PUBLIC DRAFT

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

SCH: XXXXXX

FOR

MARK & KATHLEEN BOELE STANDARD COASTAL DEVELOPMENT PERMIT AT 45175 FERN DRIVE, MENDOCINO APN: 118-230-57

File No. CDP_2023-0012

LEAD AGENCY:
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August 21, 2025

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INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed addition to the existing single-family residence, including a new bathroom, deck, porch, entry gates, new hot tub with slab and landscaping walls. The request also includes the replacement of the entry stairway, reconfiguration of the existing landscaping walls, and improvements to the existing parking, fencing and driveway at 45175 Fern Drive, Mendocino; APN: 118-230-57 (Project). This Draft IS/MND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: CDP_2023-0012

OWNER/APPLICANT: Marc & Kathleen Boele
45175 Fern Dr
Mendocino , CA 95460

APPLICANT/AGENT: Debra B Lennox , AIA
PO BOX 798
Mendocino , CA 95460

PROJECT LOCATION: In the Coastal Zone, 1.8± miles north of the Town of Mendocino, on the south side of Fern Drive (CR 410A), 800± feet west of its intersection

	with Point Cabrillo Drive (CR 564), located at 45175 Fern Drive, Mendocino; APN 118-230-57.
TOTAL ACREAGE:	0.6 acres (26,817 square feet)
GENERAL PLAN:	Rural Residential, 5 acre minimum with an alternate density of 1 -acre minimum, RR5(1) General Plan, Coastal Element Chapter 2.2
ZONING:	Rural Residential, (RR5) Mendocino County Code Title 20, Division II

PROJECT DESCRIPTION: Standard Coastal Development Permit request to construct an addition to the existing single-family residence, including a new bathroom, deck, porch, entry gates, new hot tub with slab and landscaping walls. The request also includes the replacement of the entry stairway, reconfiguration of the existing landscaping walls, and improvements to the existing parking, fencing and driveway.

On August 6, 2024, a site visit was conducted with the California Department of Fish and Wildlife (CDFW), with concerns specific to Environmentally Sensitive Habitat Area (ESHA) and the proposal to pave the driveway, which includes an existing culverted tributary crossing. The existing culvert is not proposed for removal or replacement. The driveway's width will not be expanded and the deck repair at the north end of the residence will remain within its original footprint. These two activities will not further encroach into the tributary's bed, bank, and channel. At that site visit, the applicants proposed the installation of two (2) trench drains to maintain detention basins for proper drainage of the driveway, as shown on the *Revised Site Plan* map. Also at that site visit, Staff recommended review of the proposed lot coverage and its consistency with the Rural Residential (RR) zoning district.

Multiple studies were provided by the landowner as part of the CDP Application, including the following:

- Biological Scoping Survey Report, prepared by Wynn Coastal Planning and Biology (WCPB), dated June 15, 2023, kept on file with the Mendocino County Department of Planning & Building Services
- Archaeological Survey prepared by William Cull, MA (Cull), dated September 10, 2023
- Shorelands Road and Water District water service letter, dated April 2, 2024

The project site is developed with a single-family residence, established landscaping, connection to utilities, including a private water district, Shorelands Road and Water District, and a driveway.

The surrounding lands are classified and zoned Rural Residential (RR) and developed with residential uses, as shown on the *Aerial Imagery, Zoning Display* and *General Plan Classifications* maps. The subject site is situated approximately 120 feet above sea level, as shown on the *Topographical Map*.

The parcel is mapped as "*Stream Alluvium and Terraces (Zone 3) – Intermediate Shaking",* as shown on the attached *LCP Land Capabilities and Natural Hazards Map*. The *LCP Habitats and Resources Map* reflects "*Riparian"* habitat sensitive resources being located on the northern portion of the subject parcel, as well as mapped as "*Barren"* towards the southern portion of the parcel. The *Wetlands* maps indicate a *Freshwater Emergent Wetland* at the northwestern portion of the parcel is fed by a mapped *Freshwater Forested/Shrub Wetland* existing on the east side of State Route 1 (SR 1). The subject parcel lies west of the first public road, Point Cabrillo Drive (CR 564), and is mapped within the appeal jurisdiction boundary, as shown in the *Appealable Areas* map. The site is not mapped within a Highly Scenic Area, as shown in the *Highly Scenic & Tree Removal Areas Map*.

The site is mapped as a "Very High Fire Hazard" area and is located within a State Responsibility Area and the Mendocino Fire Protection District, as shown on the attached *Fire Hazard Zones and Responsibility Areas Map*.

The site is designated as a *Critical Water Resource Area*, as shown on the *Ground Water Resources* map. The attached *Estimated Slope* map shows estimated slopes between 0 and 14 degrees. Soils present on the parcel are Tropaquepts (0-15% slopes), as shown on the attached *Local Soils Map*.

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are classified and zoned Rural Residential (RR) and developed with residential uses, as shown on the *Aerial Imagery*, *Zoning Display* and *General Plan Classifications* maps.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential RR5(1)	Rural Residential RR5	0.47± Acres	Residential
EAST	Rural Residential RR5(1)	Rural Residential RR5	0.64± Acres	Residential
SOUTH	Rural Residential RR5(1)	Rural Residential RR5	2.86± Acres	Residential
WEST	Rural Residential RR5(1)	Rural Residential RR5	0.65± Acres	Residential

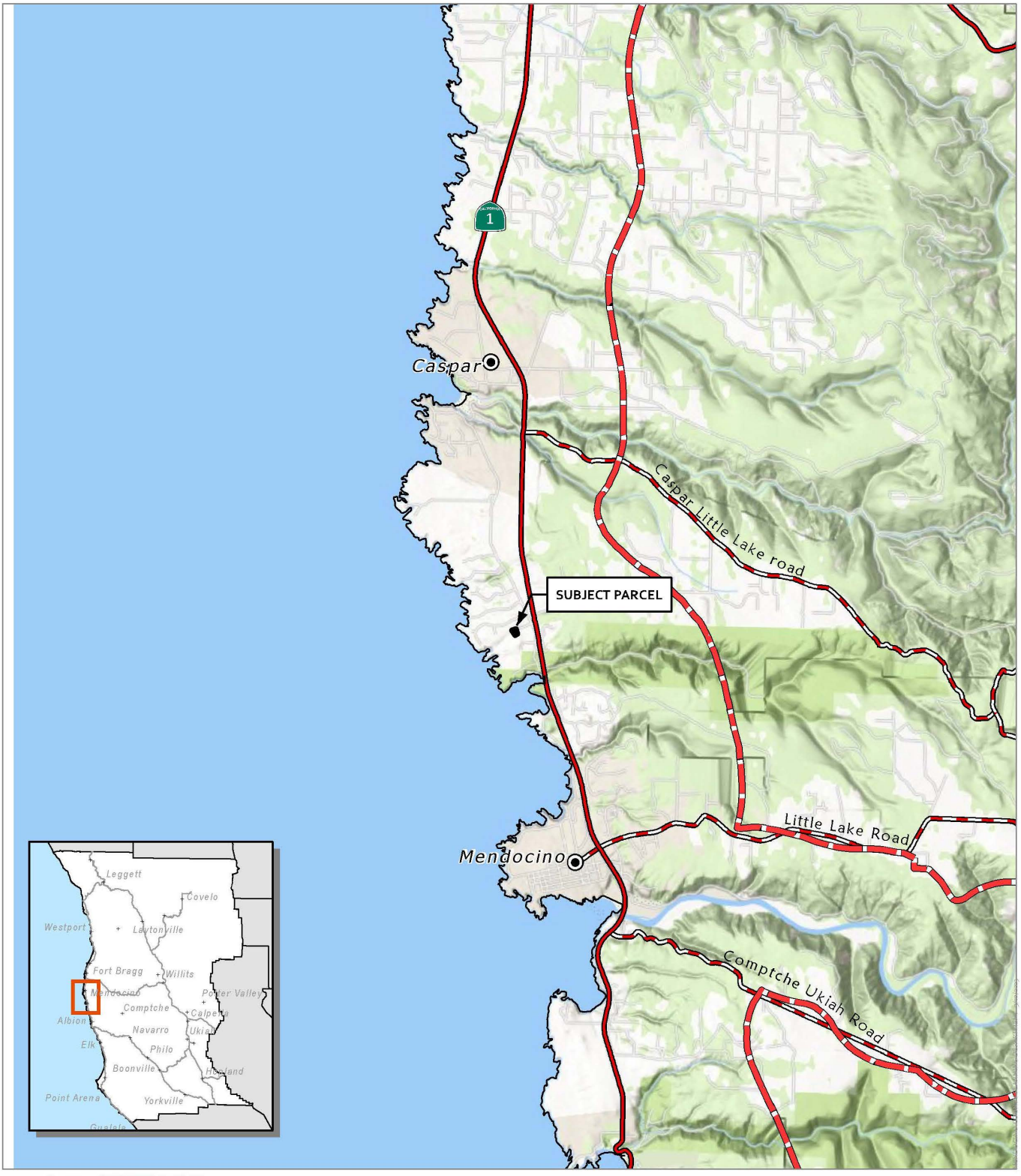
Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): N/A

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

Pursuant to the consultation requirements of Assembly Bill (AB) 52, in July 2022, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The project was referred to three local tribes for review and comment, Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As of this date, no response was received from the tribes.

PROJECT PLOT PLAN: See Page 6 of this document.

