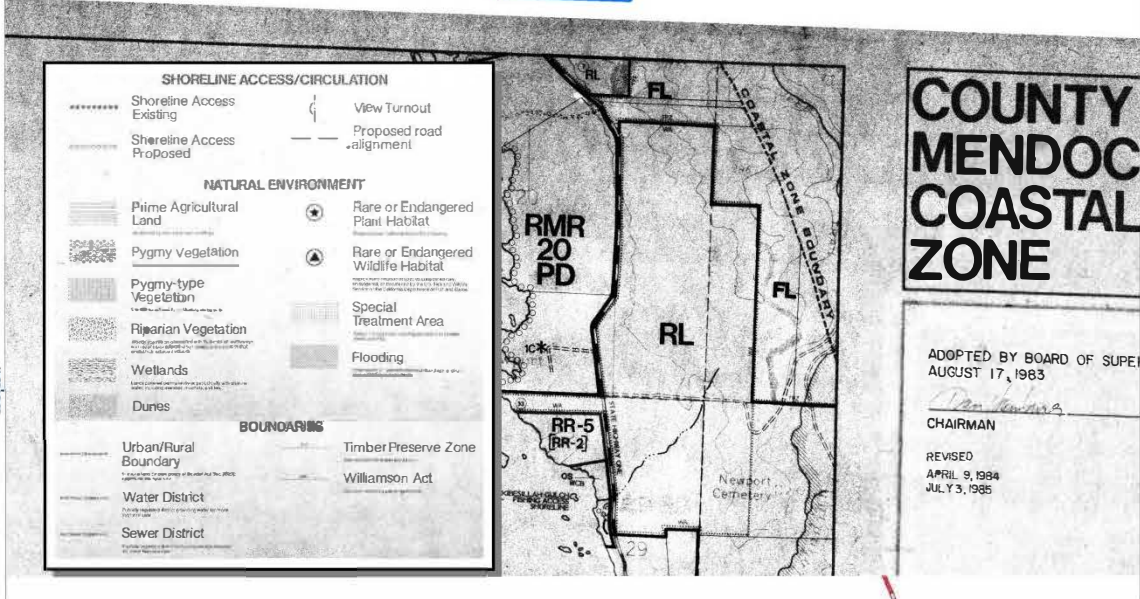
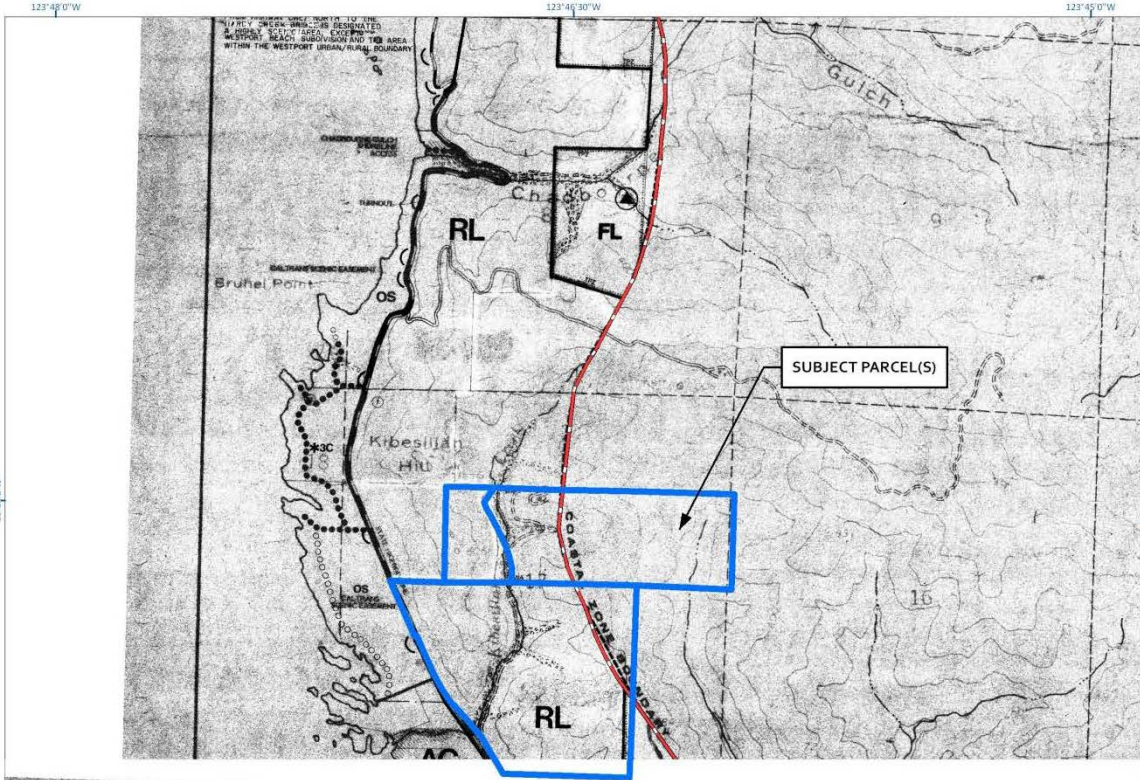
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— Coastal Zone Boundary
 □ General Plan Master



GENERAL PLAN CLASSIFICATIONS

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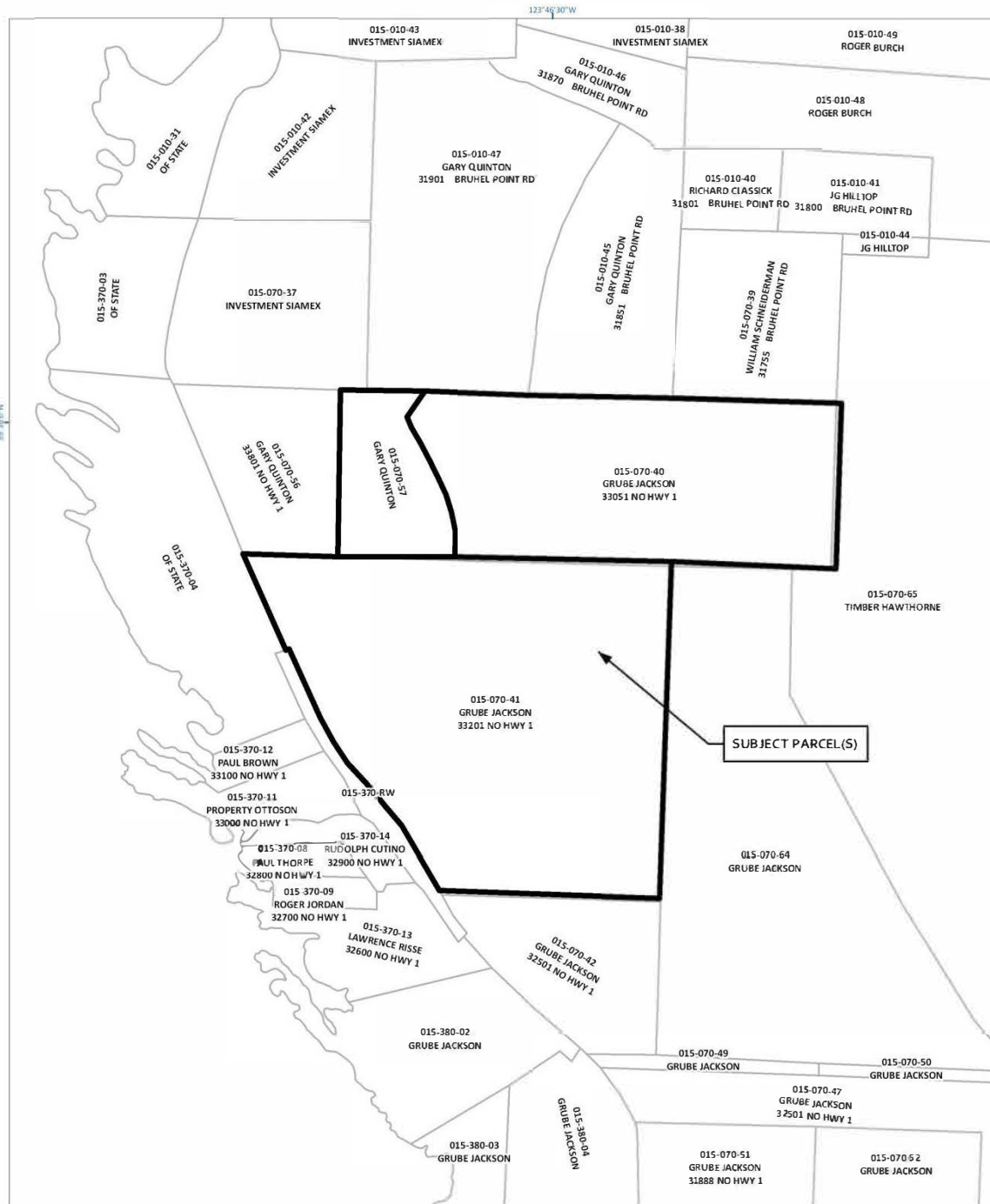
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Coastal Zone Boundary



