



INITIAL STUDY AND NEGATIVE DECLARATION

SCH: TBD

FOR
**MENDOCINO REDWOOD COMPANY, LLC
REZONE**

**APNs: 121-020-10, -15, -16; 121-030-03, -24; 121-
120-17; 121-320-03; and 121-330-01**

File No. R_2025-0002

LEAD AGENCY:

County of Mendocino
Department of Planning & Building Services
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March 13, 2026

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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 Initial Study (IS) has been prepared as documentation for a Negative Declaration (ND) for the proposed project as detailed below in the Project Description. This Initial Study 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 IS/ND 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:	R_2025-0002
OWNER/APPLICANT:	Mendocino Redwood Company, LLC PO Box 996 Ukiah, CA 95482
AGENT:	John W. Kuhry PO Box 996 Ukiah, CA 95482
PROJECT LOCATION:	Amendment of the Local Coastal Program (LCP), including the coastal zoning map, to change the zoning district of eight (8) Assessor's Parcel Numbers (APNs) from Timberland Production (TP) to Forest Lands (FL).
TOTAL ACREAGE:	569± Acres
GENERAL PLAN:	Forest Lands (FL)

ZONING:**Timberland Production (TP)**

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15071, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests an amendment of the Local Coastal Program (LCP), including the coastal zoning map, to change the zoning district of eight (8) Assessor's Parcel Numbers (APNs) from Timberland Production (TP) to Forest Lands (FL). MRC has stated that the purpose of the request is to *"(1) understand and undertake a TPZ rollout and (2) the potential for Higher Best Use of the property, which would be residential/ranchette development"*. MRC has requested rezoning pursuant to GOV Section 51120(d), which provides that the new zoning district would become effective ten (10) years from the date of approval. MRC has states that they *"don't have a defined project in mind at [the] moment, but will have on[e] in ten years."*

The property lies on a coastal ridge and is mostly comprised of coniferous trees such as redwood and Douglas fir. The forest was initially clearcut in the late 1800s and thinned or clearcut again in the 1980s or 1990s prior to MRC ownership. In 2012, MRC harvested groups of trees up to 2.5 acres in area which created forest openings that are now occupied by approximately 12-year-old redwood and Douglas fir trees. Some portions of the property contain Mendocino Cypress woodlands and Bishop pine forests associated with the "pygmy" forest. The property is accessed primarily from Little River Airport Road (CR 404) via State Route 1 (SR 1). The property contains several internal logging roads. The property abuts the Little River Airport to the east. The property is within the Little River watershed. Several watercourses occur on the site, including Schoolhouse Creek and Buckhorn Creek.

Any future "development", as defined in Mendocino County Code Section 20.308.035, requires the issuance of a Coastal Development Permit (CDP) unless specifically exempt under Section 20.532.020. CDPs are discretionary permits issued by the Mendocino County Department of Planning & Building Services. As such, CDPs are subject to CEQA and individualized CEQA determinations must be made for each CDP. Reasonably foreseeable future development may include development within the FL zoning district that is not otherwise allowable within the TP zoning district. The following use types are not permitted within TP, but are conditionally permitted uses in FL:

- a. Family Residential: Cluster Development
- b. Cemetery Services
- c. Agricultural Sales & Services
- d. Animal Sales & Services
- e. Commercial Recreation: Outdoor Sports & Recreation
- f. Packing and Processing: Fisheries Byproducts
- g. Onshore Oil and Gas Development Facilities

Light Agriculture is a conditional use within TP, but is a principal permitted use in FL. No other changes to permitted use types would occur.

California Code of Regulations (CCR) Title 14 Section 1104.1 allows up to three (3) acres of timberland to be converted to non-timber uses without a Timberland Conversion Permit or a Timber Harvest Plan. CCR Title 14 Section 1108 requires a Timberland Conversion Permit for the conversion of coastal commercial timberland to uses other than the growing of timber. Conversions of such timberland are limited to providing for necessary timber processing and related facilities. However, upon appeal, the Board of Forestry & Fire Protection may approve a conversion for other than necessary timber processing and related facilities only if all of the following conditions are met:

- (a) *Such conversion will not introduce new uses or significantly intensify existing uses that are incompatible with timber growing on areas adjacent to the area proposed for conversion, or that have a substantial adverse impact on coastal resources, as determined by the Director; and*
- (b) *The area proposed for conversion is in a unit of noncommercial size as determined by the California State Coastal Commission or the zoning in a certified local coastal plan; and*

(c) The conversion complies with all other applicable laws, Rules, and regulations.

Because each lot is a unit of commercial size (at least 40 acres) and is within the Coastal Zone, the subject timberland could not be converted to uses other than those necessary for timber processing and related facilities, unless otherwise exempt under Section 1104.1.