FIGURE 1: LOCATION MAP



CASE: CDP 2023-0012
OWNER: BOELE, Marc & Kathleen
APN: 118-230-57
APLCT: Marc & Kathleen Boele
AGENT: Debra Lennox
ADDRESS: 45175 Fern Dr., Mendocino

LOCATION

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

FIGURE 2: AERIAL IMAGERY



CASE: CDP 2023-0012
OWNER: BOELE, Marc & Kathleen
APN: 118-230-57
APLCT: Marc & Kathleen Boele
AGENT: Debra Lennox
ADDRESS: 45175 Fern Dr., Mendocino

Public Roads

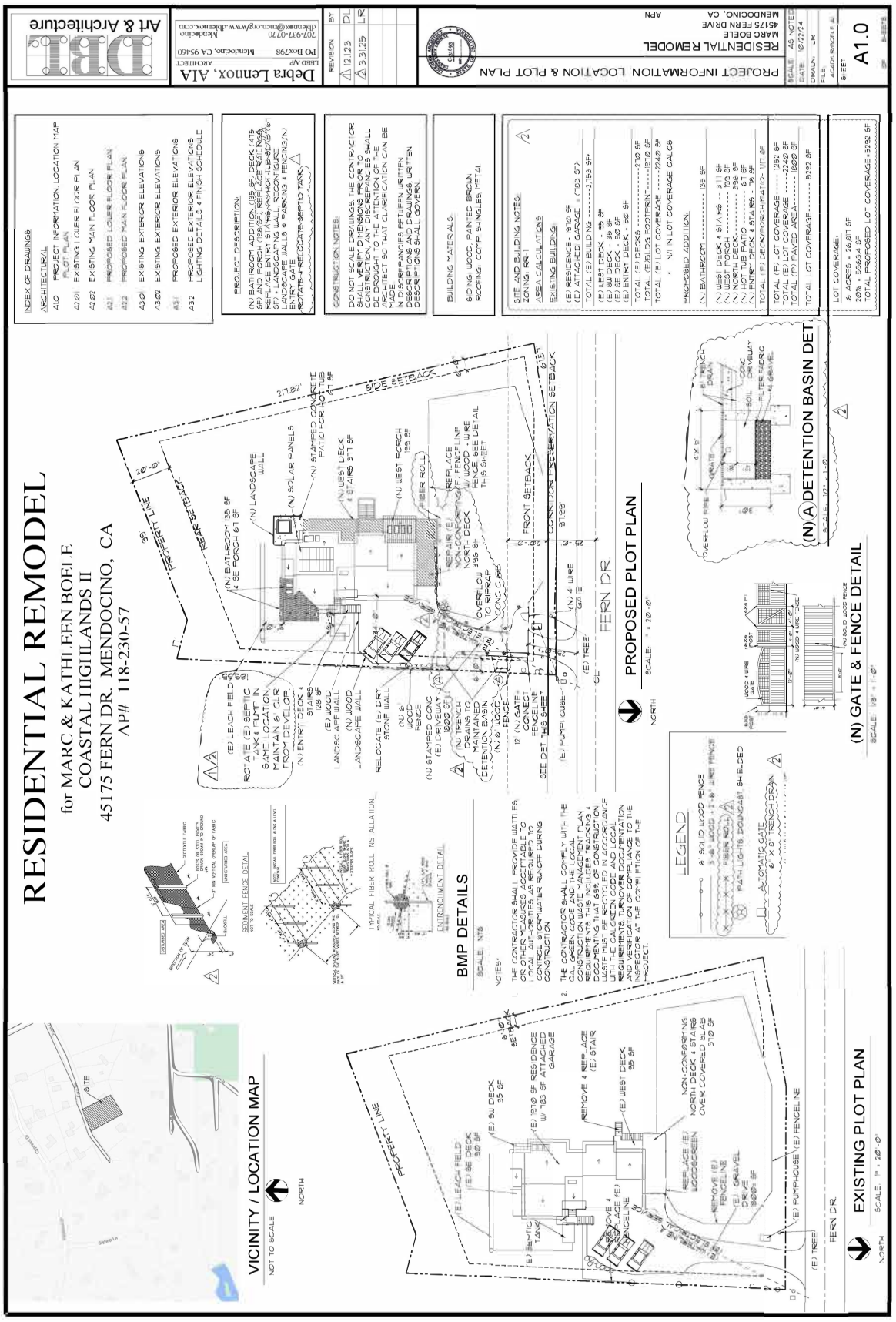
Private Roads

0 250 500 Feet
0 0.045 0.09 Miles
1:6,000

AERIAL IMAGERY

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

FIGURE 3: PLOT PLAN



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:

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

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

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

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

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

Jessie Waldman — Signature

08/25/2025 — Date

JESSIE WALDMAN — Printed Name

PLANNER II — Title

5.1 AESTHETICS

Except as provided in public resources code section 21099, **WOULD THE PROJECT:**	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

DISCUSSION: A "scenic vista" is defined *as a singular vantage point that offers high quality, harmonious, or visually interesting views of a valued landscape for the benefit of the public.* Scenic vistas are typically found along major highways or other public roads but may also occur in other areas accessible to the public.

"Scenic resources" include objects, features, or patterns within the landscape which are visually interesting or pleasing. Scenic resources can include trees, rock outcroppings, historic buildings, or other features. California Streets and Highways Code (SHC) Sections 260-284 establish the State Scenic Highway program for *"the protection and enhancement of California's natural scenic beauty"*.[1] The Department of Transportation (CALTRANS) oversees this program, including a list of officially designated Scenic Highways and those deemed "eligible" for incorporation into the program. No highways in Mendocino County have been officially incorporated into the State Scenic Highway system. State Route 1 (SR 1) is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, is part of the National Highway System; a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. State Route 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a "scenic highway", meaning that there are substantial sections of highway passing through a "memorable landscape" with no "visual intrusions." As such, there are no adopted Corridor Protection Programs in the county. However, the entirety of State Route 1 (SR 1) in Mendocino County, the portion of U.S. Route 101 (US 101) between Ukiah and Willits, all of State Route 20 (SR 20), and all of State Route 128 (SR 128) are listed as "eligible".[2] No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.[3] Additionally, the County has two roadway segments designated as "heritage corridors" by California Public Resources Code Section 5077.5.[4] The North Coast Heritage Corridor includes the entire segment of SR 1 in the county, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It

[1] Streets and Highways Code, CA SHC § 260 (1969).
[2] Streets and Highways Code, CA SCH §263.2 to 263.8 (2019).
[3] U.S. Department of Transportation. Federal Highway Administration. *National Scenic Byways & All-American Roads*. Retrieved from https://fhwaapps.fhwa.dot.gov/bywaysp/States/Show/CAv.
[4] California Public Resources Code Section 5077.5.

includes the entire segment of SR 20 within the county and the segment of US 101 from the SR 20 junction north of Calpella to the SR 20 highway exit south of Willits.

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting off of structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by "light pollution." Two elements of light pollution may affect county residents: sky glow (a result of light fixtures that emit a portion of their light directly upward in the sky), and light trespass (poorly shielded or poorly aimed fixtures which cast light into unwanted areas, such as neighboring properties and homes). Different lighting standards are set by classifying areas by lighting zones (LZ). The 2000 Census classified the majority of Mendocino County as LZ2 (rural), which requires stricter lighting standards in order to protect these areas from new sources of light pollution and light trespass. According to the 2020 U.S. Census[5], there are three "Urban Areas" in Mendocino County: Ukiah, Willits, and Fort Bragg. Some of these Urban Areas extend into the unincorporated portions of the County. The Census provides shapefiles for use in visualizing these Urban Areas.

The following Mendocino County regulations govern scenic quality:

- Mendocino County General Plan Development Element[6] (Community Character Policies) Policy DE-85 objective is *"Viewshed preservation shall be considered when development is located in a highly scenic environment, adjacent to or atop a ridgeline or hill, and in similar settings."*
- Mendocino County General Plan Resource Management Element[7] Goal RM-14 (Visual Character) objective is "*Protection of the visual quality of the county's natural and rural landscapes, scenic resources, and areas of significant natural beauty."*
- Mendocino County General Plan Resource Management Element[8] Goal RM-15 (Dark Sky) objective is "*Protection of the qualities of the county's nighttime sky and reduced energy use."*
- Mendocino County General Plan Community - Specific Policies[9] objectives are to *"ensure that the special features in each community area shown in this General Plan shall be retained or enhanced, and shall consider these features in its review of any proposed development project."*
- Mendocino County Coastal Element Land Use Plan Resources and Development issues and Policies Visual Resources, Special Communities and Archaeological Resources[10]
- Mendocino County Coastal Element Land Use Plan Descriptions and Policies for Thirteen Planning Areas[11]
- Title 20 Division II Mendocino County Code (MCC) Chapter 20.504 Visual Resource and Special Treatment Areas[12]
- Title 20 Division III Mendocino Town Zoning Code (MTZC) Chapter 20.692 Limitations and Exceptions[13]

a-c) **No Impact:** The site of the proposed project is near, but not adjacent to nor takes access from, a major "visually interesting" roadway: State Route 1. The parcel is not located in a designated Highly Scenic Area. There will be no impacts to scenic vistas. The subject parcel lies west of State Route 1 and where homes are interspersed between trees and other natural vegetation. The proposed project will be in character with the surrounding environment and nestled such that natural vegetation will remain around it. While the addition of any development will change the current visual character of the site, the addition to an existing residence that is similar in size and scale to those on adjacent properties and is not an impact to the visual character of the area. The site is located on the south side of Fern Drive (CR 410A), west of Point Cabrillo Drive (CR 564) and west of SR 1. The subject site is mapped within the *Jughandle Creek to Russian Gulch Planning Area, includes Caspar*, per