LCP MAPS 8 & 10

Map produced by the Mendocino County Planning & Building Services, April, 2015
 All spatial data is approximate. Map provided without warranty of any kind.

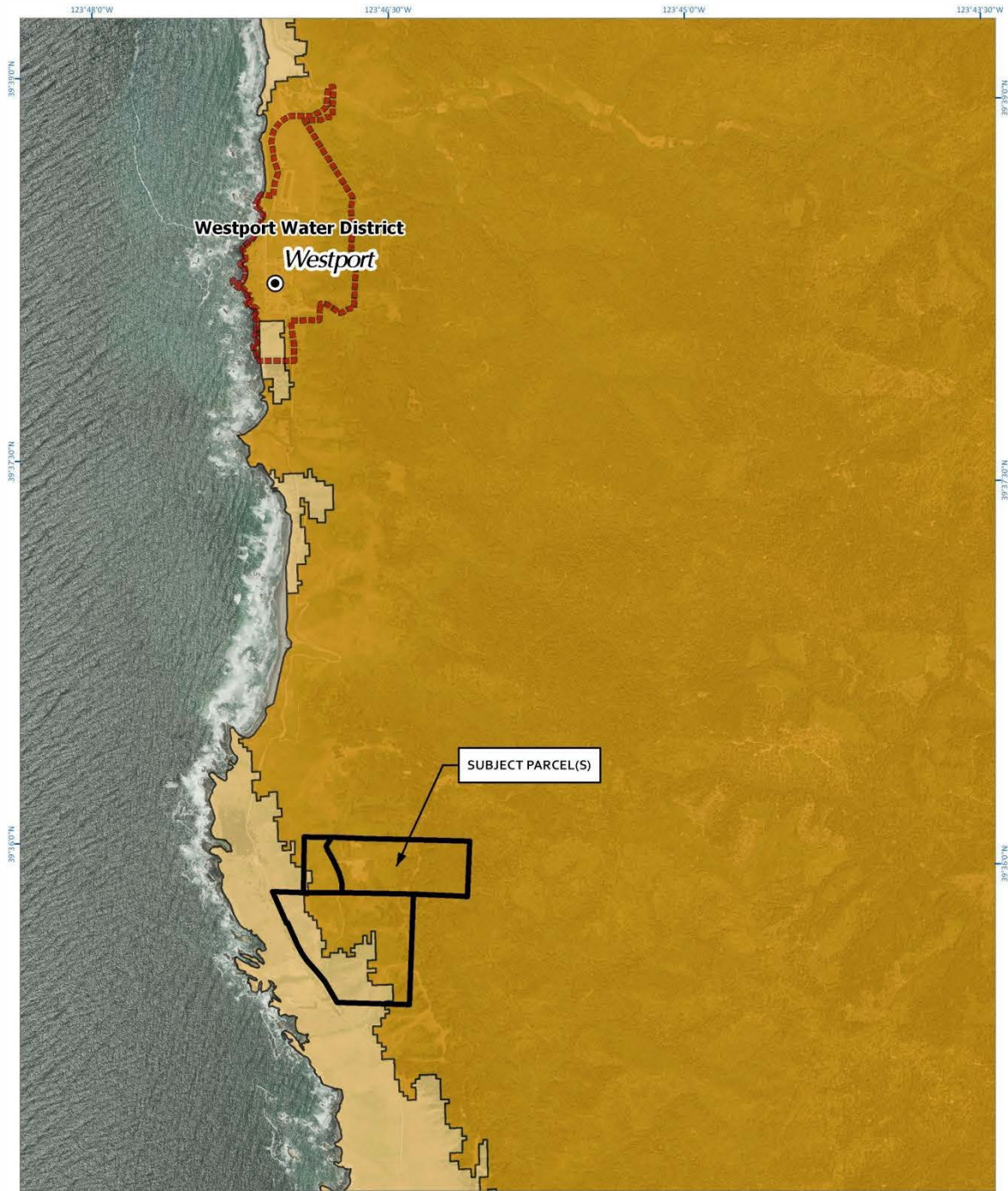


CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE



ADJACENT PARCELS

Mapping provided by the Mendocino County Planning & Building Services, April, 2015.
 All spatial data is approximate. Map provided without warranty of any kind.