SURROUNDING LAND USES AND SETTING: The property is bordered by a Rural Residential 5-Acre Minimum (RR-5) zoning district to the north and east, which is primarily comprised of residential uses. Public Facility (PF) and Forest Land (FL) zoning districts lie to the east, comprised of the Little River Airport owned by the County of Mendocino and private residential uses. Remote Residential (RMR), Rural Residential 10-Acre Minimum (RR-10), and RR-5 districts lie to the south and are primarily comprised of residential uses. RMR, Timberland Production (TP), and RR-5 districts lie to the west and are comprised of timberlands and residential uses.

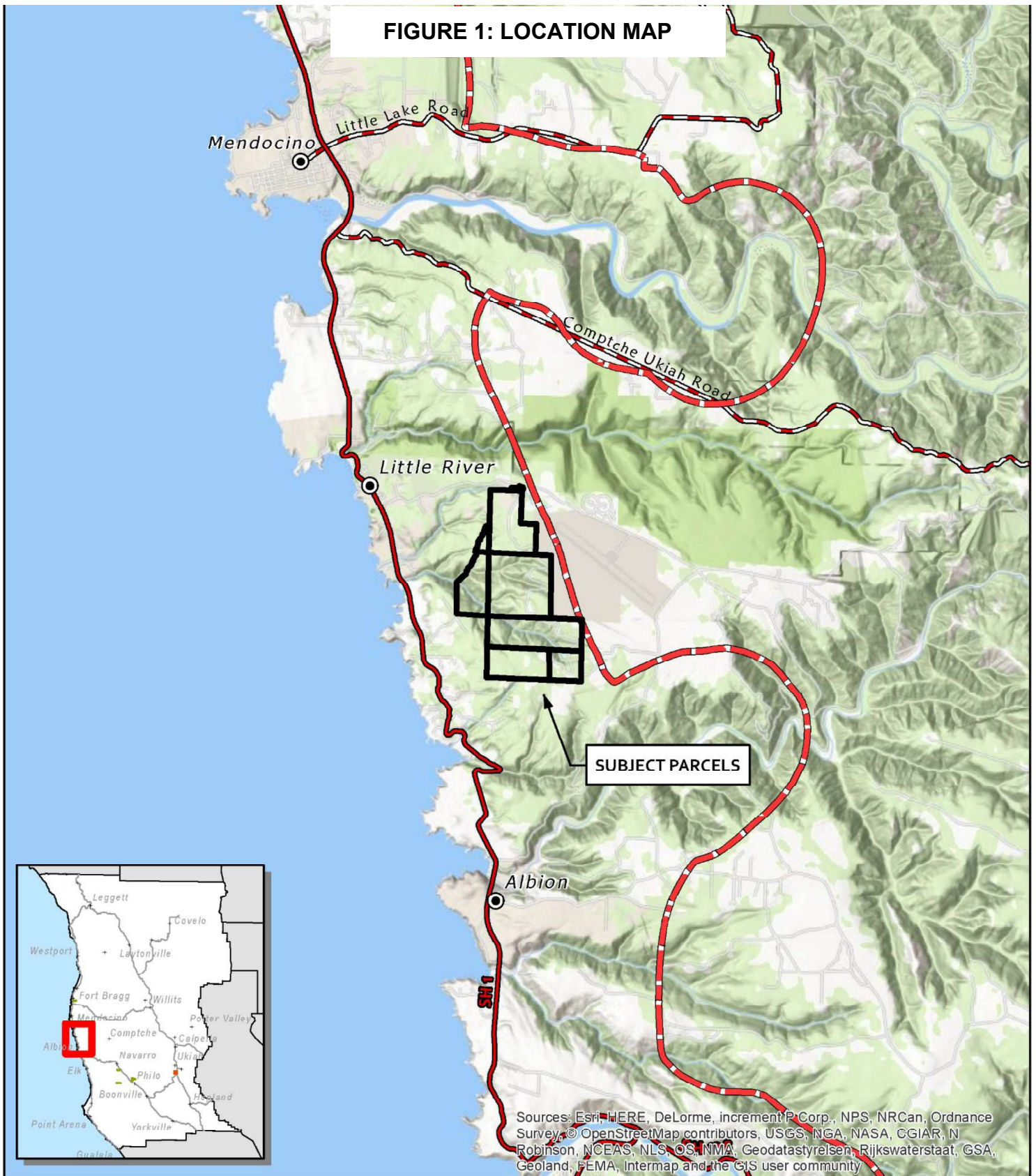
Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): California Coastal Commission certification is required for the proposed amendment of the Local Coastal Program.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §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 Public Resources Code (PRC) §21080.3.1, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The following tribes were notified on December 12, 2025: Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. Valerie Stanley, the Tribal Historic Preservation Office (THPO) for the Sherwood Valley Band of Pomo Indians responded on January 8 with no comment on the project. No other tribes responded.