[5] 2020 US Census Bureau Urban and Rural
[6] Mendocino County General Plan Development Element
[7] Mendocino County General Plan Resource Management Element
[8] Mendocino County General Plan Resource Management Element
[9] Mendocino County General Plan Community - Specific Policies
[10] Mendocino County Coastal Element Land Use Plan Resources and Development issues and Policies Visual Resources, Special Communities and Archaeological Resources
[11] Mendocino County Coastal Element Land Use Plan Descriptions and Policies for Thirteen Planning Areas
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[13] Title 20 Division III Mendocino Town Zoning Code (MTZC) Chapter 20.692 Limitations and Exceptions

Coastal Element Section 4.6 for Land Use Plan Descriptions and Policies. There is one (1) existing public access to the shore within 0.5 miles of the subject parcel, the *Point Cabrillo Alternative Coastal Trail,* approximately 800 feet east, parallel with Point Cabrillo Drive (CR 564), as shown on the *LCP Land Use Map 15: Caspar* map. The *Point Cabrillo Alternative Coastal Trail* is described as a trail running parallel along Point Cabrillo Drive (CR 564), the Old Highway 1, now Point Cabrillo Drive (CR 564), connecting Caspar Creek to Russian Gulch as well as connecting Caspar-Little Lake Road (CR 409) and the Cross - California Ecological Trail Corridor. This trail's purpose is to provide an alternative to State Route 1 (SR 1) for cyclists. The proposed development is just west of and does not result in obstructions or increased uses with the *Point Cabrillo Alternative Coastal Trail.* There will be no impacts to scenic resources and historic buildings within a state scenic highway. The site is not designated as a potential public access trail location. The proposed development is just west of and does not result in obstructions or increased uses with the *Point Cabrillo Alternative Coastal Trail.* There will be no impacts to existing visual character or quality of public views of the site and its surroundings.

d) **Less Than Significant Impact:** The parcel is not located in a designated Highly Scenic Area; therefore, it is not subject to the policies within the Coastal Element relating to visual resources, except for Policy 3.5-1 of the Coastal Element, which states *"…The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas…"* MCC Sections 20.504.020 and 20.504.035 provide exterior lighting and finish regulations intended to protect coastal visual resources in Special Communities of the Coastal Zone. Exterior lighting is required to be below the maximum height limit for the district and is required to be shielded (positioned in a manner that light, and glare does not extend beyond the boundaries of the parcel). Building materials and exterior colors shall be compatible with those of existing structures on adjacent parcels. **Conditions 10 and 11** are recommended to require exterior lighting to be kept to the minimum necessary for safety and security purposes and to be downcast, shielded and positioned in a manner that will not shine light or allow light glare to extend beyond the boundaries of the parcel and exterior finishes for proposed materials and colors which will be visually compatible with the character of the surrounding area in compliance with Mendocino County Coastal Element Policies 3.5-1 and MCC Section 20.504.035 and MCC Chapter 20.504 regulations. As proposed, the project satisfies local visual resource goals, policies, and regulations. As proposed, the project is unlikely to become a source of light glare. With adherence to the zoning code standards, the project will have a less than significant impact in terms of creating a new source of light or glare which could adversely affect day or nighttime views in the surrounding area.

MITIGATION MEASURES: None.

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	☐	☐	☐	☒

DISCUSSION: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

The State of California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) which produces maps and statistical data used for analyzing impacts on California's agricultural resources. The FMMP mapping survey covers roughly 98% of privately owned land in the state and updates each map approximately every two years to provide an archive of land use change over time. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called "Prime Farmland," with other critical designations including "Unique Farmland," or "Farmland of Statewide Importance."

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

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

a-e) **No Impact:** The project site is situated on Urban & Built-Up Land as indicated on the California Department of Conservation Important Farmland Categories.[14] The Urban & Built-Up land classification is used for residential and various other non-agricultural uses.[15] The

[14] Farmland Classifications Map.
[15] California Department of Conservation. Important Farmland Categories. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx Accessed on July 29, 2025.

subject parcel is within the Rural Residential zoning district and not contracted under the Williamson Act. The project, as proposed, would not conflict with existing zoning for agricultural use or the Williamson Act. The project site is not situated within a timber production zone or timberland area. The project would not result in the loss of forest land or agricultural land nor convert forest land to non-forest land. The project would not involve other changes in the existing environment which, due to their location or nature, could result in the conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, the project would have no impact on agricultural and forestry resources.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Agricultural and Forestry Resources.

5.3 AIR QUALITY

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

DISCUSSION: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

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

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

1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;

2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;

3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;

4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;

5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;

6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and

7) The operator shall keep a daily log of activities to control fugitive dust. In December, 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horse power need a permit through the MCAQMD

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

a) **No Impact:** The project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed project to construct an addition to the existing single-family residence, including a new bathroom, deck, porch, entry gates, new hot tub with slab and landscaping walls. The request also includes the replacement of the entry stairway, reconfiguration of the existing landscaping walls, parking and fencing would not conflict with the District's air quality plan.

b-d) **Less Than a Significant Impact:** The MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM_{10}). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM_{10} emissions and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land. The applicant will be required to adhere to all MCAQMD recommendations

The project site is currently developed with a single-family residence, established landscaping, connection to utilities, including a private water district, Shorelands Road and Water District, and a driveway and is surrounded by existing single-family residences on contingent parcels of the same size and zoning. The proposed development has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. The project would not include any sources likely to create objectionable odors. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the minimal paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Air Quality.

5.4 BIOLOGICAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
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?	☐	☐	☐	☒

DISCUSSION: In accordance with CEQA Guidelines Section 15380, a species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:

- Sections 670.2 or 670.5, Title 14, California Code of Regulations

- Title 50, Code of Federal Regulations Section 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered

The following may also be considered a special status species:

- Species that are recognized as candidates for future listing by agencies with resource management responsibilities, such as US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NOAA Fisheries, also known as NMFS), and California Department of Fish and Wildlife (CDFW)
- Species defined by CDFW as California Species of Special Concern
- Species classified as "Fully Protected" by CDFW
- Plant species, subspecies, and varieties defined as rare or threatened by the California Native Plant Protection Act (California Fish and Game Code Section 1900, et seq.)
- Plant species listed by the California Native Plant Society (meeting the criteria in CEQA Guidelines Section 15380) according to the California Rare Plant Ranks (CRPR)
- Mountain lions protected under the California Wildlife Protection Act of 1990 (Proposition 117) and designated as a specially protected mammal in California.

The US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation tool (IPaC) provides site-specific information on federally listed species. In addition, the USFWS National Wetlands Inventory houses information on the status, extent, characteristics, and function of wetlands.

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

At the state level, the Porter-Cologne Act governs water quality through nine Regional Water Boards and the State Water Board. Mendocino County is within the jurisdiction of the North Coast Regional Water Quality Control Board (the 'Board'). The Board regulates discharges under the Act through the issuance of National Pollutant Discharge Elimination System (NPDES) permits. The Porter-Cologne Act also requires adoption of regional water quality control plans. The North Coast Basin Plan was most recently adopted in 2018 and establishes water quality objectives, implementation measures, and monitoring programs for the region.

Other regulations which apply to biological resources include the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the Lake and Streambed Alteration Program. California Fish and Game Code (FGC) Section 3503.5 states *"it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto."*

California PRC Section 21083.4 requires, *"as part of the determination made pursuant to Section 21080.1, a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. For purposes of this section, "oak" means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526, and that is 5 inches or more in diameter at breast height."*

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

developed its own lists of native plants considered rare, threatened, or endangered. Collectively, these plants and animals are referred to as "special status species."

CDFW uses NatureServe's Heritage Methodology to assign global and state rarity ranks for natural communities. CDFW's Vegetation Classification and Mapping Program (VegCAMP) ranks California Natural Communities by their rarity and threat. Natural Communities with a rank of S1-S3 are considered Sensitive Natural Communities. The only comprehensive VegCAMP mapping completed in Mendocino County is that of Mendocino Cypress and Related Vegetation (Pygmy forest), Point Arena Stornetta Unit, and Garcia River.

The California Natural Diversity Database (CNDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, agencies, and conservation organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes and provide baseline data helpful in recovering endangered species and for research projects. Currently, CNDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened to Endangered. Planning & Building Services uses CNDDB mapping to assist in identifying project-specific locations where special-status species have been found.

The Mendocino County General Plan identifies four (4) "sensitive habitats", including Serpentine Soils and Rock Outcrops, Pygmy Forest, Wetlands and Waters of the United States, and Old-Growth Forest. Table 4-A of the General Plan contains a list of locally identified "special-status species" found in Mendocino County. In addition, General Plan Section 4-10 identifies Coho salmon, Chinook salmon, and steelhead trout as species for which habitat is found in large portions of Mendocino County. These species are of federal, state, and local concern.