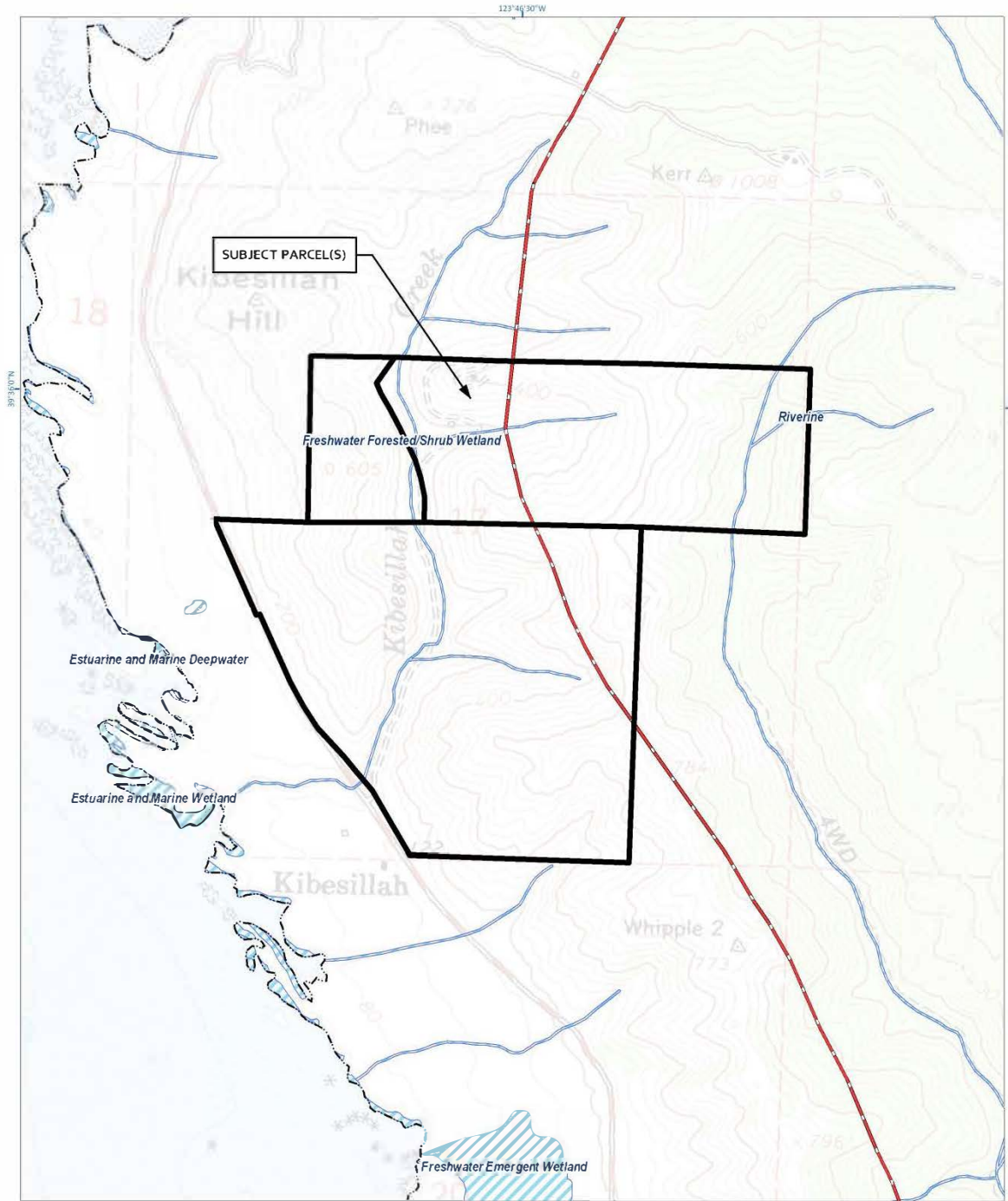
CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE

-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard




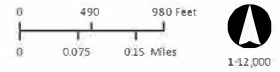
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

Map produced by the Mendocino County Planning & Building Services, April, 2015
 All spatial data is approximate. Map provided without warranty of any kind.



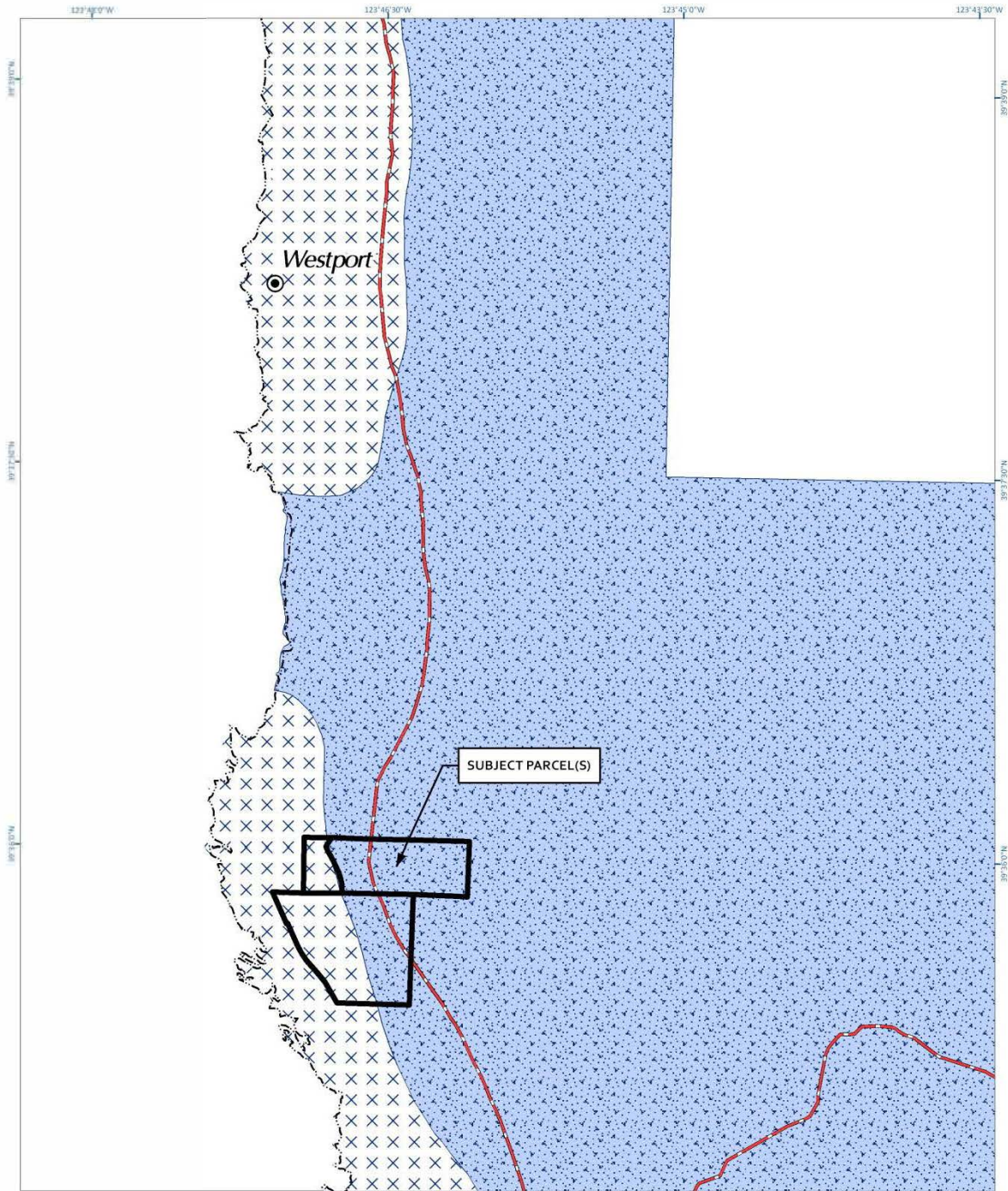
CASE: CDP 2015-0010
 OWNER: Jackson Grube Family, Inc.
 APN: 015-070-40, 41, 015-070-57
 APLCT: Willard Jackson
 ADDRESS: 33051 N. Hwy. 1, WE

-  Coastal Zone Boundary
-  Wetlands



CLASSIFIED WETLANDS

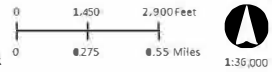
Map produced by the Mendocino County Planning & Building Services, April, 2015
 All spatial data is approximate. Map provided without warranty of any kind.



CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE

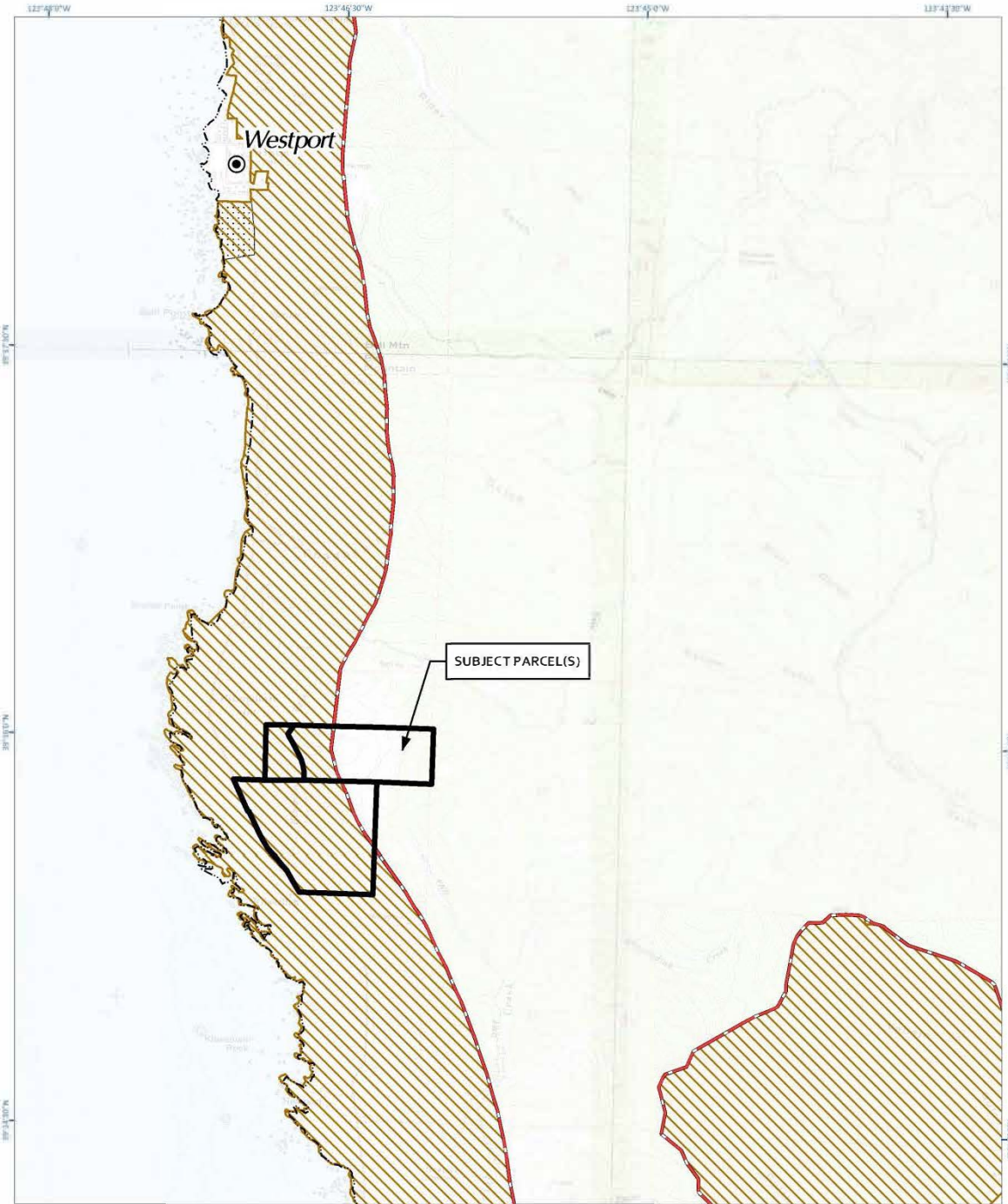
— Coastal Zone Boundary
 Critical Water Areas

Critical Water Resources Bedrock






COASTAL GROUND WATER RESOURCES

Mapped and/or by the Mendocino County Planning & Building Services, April, 2015
 All spatial data is approximate. Map provided without warranty of any kind.



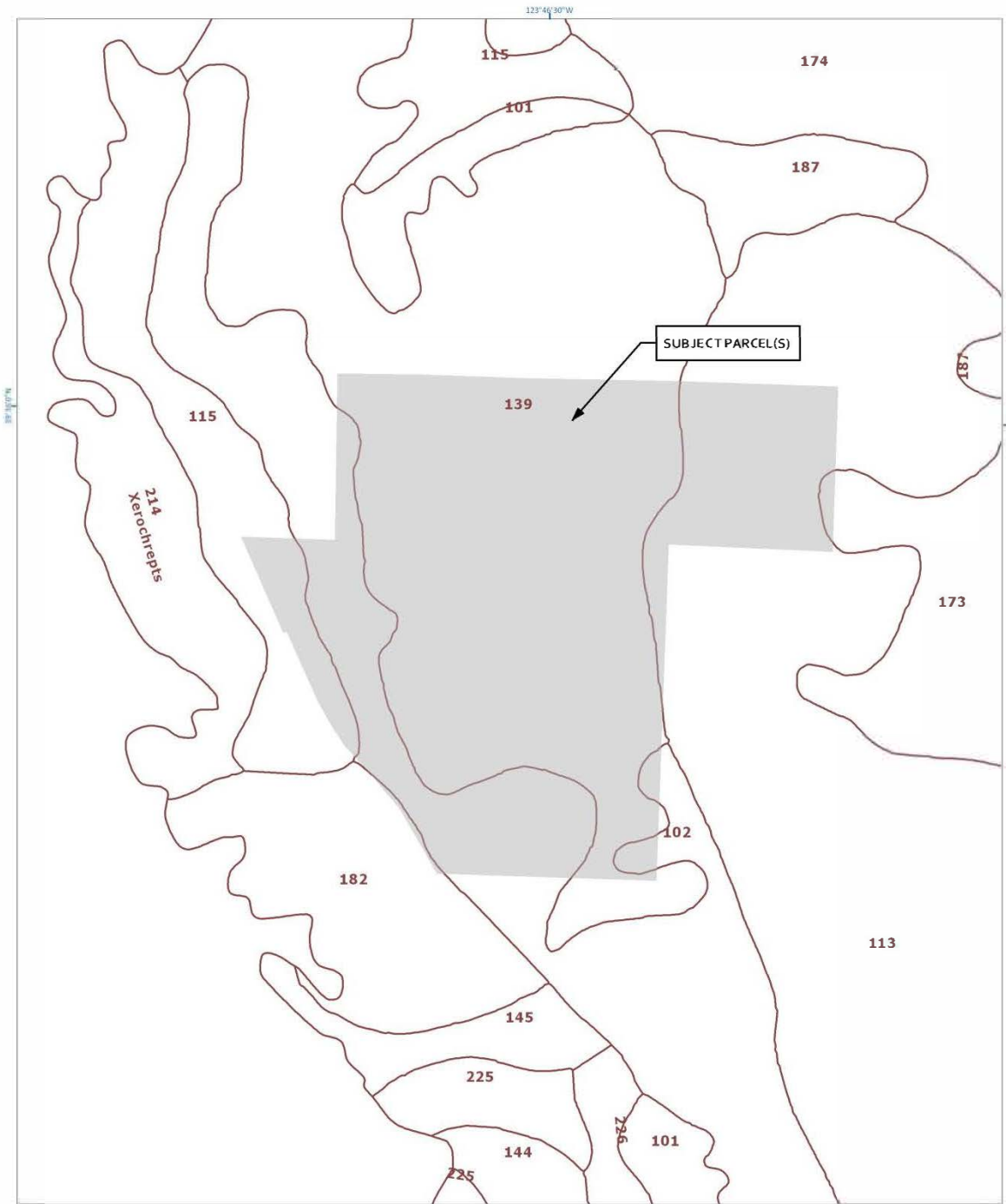
CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE

-  Coastal Zone Boundary
-  Highly Scenic Area
-  Tree Removal Area

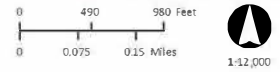


HIGHLY SCENIC & TREE REMOVAL AREAS

Map produced by the Mendocino County Planning & Building Services, April, 2015
 All spatial data is approximate. Map provided without warranty of any kind.