Mendocino County General Plan Policy RM-28 and RM-29 relate to Biological Resources, including Action Item RM-28.1 regarding oak woodlands.[16] Mendocino County currently has two active Habitat Conservation Plans (HCPs) with the U.S. Fish and Wildlife Service, the first of which provides protections for the Point Arena Mountain Beaver. The Fisher Family HCP (Permit #TE170629-0) covers 24 acres of coastal scrub and was adopted December 3, 2007, for a period of 50 years. The Fisher Family HCP applies to Assessor Parcel Number 027-211-02 located at 43400 Hathaway Crossing, Point Arena. The second HCP is Pacific Gas & Electric Company's Multiple Region Operations and Maintenance HCP. The HCP was issued in 2020 for a period of 30 years. The HCP includes protections for several species across multiple jurisdictions. Since 2003, the Mendocino Redwood Company (MRC) has managed the County's only Natural Community Conservation Plan which covers all lands owned by the MRC to preserve regionally important habitat.

a-e) **Less Than Significant Impact With Mitigation Incorporated:** Both the LCP Coastal Element Chapter 3.1 policies and MCC Chapter 20.496 address protections granted to Environmentally Sensitive Habitat Areas (ESHA), determination of the extent of sensitive resources, documentation of potential negative impacts, and recommendations for appropriate mitigation and avoidance measures. Environmentally Sensitive Habitat and Other Resource Areas regulations, per MCC Section 20.456.005, is intended to *"... ensure that environmentally sensitive habitat and other designated resource areas ... which constitute significant public resources are protected for both the wildlife inhabiting them as well as the enjoyment of present and future populations."*

All portions of the subject parcel are within 100 feet of the presumed Environmentally Sensitive Habitat Area (ESHA) identified and majority of the subject parcel is located within 50 feet of presumed ESHA, as shown on the *ESHA* maps. The proposed reconfiguration of the landscaping, new hot tub, bathroom addition and deck and patio expansions will not further encroach upon ESHA, as the locations are within the existing developed areas of the parcel. The application does not propose removal of existing native vegetation. The two (2) trench drains to maintain detention basins at the existing driveway will not alter the existing intermittent stream on the parcel and will further support the intermittent stream. No ESHA habitat, including Bishop pine forest and red alder – cascara buckthorn scrub riparian habitat, will be further impacted than the existing development. To limit the repair and maintenance of

[16] The County of Mendocino (2009). *General Plan.* Retrieved from https://www.mendocinocounty.gov/departments/planning-building-services/long-range-plans.

the existing development or to require the existing development to be located further away from ESHA on site would further impact the onsite ESHA.

The proposed project was referred to California Coastal Commission (CCC) and California Department of Fish and Wildlife (CDFW), where CCC requested status of the request and did not provide comment. On August 6, 2024, a site visit was conducted with the California Department of Fish and Wildlife (CDFW), with concerns specific to Environmentally sensitive Habitat Area (ESHA) and the proposal to pave the driveway, which includes an existing culverted tributary crossing. The existing culvert is not proposed for removal or replacement. The driveway's widths will not be expanded and the deck repair at the north end of the residence will remain within its original footprint. These two activities will not further encroach into the tributary's bed, bank, and channel. At that site visit, the applicants proposed the installation of two (2) trench drains to maintain detention basins for proper drainage of the driveway.

On August 9, 2024, CDFW responded with recommendations regarding the proposed project which includes the following:

This CDP proposes to repair a deck and includes minor expansion the SFR, both within ESHA buffers. The property was developed within ESHA buffers many years ago and includes non-native, ornamental plantings; however, some native vegetation (as noted below) remains and could be expanded by the removal of non-natives and the planting of native plant species. The applicant proposes to pave the driveway, which includes a culverted tributary crossing. The culvert is not proposed for removal or replacement The driveway width's will not be expanded adjacent to this feature and deck repair retains its original footprint; these two activities are not likely to encroach into the tributary's bed, bank, and channel. The proposed activities also include the installation of a fence that will act as symbolic fencing to prevent encroachment by the driveway.

If CDFW's comments below are incorporated as conditions of the CDP's approval, CDFW concurs with the buffer reduction.

1. *Incorporate the biological report's avoidance and minimization measures as conditions of approval.*
2. *Install appropriate erosion BMPS to prevent sediment run off or debris from entering the tributary.*
3. *Disturbed areas shall be re-seeded or replanted with appropriate, locally native tree, shrub, or herbaceous plant species.*
4. *Encourage applicant to remove non-native invasive and non-native ornamental species on the property and plant appropriate, locally native species representative of the native natural plant communities that exist on or adjacent to the property (northern Bishop pine alliance). Encourage the re-establishment of the native vegetation adjacent to both the northern and southern side of the tributary including but not limited to, red alder (Alnus rubra), thimbleberry (Rubus parviflorus), sword fern (Nephrolepis exaltata), and California blackberry (Rubus ursinus).*

A *Biological Scoping Survey Report*, prepared by Wynn Coastal Planning and Biology (WCPB), dated June 15, 2023, and is kept on file with the Mendocino County Department of Planning & Building Services. The *Biological Scoping Survey Report* identified three types of presumed Environmentally Sensitive Habitat Area (ESHA) within the study area, which are an intermittent stream, Bishop pine forest and red alder – cascara buckthorn scrub riparian habitat.

In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **BIO-1, BIO-2 and BIO-3, BIO-4 and BIO-5 (Conditions 12, 13, and 15, 16 and 17)** will address the impacts to ESHA. These

measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

f) **No Impact:** There are no known Habitat Conservation Plans in effect for the project site property or surrounding area. As a result, no impact is anticipated.

MITIGATION MEASURES:

BIO-1 Mitigation Measure: Prior to issuance of the building permit request associated with this Coastal Development Permit, the applicant shall specify Best Management Practices (BMPs) to be implemented to reduce erosion and sedimentation from construction activities. If the amount of grading on the site exceeds fifty (50) cubic yards, the applicant shall cease construction activities and develop a Grading and Erosion Control Plan for the site and submit it to the Planning and Building Services for review and approval.

BIO-2 Mitigation Measure: Standard Best Management Practices (BMPs) shall be employed to ensure minimization of erosion resulting from construction. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Any soil stockpiles shall be covered or otherwise stabilized to prevent dust impacts. Any bare soil created by the construction phase of the project shall be revegetated with native vegetation and/or native seed mixes for soil stabilization. Construction activities within 500 feet of residential uses shall be limited to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.

BIO-3 Mitigation Measure: Avoidance Measures proposed within the California Department of Fish and Wildlife (CDFW) Comments, dated August 9, 2024. In order to provide for the **protection of Environmentally Sensitive Habitat Area (ESHA),** including intermittent stream, Bishop pine forest and red alder – cascara buckthorn scrub riparian habitat, the following avoidance measures are recommended to minimize impacts to presumed ESHA within the project area:

a. Incorporate the biological report's avoidance and minimization measures as conditions of approval; and

b. Install appropriate erosion BMPS to prevent sediment run off or debris from entering the tributary; and

c. Disturbed areas shall be re-seeded or replanted with appropriate, locally native tree, shrub, or herbaceous plant species; and

d. Encourage applicant to remove non-native invasive and non-native ornamental species on the property and plant appropriate, locally native species representative of the native natural plant communities that exist on or adjacent to the property (northern Bishop pine alliance). Encourage the re-establishment of the native vegetation adjacent to both the northern and southern side of the tributary including but not limited to, red alder (*Alnus rubra*), thimbleberry (*Rubus parviflorus*), sword fern (*Nephrolepis exaltata*), and California blackberry (*Rubus ursinus*); and

BIO-4 Mitigation Measure: Avoidance Measures proposed in the *Biological Scoping Survey Report*, prepared by Wynn Coastal Planning and Biology (WCPB), dated June 15, 2023. In order to provide for the **protection of Environmentally Sensitive Habitat Area (ESHA),** including intermittent stream, Bishop pine forest and red alder – cascara buckthorn scrub riparian habitat, the following avoidance measures are recommended to minimize impacts to presumed ESHA within the project area:

General Recommendations

a. Site preparation and construction will occur during the general dry season April 1 through October 15. Construction during the dry season and/or dry periods (between May 15 and October 15); and

b. If a rain event occurs in excess of one inch over a 24-hour period occurs during the construction phase, all activities shall cease for 24 hours after perceptible rain ceases; and

c. A minimum 100 foot buffer shall be maintained to the edge of any development activity, including grading, paving, trenching or other with pin flags, flagged stakes, or equivalently high-visibility demarcation to prevent construction personnel from laying down equipment or materials within the 100 foot buffer; and

d. Construction shall occur during daylight hours to limit disturbing construction noise and minimize disturbance; and

e. Stage all building materials and construction vehicles in previously impacted areas outside of presumed ESHA habitat; and

f. Standard Best Management Practices shall be employed to ensure minimization of erosion resulting from construction. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Areas of bare soil should be seeded with native erosion control seed mix and/or covered with biodegradable erosion control materials (e.g. coconut fiber, jute, weed free straw).

g. Machinery that is used in dirt needs to be power washed offsite to eliminate seeds and other propagules.

Potential Special-status Wildlife - Bats

h. Vegetation removal and initiation of construction shall be done during non-roosting season (between September and October); and

i. If development is to occur during the roosting season (November to August), a pre-construction survey is recommended within 14 days of the onset of construction to ensure that no roosts will be disturbed during development, and

j. If evidence of bat use is observed, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied; and

k. If bats are found, a minimum 50 foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after bats have left the roost and the recommendations of the survey shall be adhered, and

Potential Impact to Intermittent Stream, Bishop pine forest and Red Alder – Cascara Buckthorn Riparian Habitat

l. During construction and landscaping, invasive species can be introduced and spread to surrounding areas that could out compete native flora and degrade habitat that native fauna may use; and

m. Proposed development is concentrated to the greatest extent feasible in the least impacting location of the parcel; and

n. Construction and materials staging shall occur outside the special status natural resources identified and mapped as presumed ESHA with the exception of repair and upgrade to an existing perimeter fence; and

o. While many ornamental landscapes on the California coast use non-native plants, invasive plants should not be planted. Some invasive plants commonly seen by WCPB biologists on the

coast that should be avoided are: Iceplant (Carpobrotus edulis, C. chiloensis, & Delosperma sp.), pale dew plant (Drosanthemum floribundum), cotoneaster (Cotoneaster franchetii & C. pannosus), English holly (Ilex aquifolium), English ivy (Hedera helix), cape ivy (Delairea odorata), pampas grass (Cortaderia jubata & C. selloana), cape weed (Arctotheca calendula & A. prostrata), Crocosmia sp., blue gum eucalyptus (Eucalyptus globulus), redhot poker (Kniphofia uvaria), periwinkle (Vinca major), bulbil bugle lily (Watsonia meriana), and callalily (Zantedeschia aethiopica).

Potential Impact to Intermittent Stream

p. Straw wattles are recommended between ground disturbing construction and the intermittent stream. No materials storage, heavy equipment use or other impacts shall occur within the area protected by the wattles. Straw wattles shall be properly installed to intercept liquids leaving the construction area. Wattles shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized. Wattles shall be checked, and appropriate maintenance shall occur on a weekly basis and after every rain event; and

q. Ground disturbing activities such as digging, or grading occur only during the dry portion of the year so that rain events are less likely to occur while bare soil is present.

BIO-5 Mitigation Measure: This entitlement does not become effective, or operative, and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife (CDFW) 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 $3,018.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife 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 ensure timely compliance with this condition.**

FINDINGS: The proposed project would have a **LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED** on Biological Resources.

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

DISCUSSION: Archeological resources are governed by MCC Sec. 22.12.090, which echoes state law regarding discovery of artifacts and states, in part, "*It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archeological site without complying with the provisions of this section*". MCC Section 22.12.090 governs discovery and treatment of archeological

resources, while Section 22.12.100 speaks directly to the discovery of human remains and codifies the procedures by which said discovery shall be handled. Pursuant to California Code of Regulations, Title 14, Chapter 3, Sub Section 15064.5(c)(4), "*If an archeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.*"

a-c) **Less Than Significant Impact:** The project to construct an addition to the existing single-family residence and residential development of the subject parcel could cause an indirect impact if historical resources are identified within the building envelope. The proposed development was referred to Northwest Information Center (NWIC) and the Mendocino County Archaeological Commission (ARCH). On August 17, 2023, NWIC responded, "*This office has no record of any previous cultural resource studies for the proposed project area. Based on an evaluation of the environmental setting and features associated with known sites, Native American resources on this part of Mendocino County have been found along the coastal bluffs and margins near the coast, inland near intermittent and perennial watercourses, as well as near a variety of plant and animal resources. The proposed project area is located in a generally flat coastal terrace adjacent to or containing an intermittent stream. Given the similarity of these environmental factors and the archaeological sensitivity of the area, there is a moderate potential for unrecorded Native American resources in the proposed project area. We therefore recommend that a qualitied archaeologist conduct further archival and filed study of the project area to identify cultural resources.*" An Archaeological Survey prepared by William Cull, dated September 10, 2023. The survey was accepted with recommendations for approval by the Mendocino County Archaeological Commission, on October 12, 2023, which recommended that the Discovery Clause be included as a condition of approval. The "Discovery Clause" prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. The project was referred to three local tribes for review and comment, Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As of this date, no response was received from the tribes.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Cultural Resources.

5.6 ENERGY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

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

gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

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

a) **No Impact:** The proposed project would not result in any significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction, or operation. Nor would the project conflict with, or obstruct a state or local plan for renewable energy, or energy efficiency. Expansion of the Single-family residential development of the developed parcel would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The proposed project is not anticipated to use or waste significant amounts of energy, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

b) **No Impact:** Indirect impacts may occur through residential development of the resulting parcels. Future residential development would be required to be designed to comply with relevant state and local codes, including the California Energy Code and Green Building Standards Code through the building permit process. Mendocino County has not adopted a local plan for renewable energy or energy efficiency. Therefore, residential development is not expected to conflict with state or local plans for renewable energy or energy efficiency.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Energy.

5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

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

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

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on nine (9) percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than fifteen (15) percent have a high erosion hazard.

The California Geological Survey (CGS) houses the web-based California Earthquake Hazards Zone Application (EQ Zapp), which allows a user to check whether a site is in an earthquake hazard zone.[17] The California Department of Conservation also houses a general-purpose map viewer that contains layers displaying locations and data related to the California Landslide Inventory, the Seismic Hazards Program, Earthquake Shaking Potential, Historic Earthquakes, and others.

Development can result in soil erosion or loss of topsoil if project activities result in deep slope rills, gullies, or unmanageable accumulation of sediment. Ground disturbing activities most often result in impacts, including grading. Soil can be exposed during construction activities and increase the potential for soil erosion to occur, especially during storm events. Impervious surface areas would not be prone to erosion or siltation because no soil is included in these areas but increased impervious surfaces may impact surrounding hydrology and result in erosion impacts nearby.

[17] California Department of Conservation (2021). California Geological Survey. EQ Zapp: California Earthquake Hazards Zone Application. Retrieved from https://www.conservation.ca.gov/cgs/geohazards/eq-zapp.

Lateral spreading often occurs on gentle slopes or flat terrain and consists of lateral extension accompanied by shear or tensile fracture. Lateral spreading is often caused by liquefaction, which in turn is triggered by rapid ground motion from earthquakes or artificial activities. Bedrock or soil resting on materials that liquefy can undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow.

a) **Less Than Significant Impact:** The LCP Land Capabilities map indicates the eastern portion of the parcel contains "Beach Deposits and Stream Alluvium and Terraces (Zone 3)" which indicates the parcel would experience intermediate seismic shaking. According to EQ Zapp mapping, the site is not located within an Earthquake Fault Zone. The nearest fault zone is associated with the San Andreas Fault approximately five (5) miles west.[18] The project site is not considered geologically significant or associated with liquefaction. Mapping does not associate the project site with any of the following: significant flood plains, faults, bluffs, landslides, or erosion hazards.

b) **Less Than Significant Impact:** The project proposes grading and ground disturbance will occur at the time of construction of the proposed new bathroom, new hot tub with slab and the reconfiguration of the existing landscaping walls. Ground disturbance will occur at the time of the septic tank being relocated. Grading and ground disturbance will also occur at time of construction and installation of the two (2) trench drains to maintain detention basins, as well as at time of construction the proposed reconfiguration of the landscaping walls. The two (2) trench drains to maintain detention basins at the existing driveway will not alter the existing drainage on the parcel and will further support the existing tributary's bed, bank, and channel. Vegetation on and around the subject parcel is a combination of lawn and landscaping surrounding residences, and native communities between. The proposed project would not result in substantial soil erosion or loss of topsoil.

c) **No Impact:** The project site is situated on Tropaquepts, 0 to 15 percent slopes, which is very deep and poorly drained.[19] The Soil Survey of Mendocino County, California states that this soil type is used for homesite development. The proposed development will occur in already disturbed areas and within the same footprint of the existing development. While the reconfiguration of the landscaping walls and drainage at the driveway are proposed, no additional alteration to slopes and topsoil are proposed. Therefore, the proposed project would have no impact on the geologic unit or soil type.

d) **No Impact:** The 1994 Uniform Building Code (UBC) has not been in effect since 1997, and the referenced table was removed entirely when the UBC was superseded by the International Building Code (IBC) in 2000. The 1994 and 1997 editions of the UBC are now obscure, no longer published or easily publicly accessible and so cannot be considered an appropriate reference point for defining expansive soils. With implementation of standard CBC and other applicable state and local regulations (all of which shall be required as conditions of approval for the project), potential hazards from expansive soils would be less than significant. The project, as proposed, would not create a direct or indirect risk to property or life.

e) **Less Than a Significant Impact:** The Tropaquepts soil type is extremely variable in its permeability and available water capacities. The effective rooting depth is limited by continuous saturation from December through April. The saturated zone starts between the surface and a depth of 10 inches and extends to a depth of more than 60 inches. Water may be ponded on the surface for brief or long periods following episodes of heavy rain. Surface runoff ranges from ponded to medium, and the hazard of water erosion is slight or moderate if the surface is left bare. This unit is used as wildlife habitat or as watershed. Vegetation on and around the subject parcel is a combination of lawn and landscaping surrounding residences, and native communities between. Therefore, the proposed project would have a less than significant impact on the environment.

[18] Ibid. https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/#data_s=id%3AdataSource_4-191d8e6d993-layer-25%3A4947858.
[19] Soil Survey of Mendocino County, California, Western Part.

f) **Less Than a Significant Impact:** An Archaeological Survey, prepared by William Cull, dated September 10, 2023. The survey was accepted with recommendations for approval by the Mendocino County Archaeological Commission, on October 12, 2023, which recommended that the Discovery Clause be included as a condition of approval. The "Discovery Clause" prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. However, in the event that any archaeological or paleontological resources are discovered during site preparation, grading or construction activities, notification would be required, pursuant to County Code Chapter 22.12 – Archaeological Resources.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Geology and Soils.

5.8 GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

DISCUSSION: Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission, which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs, and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those, which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO2e (CO2 equivalent) of operation emission on an annual basis. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures.

a) **Less Than Significant Impact:** This project as proposed will have no impact and be below the threshold for project significance of 1,100 metric tons CO_2 equivalent. Indirect impacts may occur through residential development of the vacant parcel. The project would not create a stationary source of GHG emissions. As stated, MCAQMD has adopted BAAQMD thresholds of significance for GHG emissions. BAAQMD has not established any construction related thresholds for GHG emissions. The operational GHG emission threshold is 1,100 metric tons of Carbon Dioxide equivalent (MT CO_2e) per year. The California Emissions Estimator Model (CalEEMod) was used to estimate construction and operational emissions that would result from the project, represented in metric tons CO_2e per year. According to the results of the model, construction emissions would be equivalent to 68.6 MT CO_2e per year and operational emissions would be equivalent to 38.8 MT CO_2e per year. This is below the threshold established by MCAQMD and BAAQMD Therefore, the project is unlikely to generate significant greenhouse gas emissions.

b) **No Impact:** MCAQMD has not adopted a GHG or Risk Reduction Plan. Therefore, the project is not expected to conflict with an applicable plan, policy, or regulation.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **LESS THAN SIGNIFICANT IMPACT** on Greenhouse Gas Emissions

5.9 HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

DISCUSSION: California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (California Health and Safety Code Section25501 (m)).