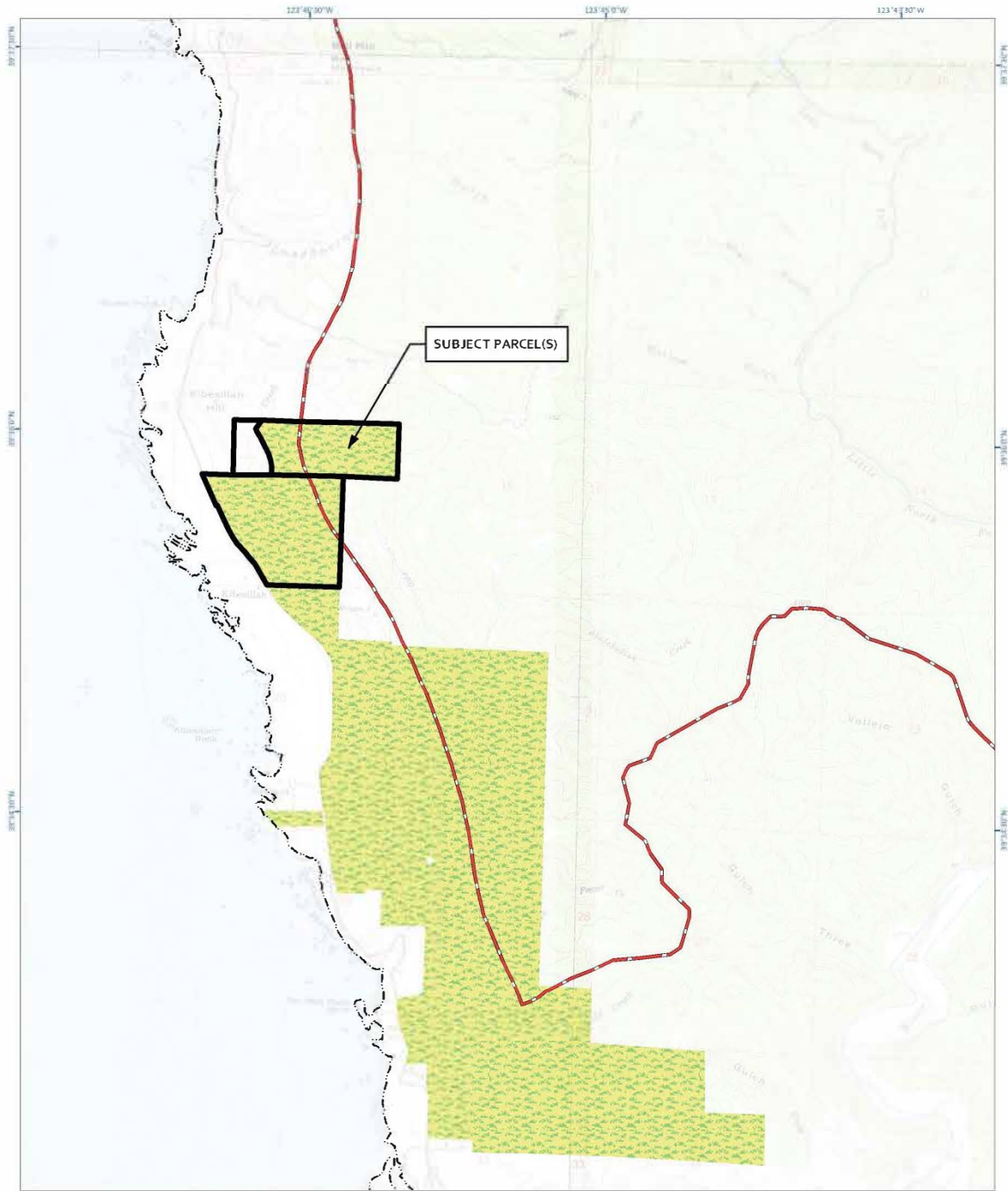


CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE






LOCAL SOILS

Map produced by the Mendocino County Planning & Building Services, April, 2015
All spatial data is approximate. Map provided without warranty of any kind.



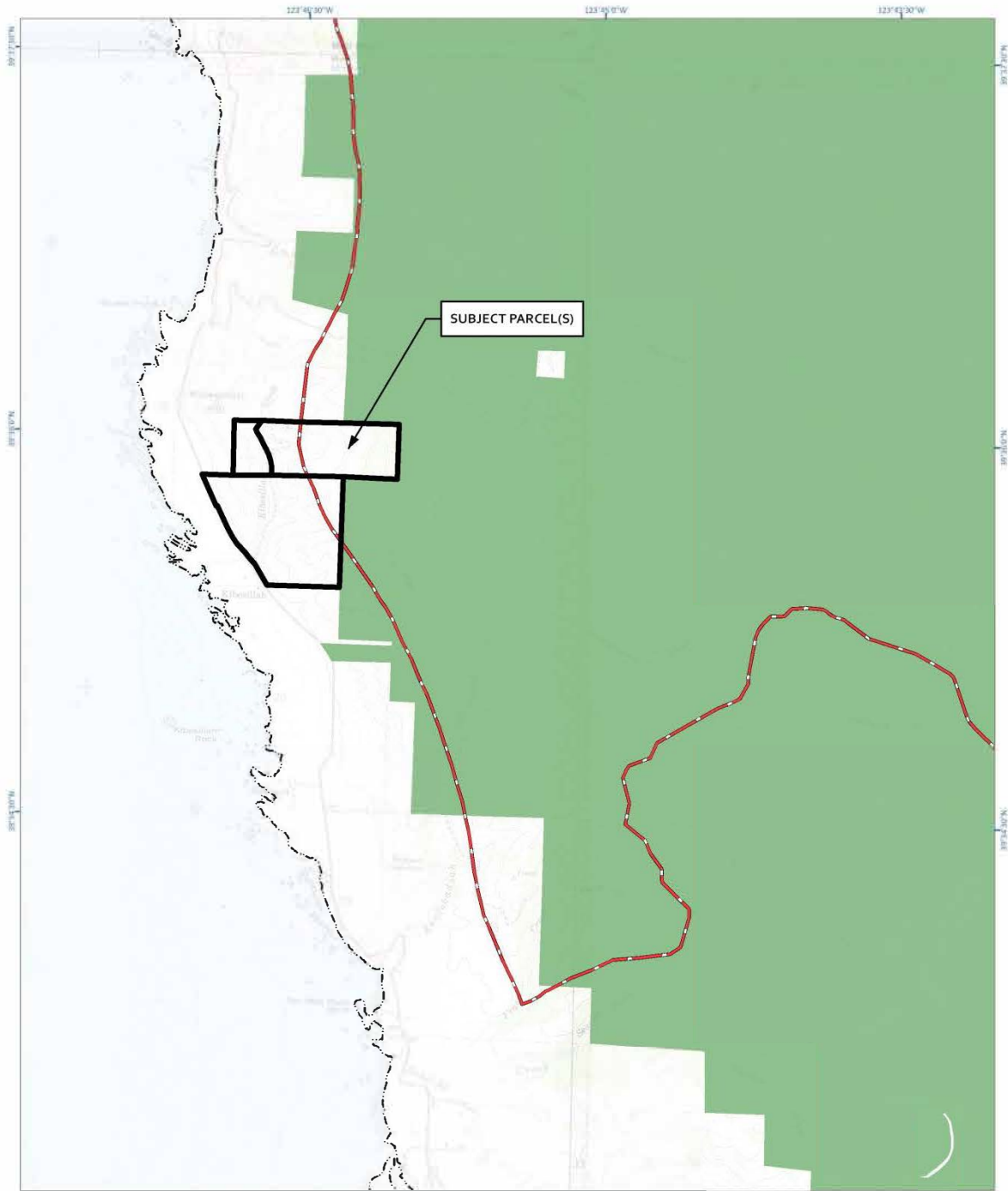
CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE

-  Coastal Zone Boundary
-  Williamson Act 2014
-  Non-Prime Ag 2014



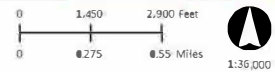
LANDS IN WILLIAMSON ACT CONTRACTS

Map produced by the Mendocino County Planning & Building Services, April, 2015
All spatial data is approximate. Map provided without warranty of any kind.



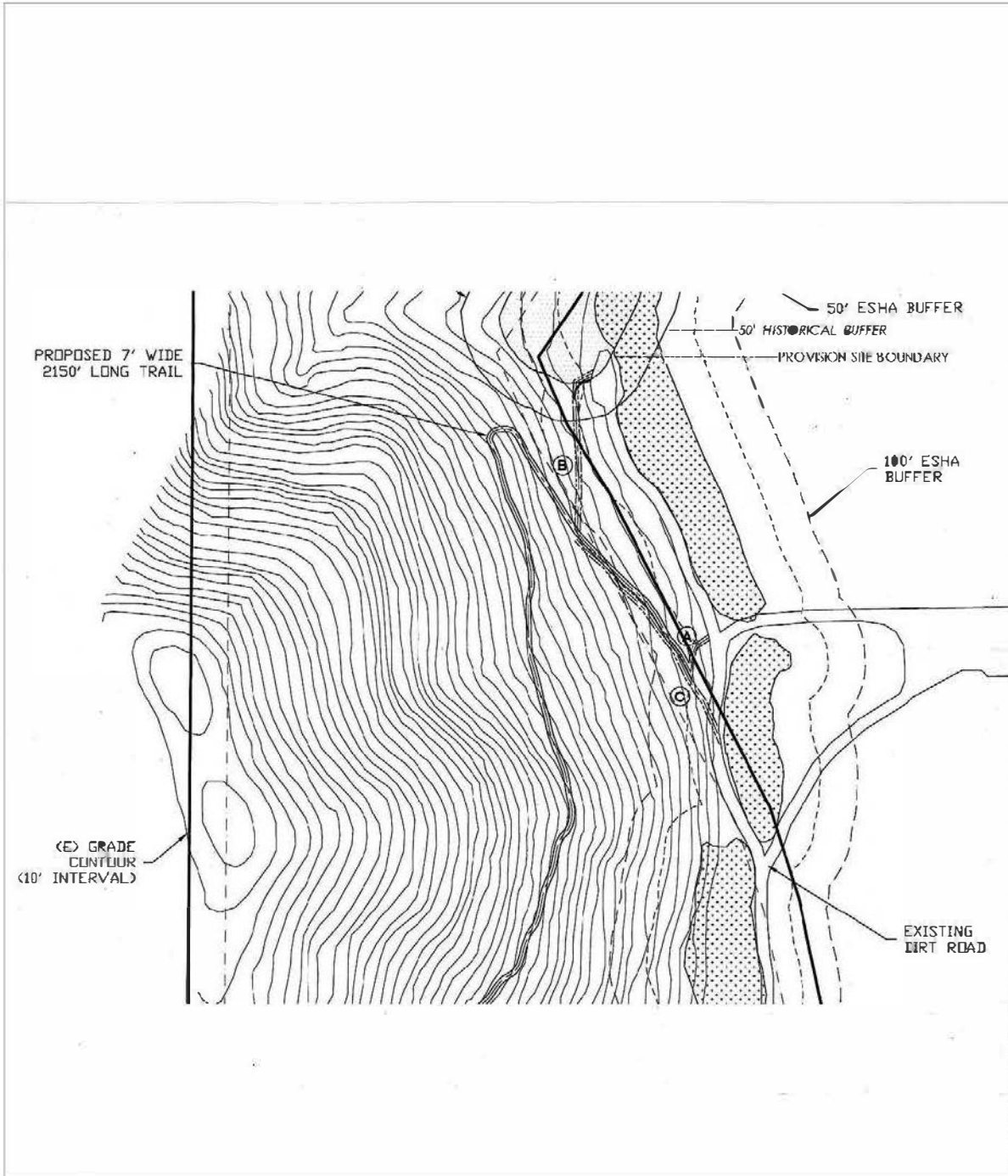
CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
APN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ADDRESS: 33051 N. Hwy. 1, WE

— Coastal Zone Boundary
■ TPZ 2014



TIMBER PRODUCTION ZONES

Map produced by the Mendocino County Planning & Building Services, April, 2015
All spatial data is approximate. Map provided without warranty of any kind.



CASE: CDP 2015-0010
OWNER: Jackson Grube Family, Inc.
AIN: 015-070-40, 41, 015-070-57
APLCT: Willard Jackson
ACBRT:
ADDRESS: 33051 N. Hwy. 1, WE

NO SCALE

HISTORICAL BUFFER EXHIBIT

Resolution Number _____

County of Mendocino
Ukiah, California
August 1, 2019

U_2015-0018 JACKSON GRUBE FAMILY

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND GRANTING A COASTAL DEVELOPMENT USE PERMIT FOR A RECREATIONAL TRAIL

WHEREAS, the applicant, WILLARD JACKSON, filed an application for a coastal development use permit with the Mendocino County Department of Planning and Building Services 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 RL1602 FL 160; Zoning FL 160/7002200-RL160 R-RL 160; Supervisorial District 4; (the "Project"); and

WHEREAS, an initial study and Negative Declaration was prepared for the Project and noticed and made available for agency and public review on July 11, 2019 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on August 1, 2019, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

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

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

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.

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

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

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

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission.

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

ATTEST JAMES F. FEENAN
Commission Services Supervisor

By. _____

BY BRENT SCHULTZ
Director

MARILYN OGLE, Chair
Mendocino County Planning Commission

EXHIBIT A
CONDITIONS OF APPROVAL
U_2015-0018 – WILLARD JACKSON
AUGUST 1, 2019

APPROVED PROJECT DESCRIPTION: Coastal Development Use
Permit to construct a multi-use recreational trail, requiring the exportation of approximately 2,445 cubic yards of cut material to the Kibesillah Rock Quarry.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. To remain valid, progress towards completion of the project must be continuous. The Applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The Applicants shall secure all required building permits for the proposed demolition as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. Development, as defined by Chapter 20, Title II of the Mendocino County Code, that is visible from State Route 1 shall be prohibited on the ridgetop, with exception of trail creation. This permit does not provide rights of development beyond the project description.