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

states: *All development projects shall include plans and facilities to store and manage solid waste and hazardous materials and wastes in a safe and environmentally sound manner.*

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

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

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

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

a) **Less Than Significant Impact:** The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. Storage of these materials in the open may result in contaminated stormwater runoff being discharged into nearby water bodies, including the Pacific Ocean.

   This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site, and then disposed at an approved collection facility such as the nearby Caspar Transfer Station. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities. Consequently, potential impacts involving the transport, use, or disposal of hazardous materials is less than significant.

b) **No Impact:** The proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the development of an addition to the existing single-family residence, and associated improvements on the subject parcel would not create a significant hazard to the public, or the environment.

c) **No Impact:** The proposed project will not emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or

proposed school. The nearest school to the project site is several miles away. Due to the project location, and residential nature, there will be no impact.

d) **No Impact:** The proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the development of an addition to the existing single-family residence, and associated improvements on the subject parcel would not create a significant hazard to the public, or the environment.

e) **No Impact:** The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. As a result of the project's location outside of any airport influence area, or private airstrip, there will be no impact in terms of safety hazards for people residing or working in the project area.

f) **Less Than Significant Impact:** The property is in an area of "High Fire Hazard" severity rating. Fire protection services are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the Mendocino Fire Protection District. The project was referred to CAL FIRE and Mendocino Fire Protection District, no response has been received from either agency at time of this staff report. **Condition 5** is recommended for the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction, which ensures any fire protection and hazard area policies or plans will be addressed. **Condition 12** is recommended to ensure the proposed development protects grading, erosion and runoff protection and hazard area policies as well as enhancing the adjacent wetland, creating new wetland habitat. **Condition 13** is recommended to ensure Best Management Practices (BMP's) will be implemented at the time of construction and protection measures recommended for the adjacent ESHA. Grading activities, including establishing and maintaining the proposed driveway and parking areas, shall comply with MCC Chapter 20.500 regulations.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN SIGNIFICANT IMPACT** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

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

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

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

a) **Less Than a Significant Impact:** The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The permanent structures proposed on-site would be constructed in accordance with the most recent standards set by all regulatory agencies, including but not limited to the County and state and local water quality control boards [State Water Resources

Control Board (SWRCB) and the North Coast Regional Water Quality Control Board (NCRWQCB)]. Best Management Practices (BMPs) should be implemented to ensure the project would not violate any water quality standards or waste discharge requirements. In addition, the preservation of existing vegetation, to the extent feasible, will help to filter potential pollutants from stormwater flows. The proposed development will have access to an existing on-site septic system (1722-D) serving the existing residence. The project includes the relocation of the existing septic tank to accommodate setbacks for the proposed addition to the single-family residence. Ground disturbance will occur at the time of the septic tank being relocated. A will serve letter from the Shorelands Road and Water District, dated April 2, 2024, confirms that the subject parcel will be provided provide water service in accordance with the bylaws of the Shorelands Road and Water Company and the Covenants, Conditions, and Restrictions (CC & R) of the Coast Highlands neighborhood. In addition, the project's on-site septic system would be installed in compliance with all standards and regulations. As a result, the proposed project would have a less than significant impact.

b) **Less Than a Significant Impact:** The subject parcel is situated within a Critical coastal groundwater area.[20] The proposed project includes constructing an addition to the existing single-family residence and associated structures. The subject parcel is Parcel 46 of Coastal Highlands Subdivision Unit No. 2 (Map 2, Drawer 3, Page 32 of Mendocino County Records) created in 1964. The proposed project would not substantially deplete groundwater supplies, or interfere substantially with groundwater recharge, as significant water use is not anticipated under the project. The proposed development will have access to an existing on-site septic system (1722-D) serving the existing residence. The project includes the relocation of the existing septic tank to accommodate setbacks for the proposed addition to the single-family residence, as shown on the *Revised Site Plan* map. A will serve letter from the Shorelands Road and Water District, dated April 2, 2024, confirms that the subject parcel will be provided provide water service in accordance with the bylaws of the Shorelands Road and Water Company and the Covenants, Conditions, and Restrictions (CC & R) of the Coast Highlands neighborhood.

c) **No Impact:** Due to the topography of the site, the parcel is accessed at the northeastern corner, from Fern Drive (CR 410A). The existing driveway includes a culverted tributary crossing. Slopes on the subject parcel are estimated between 0 and 14 degrees, where existing drainage slopes towards this tributary crossing, from both the north and the south sides of the parcel. The existing culvert at the driveway is not proposed for removal or replacement. The driveway's width will not be expanded, and the proposed deck repair at the north end of the residence will retain its original footprint. As proposed, grading and ground disturbance will occur at the time of construction of the proposed new bathroom, new hot tub with slab and the reconfiguration of the existing landscaping walls. The residence footprint and driveway configuration has been minimized in order to minimize the necessary increase in stormwater runoff from the project. These accommodations have been designed to mitigate for the proposed development as they are within the buffer area.

Although the existing drainage patterns of the site may be slightly altered through the addition of impervious surfaces associated with the permanent structures proposed on the site, the project would not result in substantial erosion or siltation on- or off-site as the project would be subject to Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30). Chapter 16.30 requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system (off-site). In addition, due to the small development footprint of the project, infiltration into the site's soils would continue, reducing the potential for increased peak runoff flow and removing potential pollutants from stormwater flow. As a result, the introduction of limited impervious surfaces and the slight modification to existing topography resulting from the development and driveway construction would not result in substantial erosion or siltation.

[20] Critical Groundwater Map.

The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Storm drainage infrastructure within the vicinity of the site is limited. Although development is proposed on-site, due to the proposed development footprint, site drainage would continue follow a natural flow pattern and infiltrate into the ground.

The project site is not located in a mapped flood zone area by FEMA, though there is a flood zone area noted along the bluff edge (farthest from the development). As a result, the project would not impede or redirect flood flows, and no impact would occur. There are no large bodies of water in close proximity that may result in a seiche affecting the parcel. As a result, the project would not risk the release of pollutants due to inundation, and no impact would occur.

As previously discussed, the project would be required to comply with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Hydrology and Water Quality.

5.11 LAND USE AND PLANNING

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

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

a) **No Impact:** The subject parcel is Parcel 46 of Coastal Highlands Subdivision Unit No. 2 (Map 2, Drawer 3, Page 32 of Mendocino County Records) created in 1964. Considering the project site is situated in an established residential area and adjacent to existing residential development, the low-density development would not physically divide an established community. Therefore, there will be no division of an established community as a result of the project.

b) **Less Than Significant Impact:** The proposed project is consistent with all policies of the Local Coastal Program of the General Plan, including Coastal Element Chapter 4.6 Jug Handle Creek to Russian Gulch Planning Area (includes Caspar), and the Mendocino County

Code, except Section 20.496.020(A)(1) relating to buffer widths from Environmentally Sensitive Habitat Areas (ESHA). However, environmental impacts for the project can be adequately mitigated through the conditions of approval or features of the project design so that no significant environmental impacts will result from this project. Therefore, adopting a Mitigated Negative Declaration is recommended. The Findings included with the project Staff Report address the mitigation measures proposed to offset impacts and evidence supporting the investment backed expectation of the applicant to develop the parcel with a single-family residence.

With the recommended avoidance and protection measures, development is expected to allow the habitat area to maintain functional capacity and to be self-sustaining to maintain natural species diversity. The proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **BIO-1, BIO-2 and BIO-3, BIO-4 and BIO-5 (Conditions 12, 13, and 15, 16, and 17)** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Land Use and Planning.

5.12 MINERAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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

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

a) **No Impact:** There are no known mineral resources within the project area that would be of value to the region or residents of the state. The project involves minor groundwork, but this is not expected to uncover any mineral resources. Any potential mineral resources located underneath the site would not be disturbed as a result of the project. No impact is expected to occur.

b) **No Impact:** There are no delineated locally important mineral resources within the project boundaries. Therefore, there would be no loss of availability of these resources and no impact is expected to occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Mineral Resources.

5.13 NOISE

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

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

a-b) **Less Than Significant Impact:** Construction of the residence and associated improvements, and use of construction equipment, would cause temporary increases in noise; however, these impacts would only be associated with construction, and would be temporary in nature. In addition, given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard building permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas have been included as conditions of approval. Upon build-out of the project, operational noise would be associated with use of the site for residential purposes. Due to the location of the project in a residential neighborhood, and the proposed addition to the existing single-family residence is a principally permitted use, it is determined that a less than significant impact would occur.

c) **No Impact:** The proposed project is not located within an airport zone or within the vicinity of a private airstrip; therefore, there is no possible exposure of people to excessive noise due to project location.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Noise.

5.14 POPULATION AND HOUSING

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

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

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

a, b) **No Impact:** The proposed project to construct an addition to the existing single-family residence, including a new bathroom, deck, porch, entry gates, new hot tub with slab and landscaping walls. The request also includes the replacement of the entry stairway, reconfiguration of the existing landscaping walls, parking and fencing would not induce substantial unplanned population growth in an area, either directly or indirectly. The subject parcel is Parcel 46 of Coastal Highlands Subdivision Unit No. 2 (Map 2, Drawer 3, Page 32 of Mendocino County Records) created in 1964. The proposed development would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement housing anywhere. The proposed development would not directly or indirectly induce demand for roads or other infrastructure. Therefore, the proposed development would have no impact to Population and housing.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Population and Housing.

5.15 PUBLIC SERVICES

WOULD THE PROJECT result in substantial adverse Physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

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

DISCUSSION: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area[21]. Fire protection services are provided by the State Responsibility Area (California Department of Forestry and Fire Protection (CAL FIRE) and Local Responsibility Area, depending on location. Police protection services within the unincorporated area of the County is provided by the Mendocino County Sheriff's Office. Thirteen school districts and two community college districts serve Mendocino County. Each school district comprises various numbers of traditional public schools, charter schools, preschools, adult education, and special training opportunities. Some children in the northwestern part of the county may attend schools operated by the Southern Humboldt Unified School District in Humboldt County.

a-e) **No Impact:** The proposed project to construct an addition to the existing single-family residence and new accessory uses, including a new bathroom, deck, porch, entry gates, new hot tub with slab and landscaping walls, as well as the replacement of the entry stairway, reconfiguration of the existing landscaping walls, and improvements to the existing parking, fencing and driveway, would not result in substantial adverse physical impacts on fire protection, police protection, schools, schools, parks, or other public facilities. The subject parcel is serviced by the Mendocino Fire Protection District, Mendocino County Sheriff's Office, and Shorelands Road and Water District, and Mendocino Unified School District, and having access from Fern Drive (CR 410A). There are no elements of the proposed project that would impact the ability of the County, or other local services providers, to provide public services to the site or local community Therefore, no impact to public services will occur as a result of the project.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Public Services.

5.16 RECREATION

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

[21] Mendocino County General Plan - Chapter 3 - Development Element

DISCUSSION: The County of Mendocino manages a variety of public recreation areas including the Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion's Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of national and state parks, reserves, other state protected areas[22] used for the purpose of recreation throughout Mendocino County. Other public recreation sites along the coast are the Wildlife Conservation Board fishing or boating access points at Kibesillah, Noyo, and Navarro, and the Caltrans Chadbourne Gulch scenic easement. There are multiple private campgrounds in the coastal zone, some of which have shoreline access (Wages Creek, Doyle Creek, Albion Flat, Anchor Bay, Gualala River Redwood Park)[23].

a-b) **No Impact:** The site is located on the south side of Fern Drive (CR 410A), west of Point Cabrillo Drive (CR 564) and west of SR 1. The subject site is mapped within the *Jughandle Creek to Russian Gulch Planning Area, includes Caspar*, per Coastal Element Section 4.6 for Land Use Plan Descriptions and Policies. There is one (1) existing public access to the shore within 0.5 miles of the subject parcel, the *Point Cabrillo Alternative Coastal Trail,* approximately 800 feet east, parallel with Point Cabrillo Drive (CR 564), as shown on the *LCP Land Use Map 15: Caspar* map. The *Point Cabrillo Alternative Coastal Trail* is described as a trail running parallel along Point Cabrillo Drive (CR 564), the Old Highway 1, now Point Cabrillo Drive (CR 564), connecting Caspar Creek to Russian Gulch as well as connecting Caspar-Little Lake Road (CR 409) and the Cross - California Ecological Trail Corridor. This trail's purpose is to provide an alternative to State Route 1 (SR 1) for cyclists. The proposed development is just west of and does not result in obstructions or increased uses with the *Point Cabrillo Alternative Coastal Trail*. There is no evidence of prescriptive access on the site. The project will have no impact on public access or recreation in the area, nor will it require the construction of new or expanded facilities which could cause an adverse impact on the environment. The project does not include construction of recreational facilities, and any population growth caused by the project would not require expansion or construction of new recreational facilities. Therefore, no impact to recreational facilities will occur as a result of the project.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **NO IMPACT** on Recreation.

5.17 TRANSPORTATION

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

DISCUSSION: The unincorporated areas of Mendocino County are served by state highways, county roads, and private roads. City streets are under the jurisdiction of the cities of Ukiah, Fort Bragg, Willits, and Point Arena. Under the California Department of Transportation (Caltrans) jurisdiction, the state highway network provides interstate, interregional, and intra-county linkages. Highways in the state system include U.S. Highway 101 and State Routes (SR) 1, 20, 128, 162, 175, 222, 253, and 271. The

[22] https://www.mendocinocounty.gov/departments/general-services/parks
[23] Coastal Element Chapter 3.7 - Recreation and Visitor Serving Facilities

County-maintained road system augments the state highway system to serve the unincorporated areas of the county. The system is primarily a network of two-lane roads for the vehicular movement of goods and people and provides facilities (such as sidewalks and bicycle lanes) for non-motorized traffic. Roads in the County road system include prescriptive rights or property offered to the County for public road purposes. Not all public roads are in the County-maintained road system; unless the County accepts responsibility for maintenance, these roads are maintained by property owners or other entities.[24] Coastal Element Policies 3.5-9, 3.8-1 and 3.8-2, as well as MCC Section 20.516.015 regulations require availability of access shall be considered when reviewing applications for development permits. The Land Use Maps indicate several shoreline access or circulation features: existing shoreline access, proposed shoreline and blufftop access, view turnout, proposed road alignment, inland pedestrian and equestrian trails and bicycle lanes.[25] It is expected that construction of any project will result in a slight increase in traffic to and from the site, as construction workers arrive and leave the site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the site. Once construction is complete, these workers would no longer be required at the site.

a) **No Impact:** The subject parcel is accessed via Fern Drive (CR 410A). Fern Drive provides access to approximately thirteen (13) parcels. As the site is currently developed and the proposed project does not increase density or residential use activity, there will not be an increase in traffic to and from the site for any future development of the land. While the project would contribute incrementally to traffic volumes on local and regional roadways, such incremental increases were considered when the land use designations were assigned to the site. The development proposed on-site is not expected to significantly impact the capacity of the street system, level of service standards established by the County, or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as a substantial increase in traffic trips or use of alternative transportation facilities is not anticipated.

The proposed project was referred to California Department of Fire & Forestry Protection (CAL FIRE) and Mendocino County Department of Transportation (MC DOT). MC DOT provided a recommendation for the applicant to obtain an encroachment permit for any work within County right-of-way. CAL FIRE did not respond to the referral of this application.

The project would not contribute a significant amount of new traffic on local and regional roadways. Construction of an addition to an existing single-family residence, accessory uses and appurtenant structures and utilities is not anticipated to generate a significant amount of additional traffic beyond what presently exists. Solid waste service is available either as curbside pick-up or at the Caspar Transfer Station (several miles away). The infrastructure necessary for electrical, telecommunications, and water supply and on-site septic systems will be installed as part of the proposed project. The project may result in minimal population growth, however existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas. It is expected that construction of any project will result in a slight increase in traffic to and from the site, as construction workers arrive and leave the site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the site. Once construction is complete, these workers would no longer be required at the site. Therefore, no impact to transportation facilities will occur as a result of the project.

b) **Less Than a Significant Impact:** A significant impact may occur if a project's vehicle miles traveled (VMT) substantially increase compared to existing VMT. SB 743 updates the way transportation impacts are measured in California for new development projects. This change will help California achieve climate commitments, preserve the environment, and improve health and safety. Among the changes to the guidelines was the removal of vehicle delay and level of service (LOS) from consideration for transportation impacts under CEQA. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on

[24] Mendocino County General Plan Chapter 3 (Development Element) subsection 39 (Transportation Systems Overview)
[25] Coastal Element Chapter 2 – The Land Use Plan

VMT. Under SB 743, over 50 percent of development within the state could forego transportation analysis and mitigation entirely. Development projects that can forego transportation analysis include affordable housing, housing within ½ mile of transit, and housing projects generating fewer than 110 trips per day. However, the proposed project would not increase the density of the neighborhood. Therefore, the proposed project would have a less than significant impact to transportation facilities.

c) **Less Than a Significant Impact:** The proposed project is not anticipated to substantially increase hazards due to design features or incompatible uses. The proposed development was referred to California Department of Fire & Forestry Protection (CAL FIRE) and Mendocino County Department of Transportation (MC DOT) for compliance with all standards and requirements, to ensure the project, as designed, would not increase hazards due to a geometric design feature. Mendocino County Department of Transportation (MC DOT) provided a recommendation for the applicant to obtain an encroachment permit for any work within County right-of-way. CAL FIRE did not respond to the referral of this application. Therefore, the proposed project would have a less than significant impact to transportation facilities.

d) **No Impact:** As previously stated, the subject parcel is accessed via Fern Drive (CR 410A). Fern Drive provides access to approximately thirteen (13) parcels. As the site is currently developed and the proposed project does not increase density or residential use activity, there will not be an increase in traffic to and from the site for any future development of the land. The proposed project will not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, no impact to transportation or emergency facilities will occur as a result of the project.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Transportation.

5.18 TRIBAL CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☐	☒	☐
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation[26] and 1984 regional synthesis.[27] This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

a) **Less Than Significant Impact:** In accordance with Coastal Element Policy 3.5-10 and MCC Chapter 22.12, the proposed development was referred to Northwest Information Center (NWIC) and the Mendocino County Archaeological Commission (ARCH).