9. An archaeological monitor shall be present during the initial trail development at the trailhead. The monitor shall ensure the trailhead begins in the buffer for the identified historical resource (Goodwin Homestead) and not within the provisional site boundary, as depicted in Attachment O.
10. Any and all grading for the trail shall not commence until the appropriate grading permits are obtained from the Mendocino County Department of Planning and Building Services.
11. The recommendations regarding trail construction and soil management outlined in the SHN letter dated August 6, 2014, shall be considered conditions to this permit and shall be adhered to.
12. The applicant shall **acknowledge in writing** to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
 - e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
 - f. All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
 - g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
 - An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
 - A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage.
13. Those "Recommendations" outlined in the Biological Scoping and Botanical Survey Report dated November, 20, 2014, prepared by Spade Natural Resources Consulting, shall be adhered to.
14. A trail maintenance plan shall be provided to the County indicating practices and methods of maintaining the trail and shall include preventative and reactive soil erosion control measures.

15. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,404.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to August 6, 2019 (within 5 days of the end of any action taken). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has “*no effect*” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. The applicant has the sole responsibility to insure timely compliance with this condition.

Section I	Description Of Project.
<p>DATE: August 1, 2019 CASE#: U_2015-0018 DATE FILED: 3/13/2015 OWNER: JACKSON GRUBE FAMILY AND GARY QUINTON APPLICANT: WILLARD JACKSON AGENT: WYNN COASTAL PLANNING REQUEST: Coastal Development Use Permit to construct a multi-use recreational trail, requiring the exportation of approximately 2,445 cubic yards of cut material to the Kibesillah Rock Quarry. ENVIRONMENTAL DETERMINATION: Negative Declaration LOCATION: 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). STAFF PLANNER: Sam Vandy Vandewater</p>	
Section II	Environmental Checklist.
<p><i>“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.</i></p>	

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

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

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

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

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

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

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

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

I. AESTHETICS. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) **Less Than Significant Impact:** With regards to Highly Scenic Areas, the proposed project is subject to Mendocino County Code (MCC) Section 20.504.015(C)(6)(b) which regulates alterations to the appearance of natural landforms. On April 19, 2019, County staff conducted a site visit with the project Agent (Wynn Coastal Planning) and determined the trail would not be visible from State Route 1 except with the potential for the trail terminus on the ridgetop. However, considering the height above State Route 1 and the vegetation, it is very unlikely that the trail itself would be visible, though those accessing the trail might be visible (i.e. hikers, horses, etc). Furthermore, an existing dirt road already exists along the ridge. Therefore, County staff finds no violation of the findings in MCC Section 20.504.015(C)(6)(b). The project has been conditioned to preclude any construction on the ridgetop to limit alterations to the landscape.

d) **No Impact:** The proposed project does not entail any structural development involving light sources, therefore there is no impact with regards to this issue.

II. AGRICULTURE AND FORESTRY RESOURCES. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **Less Than Significant Impact:** The proposed project is located on a parcel that is under a Williamson Act Contract. Per Section 9.5(E) of the Williamson Act Policies and Procedures, the proposed project is considered a compatible use with the Williamson Act Contract. The Resource Lands Protection Committee confirmed the project to be consistent with the Williamson Act Contract at their December 17, 2015 meeting.

c-e) **No Impact:** The proposed trail is not located in any lands designated as timberlands or forestlands, thus there are no conflicts with any such use.

<u>III. AIR QUALITY.</u> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) **No Impact:** The proposed project does not entail any activity that would create substantial pollution, or damage air quality in any way, thus the project would not conflict with any air quality plan, nor would it violate any air quality standards. Subsequently, there will be no considerable net increase of pollutants due to the project since it entails the establishment of a trail, nor would there be any odors. Several

conditions, including best management practices for grading and adherence to the SHN Letter dated August 6, 2014, have been included to ensure there are no impacts to air quality.

<p>IV. BIOLOGICAL RESOURCES. Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant with Mitigation Incorporated</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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 US Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact:** According to spatial data currently held by the County of Mendocino, there are no identified species within the project area that are considered protected by any local, state, or federal agency, thus there are no impacts to these resources.

b-d) **Less Than Significant Impacts:** The proposed project is located within the vicinity of riparian habitat, which qualifies as an environmentally sensitive habitat area (ESHA) per MCC Chapter 20.496. While there would be no impacts to this resource due to the project, MCC Section 20.496.020 requires approval from the California Department of Fish and Wildlife (CDFW) to reduce buffers below 100 feet. This reduction was obtained in correspondence with CDFW dated June 7, 2019, indicating that reducing the ESHA buffer to 50 feet would be appropriate. Thus impacts are considered to be less than significant.

e-f) **No Impact:** There are no conservation plans, policies, or ordinances with which the project conflicts, thus there will be no impacts to such protections. The California Department of Fish and Wildlife fee of \$2,404.75 will be required within 5 days of the end of any appeal period. This fee is required to help enforce environmental regulations that protect special species and habitats that are considered important natural resources.

<u>V. CULTURAL RESOURCES.</u> 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 as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **Less Than Significant Impact:** An archaeological survey was completed on July 22, 2014, by Thad Van Bueren, which identified the Goodwin Farmstead site as a historical resource. Some of the recommendations of the report, including presence of an archaeologist for trailhead development, are recommended conditions to the project to ensure protection to the identified site. The proposed trail would begin at the outer edge of the historical site buffer, making the impact less than significant.

b-d) **No Impact:** The archaeological survey completed for the project did not reveal any archaeological or paleontological resources, or human remains, during the review of the project location and areas of ground disturbance, thus there are no impacts. The discovery clause has been included as a condition.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a, d-e) **No Impact:** The proposed project is not exposed to any major geological concerns such as ground shaking, ground failure, landslides, or soil erosion as it is not located on any fault zone or near any heavily sloped terrain. Furthermore, the subject parcel is not located on soils that would be considered unstable or expansive, thus these concerns do not apply to the project site. As the project is not located on a fault, the project would not trigger any issues such as a landslide or liquefaction, meaning there is no impact in this regard. Additionally, the proposed project does not entail use of a septic system, therefore these issues are considered to have no impact.