On August 17, 2023, NWIC responded, "*This office has no record of any previous cultural resource studies for the proposed project area. Based on an evaluation of the environmental setting and features associated with known sites, Native American resources on this part of Mendocino County have been found along the coastal bluffs and margins near the coast, inland near intermittent and perennial watercourses, as well as near a variety of plant and animal resources. The proposed project area is located in a generally flat coastal terrace adjacent to or containing an intermittent stream. Given the similarity of these environmental factors and the archaeological sensitivity of the area, there is a moderate potential for unrecorded Native American resources in the proposed project area. We therefore recommend that a qualitied archaeologist conduct further archival and filed study of the project area to identify cultural resources.*"

The applicant submitted an Archaeological Survey prepared by William Cull, dated September 10, 2023. The survey was accepted with recommendations for approval by the Mendocino County Archaeological Commission, on October 12, 2023, advising the applicant of the "Discovery Clause." The "Discovery Clause" prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

The project was referred to three local tribes for review and comment, Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As of this date, no response was received from the tribes. A less than significant impact would occur with the standard zoning code requirements being applicable to the site.

[26] Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California,* UC Davis
[27] Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Tribal Cultural Resources.

5.19 UTILITIES AND SERVICE SYSTEMS

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

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

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

Mendocino County's Development Goal DE-21 (Solid Waste) states: *Reduce solid waste sent to landfills by reducing waste, reusing materials, and recycling waste.* Solid Waste and Hazardous Waste and Material Management Policy DE-201 states the County's waste management plan *shall include programs to increase recycling and reuse of materials to reduce landfilled waste.* Mendocino County's Environmental Health Division regulates and inspects more than 50 solid waste facilities in Mendocino

County, including: 5 closed/inactive municipal landfills, 3 wood-waste disposal sites, 2 composting facilities, and 11 transfer stations.

a-e) **Less Than a Significant Impact:** Coastal Element Policies 3.5-9, 3.8-1 and 3.8-2, as well as MCC Section 20.516.015 regulations require availability of water and sewage disposal system and other known planning factors, including access, shall be considered when reviewing applications for development permits. The project site is located within a mapped Critical Water Resources Area. The project site is developed with a single-family residence, established landscaping, connection to utilities, and a driveway, an on-site septic system, and has an established connection to a private water district, Shorelands Road and Water District. The proposed project was referred to Mendocino County Division of Environmental Health (DEH) to review impacts to water and septic, where DEH responded with recommendations for the proposed development to submit additional information to DEH, including a three-bedroom septic permit (1722-D) and a well to be reflected on the site plan. The proposed development will have access to an existing on-site septic system (1722-D) serving the existing residence. The project includes the relocation of the existing septic tank to accommodate setbacks for the proposed addition to the single-family residence. A will serve letter from the Shorelands Road and Water District, dated April 2, 2024, confirms that the subject parcel will be provided provide water service in accordance with the bylaws of the Shorelands Road and Water Company and the Covenants, Conditions, and Restrictions (CC & R) of the Coast Highlands neighborhood. The project would not contribute a significant amount of new 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. Construction of an addition to an existing a single-family residence, accessory uses and appurtenant structures and utilities is not anticipated to generate a significant amount of additional traffic beyond what presently exists. Solid waste service is available either as curbside pick-up or at the Caspar Transfer Station (several miles away). The infrastructure necessary for electrical, telecommunications, and water supply and on-site septic systems will be installed as part of the proposed project. The project may result in minimal population growth, however existing governmental facilities are adequate to provide service both to the project site and elsewhere within respective service areas. The proposed development was referred to California Department of Fire & Forestry Protection (CAL FIRE) and Mendocino County Department of Transportation (MC DOT). MC DOT provided a recommendation for the applicant to obtain an encroachment permit for any work within County right-of-way. CAL FIRE did not respond to the referral of this application. The project would have sufficient water supplies available year-round. The project would not require or result in the relocation or construction of new or expanded water or natural gas facilities. The project would not require a connection to stormwater drainage and electric power and would not cause significant environmental effects. The project is anticipated to comply with federal, state, and local waste management. Therefore, a less than significant impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Utilities and Service Systems.

5.20 WILDFIRE

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

DISCUSSION: The County of Mendocino County adopted a *Mendocino County Operational Area Emergency Operations Plan* (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the County's website, the County EOP, which complies with local ordinances, state law, and stated and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within the County. The purpose of the County EOP is to "*facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies*".[28]

The Mendocino County Community Wildfire Protection Plan (CWPP), updated in May of 2025, was developed through a collaborative effort by a core team comprised of federal, state, and local agencies, organizations, tribal representatives, and residents. It offers a comprehensive hazard assessment, project recommendations, and background information on the community's wildland fire environment, including relevant land management plans and agencies. The primary objective of this CWPP is to enhance local communities' wildfire mitigation capacity by facilitating collaboration with government agencies. This collaboration aims to identify high-risk areas and prioritize efforts in mitigation, fire suppression, and emergency preparedness. Additionally, the CWPP seeks to increase public awareness regarding both natural and human-caused wildland fire risks to lives, safety, and the local economy.[29]

PRC 4201 - 4204 and Govt. Code 51175-89 direct the California Department of Forestry and Fire Protection (CAL FIRE) to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones (FHSZ), define the application of various mitigation strategies to reduce risk associated with wildland fires. CAL FIRE is remapping Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Very High Fire Hazard Severity Zones (VHFHSZ) in Local Responsibility Areas (LRA) to provide updated map zones, based on new data, science, and technology. This specific dataset provides DRAFT boundaries for Very High FHSZs within LRA lands.[30] Since these zones were the result of a model that considers influence of fire behavior and embers from adjacent lands, zones for SRA and FRA lands are included to assist in understanding the hazard zoning on LRA lands.

a) **No Impact:** The project involves construction of an addition to an existing single-family residence on a developed parcel located with eh Coast Highlands Subdivision Unit No. 2 (Map 2, Drawer 3, Page 32 of Mendocino County Records). The project site is accessed

[28] County Plans - MendoReady
[29] County Plans - MendoReady
[30] Fire Hazard Severity Zone Viewer - LRA

via county road directly from Fern Drive (CR 410A) and is not expected to interfere with existing evacuation routes and is not located on property identified for use as part of an emergency response plan. The site is mapped as a "Very High Fire Hazard" area and is located within a State Responsibility Area and the Mendocino Fire Protection District. The project would secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any emergency facilities and emergency policies or plans will be addressed. Therefore, no impact to emergency facilities will occur as a result of the project

b) **Less Than Significant Impact:** wildfire risks due to slope, prevailing winds, and other factors, are not expected to be exacerbated as a result of the proposed project. The existing residence is situated at the rear and southern portion of the parcel and is a split-level structure, where the lower level of the structure is crawl space and a 2-car garage with the residence located at the upper level (main level of the structure). The parcel is accessed at the northeastern corner, from Fern Drive (CR 410A). The existing driveway includes a culverted tributary crossing. The natural terrain of the parcel includes slopes between 0 and 14 degrees, where existing drainage slopes towards this tributary crossing, from both the north and the south sides of the parcel. The project would require compliance with CalFire's Fire Safe Regulations to ensure adequate fire protection measures and access. As a result, a less than significant impact would occur.

c) **Less Than Significant Impact:** The project site is developed with a single-family residence, established landscaping, connection to utilities, and a driveway, an on-site septic system, and has an established connection to a private water district, Shorelands Road and Water District. The developed footprint is not significant in size, and during infrastructure installation and associated maintenance, appropriate Best Management Practices (BMPs) would be implemented. A less than significant impact would occur.

d) **Less Than Significant Impact:** The proposed project would not expose people or structures to significant risks including downslope or downstream flooding, landslides, as a result of runoff, post-fire slope instability, or drainage challenges, as the site is relatively level and located in a rural area with similar residential development on surrounding parcels. A less than significant impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **LESS THAN SIGNIFICANT IMPACT** on Wildfire.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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).	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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

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

a) **Less Than Significant With Mitigation Incorporated:** The project, as proposed, would create temporary impacts to biological resources. With the incorporation of mitigation measures **BIO-1** through **BIO-5**, the project would induce a less than a significant impact. The project would not substantially degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels. A *Biological Scoping Survey Report*, prepared by Wynn Coastal Planning and Biology (WCPB), dated June 15, 2023, and is kept on file with the Mendocino County Department of Planning & Building Services. The *Biological Scoping Survey Report* identified three types of presumed Environmentally Sensitive Habitat Area (ESHA) within the study area, which are an intermittent stream, Bishop pine forest and red alder – cascara buckthorn scrub riparian habitat. In summary, the proposed project cannot be found consistent with LCP polices relating to ESHA; however, the proposed project is the least damaging alternative and the proposed mitigation and restoration measures recommended in **BIO-1, BIO-2 and BIO-3, BIO-4 and BIO-5 (Conditions 12, 13, and 15, 16 and 17)** will address the impacts to ESHA. These measures will mitigate the impact of the proposed development and restore and enhance ESHA located on the parcel. Primary concerns center on the fact that the project may result in impacts associated with biological resources that

would be significant if left unmitigated. However, implementation of mitigation measures and conditions recommended by Staff and consulting agencies would fully mitigate all potential.

b) **Less Than Significant Impact:** No cumulative impacts have been identified as a result of the proposed project. Individual impacts from the project would not significantly contribute to cumulative impacts in the area. A less than significant impact would occur.

c) **Less than Significant Impact:** As mitigated and conditioned, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings either directly or indirectly. Potential environmental impacts associated with approval of the project have been analyzed, and all potential impacts can be reduced to a less-than-significant level.

MITIGATION MEASURES: None beyond those described elsewhere in this document.

FINDINGS: The proposed project would have a **Less than Significant Impact with Mitigation Incorporated** on Mandatory Findings of Significance