b-c) **Less Than Significant Impact:** The proposed project entails the cut more than 2,000 cubic yards of slope to establish a trail. The trail itself could increase soil erosion as there will be a lack of plants to provide stability, which could make the soil even more unstable. However, per the letter by SHN Engineers dated August 6, 2014, certain practices and trail cut methods can be utilized to create stable soils and prevent soil erosion, thus the impact is considered less than significant.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact:** The proposed project does not entail any activities that would generate any greenhouse gases, thus there is no impact in this regard. There are no identified plans, policies, or regulations that would be violated through the any of the project activities, thus there is considered to be no impact.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project does not include the use of any hazardous materials, thus there will be no transportation of such materials to or from the subject parcel. Additionally, the lack of hazardous material use means there will be no possibility of accidents involving the release of any such materials.
- c) **No Impact:** The project does not propose any activities that would emit any hazardous emissions or use any hazardous materials, thus there is no impact in this regard. Furthermore, the closest school is located roughly 3 miles north of the project site; Westport Village School.
- d) **No Impact:** The project site has not been identified as a hazardous materials site, thus there will be no significant hazard to the public or the environment in terms of exposure to on-site hazardous materials.
- e-f) **No Impact:** The proposed project is not located within an airport land use plan, the closest airport being Fort Bragg Airport, roughly 9 miles to the south, thus there are no concerns regarding aeronautics.
- g) **No Impact:** The proposed project gains access from State Route 1 and would allow for on-site parking, thus there will no physical interference with an emergency response or evacuation plan.
- h) **No Impact:** The proposed project is located within moderate to high fire hazard areas and is under the CalFire state responsibility area. The Westport Fire Protection District, which also addresses fires, is located roughly 3 miles north on State Route 1

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY. 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a, f) **No Impact:** The project will not violate any water quality standards or degrade water quality itself as there are no aspects of the proposed project that would require the use of water or affect water quality.
- b) **No Impact:** The proposed project does not require intensive use of any water resources, though water may be used during trail construction, therefore no substantial depletion of water resources will occur, and there is no impact.
- c, e) **Less Than Significant Impact:** The proposed project, which entails the establishment of a trail leading along a slope up to a ridge, might create some changes. However, per the letter from SHN Engineers dated August 6, 2014, the trail would be constructed to ensure appropriate drainage without the impacts of soil erosion or land-sliding. These recommendations have become a condition of this project, along with a standard County condition requiring best management practices with regards to grading, thus these impacts are considered to be less than significant.

- d) **No Impact:** The project is located outside of any stormwater area, thus a drainage system would not be impacted, nor would the project impact the capacity of any such system.
- g-j) **No Impact:** The proposed project is not located in any designated flood plain, tsunami zone, or other type of area subject to water inundation. Additionally, the subject parcel is far enough away from the coastline that no ocean related flooding would occur.
- k-l) **No Impact:** The proposed project does not entail any large water discharging that would result in pollutant discharges or any activities that would significantly impact groundwater quality, thus there is considered no impact in terms of these issues.
- m) **No Impact:** A creek flows through the subject parcel, thus a riparian zone exists. However, the proposed project would be established outside a 50 foot buffer from the riparian habitat, as agreed upon by the Mendocino County Department of Planning & Building Services and CDFW (see June 7, 2019 correspondence on-file with the Department of Planning & Building Services), and has been conditioned to avoid the release of particulates and runoff into the creek. There are no other identified aquatic or wetland habitats on the subject parcel that could be impacted by the proposed project.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** The proposed project is not located within any established community, thus the project would not physically divide any established community.
- b) **No Impact:** There are no land use plans, policies, or regulations, established by a jurisdictional agency to mitigate environmental impacts, with which the proposed project conflicts.
- c) **No Impact:** There are no identified habitats or natural community conservation plans for the project location, thus there is no possibility for the project to conflict with any such plans.

<u>XI. MINERAL RESOURCES.</u> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact:** While the proposed project is located near an active quarry, the project site has not been identified as a mineral resource site, nor is it delineated in any plans as a mineral resource recovery site.

XII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, c, d) **Less Than Significant Impact:** The proposed project is nestled between some small hills and is not located immediately next to any residences, thus it is unlikely that noise levels would exceed any standards established in any plans or ordinance. There could be some increased permanent and temporary noise due to the car traffic and use of the proposed trail; but these issues are considered to be less than significant because of the existing quarry operation on APN 015-070-40, as well as the geographical seclusion the project location maintains to neighbors.

b) **No Impact:** The proposed project does not entail any uses or development that would generate ground borne noises or vibrations, therefore no impacts are considered to exist with regards to this issue.

e-f) **No Impact:** The proposed project is not located near any airport zone or within any airport land use plan, thus it would not be exposing people to any level of noise regarding aircrafts or airstrips.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) **No Impact:** As the proposed project does not entail any new homes or housing infrastructure, it is unlikely that direct or indirect substantial population growth would occur. This lack of development also means that no housing or people will be displaced because of the proposed project.

<u>XIV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact:** The proposed project does not create any issues for public service delivery and the parcel gains access from State Route 1. The response from CalFire indicates no concerns for the project.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) **Less Than Significant Impact:** The project would entail the establishment of a new multi-use trail for the purposes of recreation. However, the proposed project is located on private property, along a road utilized by trucks for the Kibesillah Mine operation and thus would not impact any neighborhoods. The parking area gains access from State Route 1 and would also prevent impacts to any neighborhood or nearby areas located along State Route 1.

b) **Less Than Significant Impact:** The proposed project does entail the cut of more than 2,000 cubic yard of material to create a new multi-use trail. However, per the discussion on Biological Resources, the

proposed project would not have a significantly adverse effect on the environment as the area disturbed by the establishment of the trail hosts invasive grasses and common coastal shrubbery. Furthermore, several portions of the trail utilize old ranching roads.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-f) **No Impact:** There are no identified plans, ordinances, policies, or congestion management programs which could be violated by the proposed project, thus there are no impacts with regards to these concerns. The project does not entail any obstructions to emergency access. Additionally, the proposed project would not alter any movement patterns, nor increase traffic hazards to others within the surrounding area. A condition has been included to ensure the applicant works with the Mendocino County Department of Transportation or California Department of Transportation when necessary.

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> 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 listed or eligible for listing in the California Register of Historical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Resources, or in a local register of historical resources as defined in Public Resources Code section 5020 1(k), or				
b) 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 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact:** The proposed project does not entail the development of any new structures, nor any ground disturbing activities that would result in any impacts to potential cultural resources. Furthermore, an archaeological survey, performed on July 22, 2014, did not identify any tribal resources.

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact:** The proposed project is not located within a wastewater sanitation district and thus there would be no impact with regard to these issues. Additionally, no water or septic facilities will be required

for the proposed project, thus there will be no impact on any existing water or waste water systems on the property.

- c) **No Impact:** The project is not located within the MS4 stormwater area, thus there should be no impacts with regards to such issues.
- d) **No Impact:** The proposed project does not entail the use of water, thus there are no impacts with regards to water supply availability.
- e-g) **No Impact:** The proposed project is not located within any wastewater district, thus there are no impacts with regard to these issues. Furthermore, the proposed project is a multi-use trail which would not generate any solid waste, thus no impact would occur with regards to solid waste regulations.

<u>XIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** As noted in previous sections, the proposed project has little impact on the quality of the environment and it would not 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, reduce the number or restrict the range of a rare or endangered plant or animal, nor would the project eliminate important examples of the major periods of California history or prehistory. Any impacts that would occur are less than significant and will be diminished by the Conditions of Approval.
- b) **No Impact:** The proposed project will not create any cumulative impacts on the surrounding area and any impact that would occur is considered to be less than significant. Furthermore, the impacts would mainly occur during construction of the trail and not during use of the trail, thus indicating temporary effects to the surrounding environment. The Conditions of Approval will reduce these impacts.
- c) **No Impact:** Due to the insignificant impacts on the environment, as indicated through this Initial Study, the proposed project would not have an effect on the environment that would have adverse impacts on human beings.

DETERMINATION: On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

7/2/19

DATE



SAM VANDY VANDEWATER
PLANNER II