ZONING MAP: See Page 5 of this document.

FIGURE 1: LOCATION MAP



CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

Major Towns & Places
 Major Roads
 Coastal Zone Boundary
 Highways

0 2,800 5,600 Feet
 0 0.5 1 Miles
 1:63,360

LOCATION

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

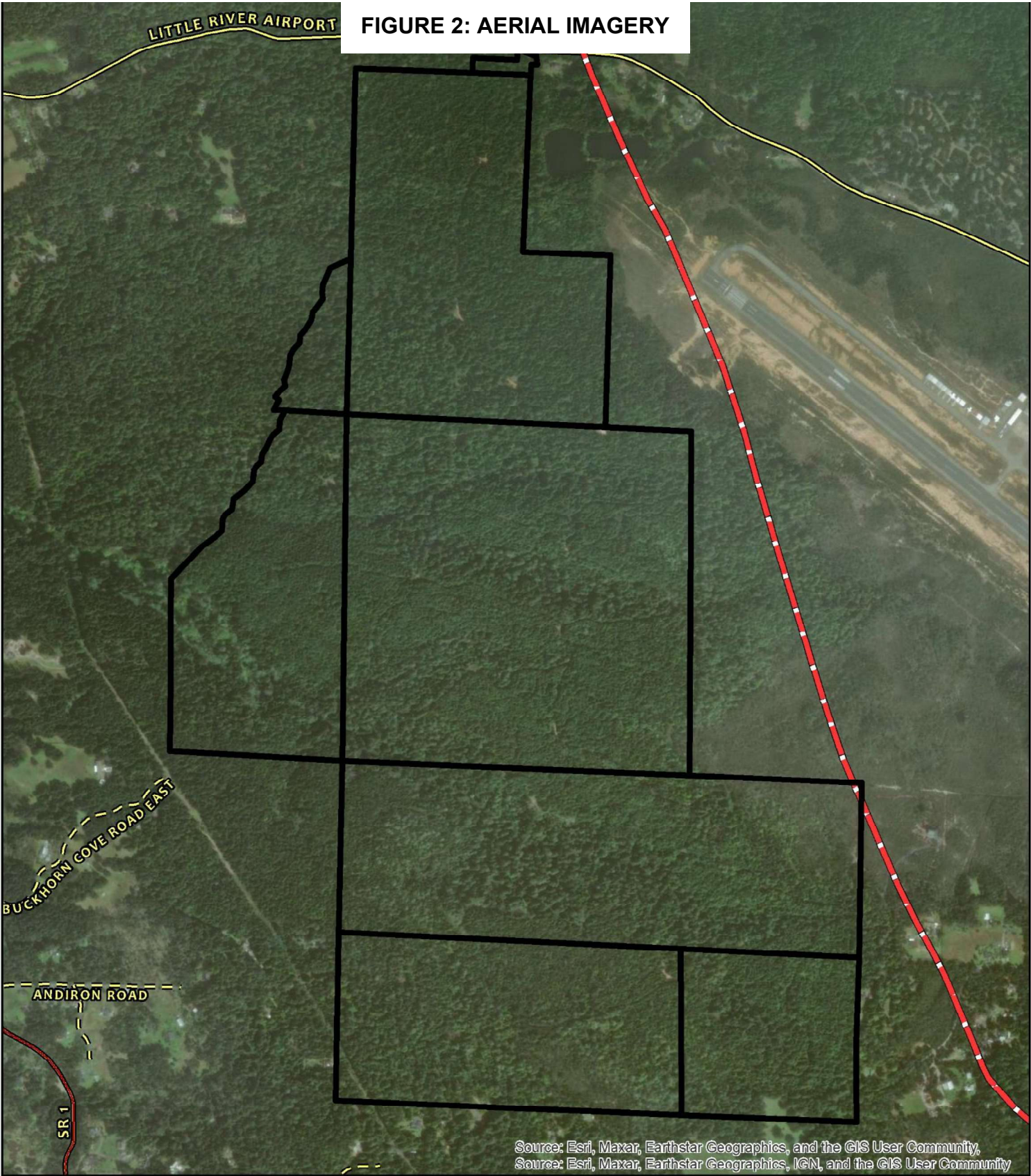
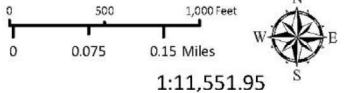


FIGURE 2: AERIAL IMAGERY

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community.
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

CASE: **R 2025-0002**
OWNER: **Mendocino Redwood Company, LLC**
APN: **Various**
APLCT: **Mendocino Redwood Company, LLC**
AGENT: **John W. Kuhry**
ADDRESS: **None**

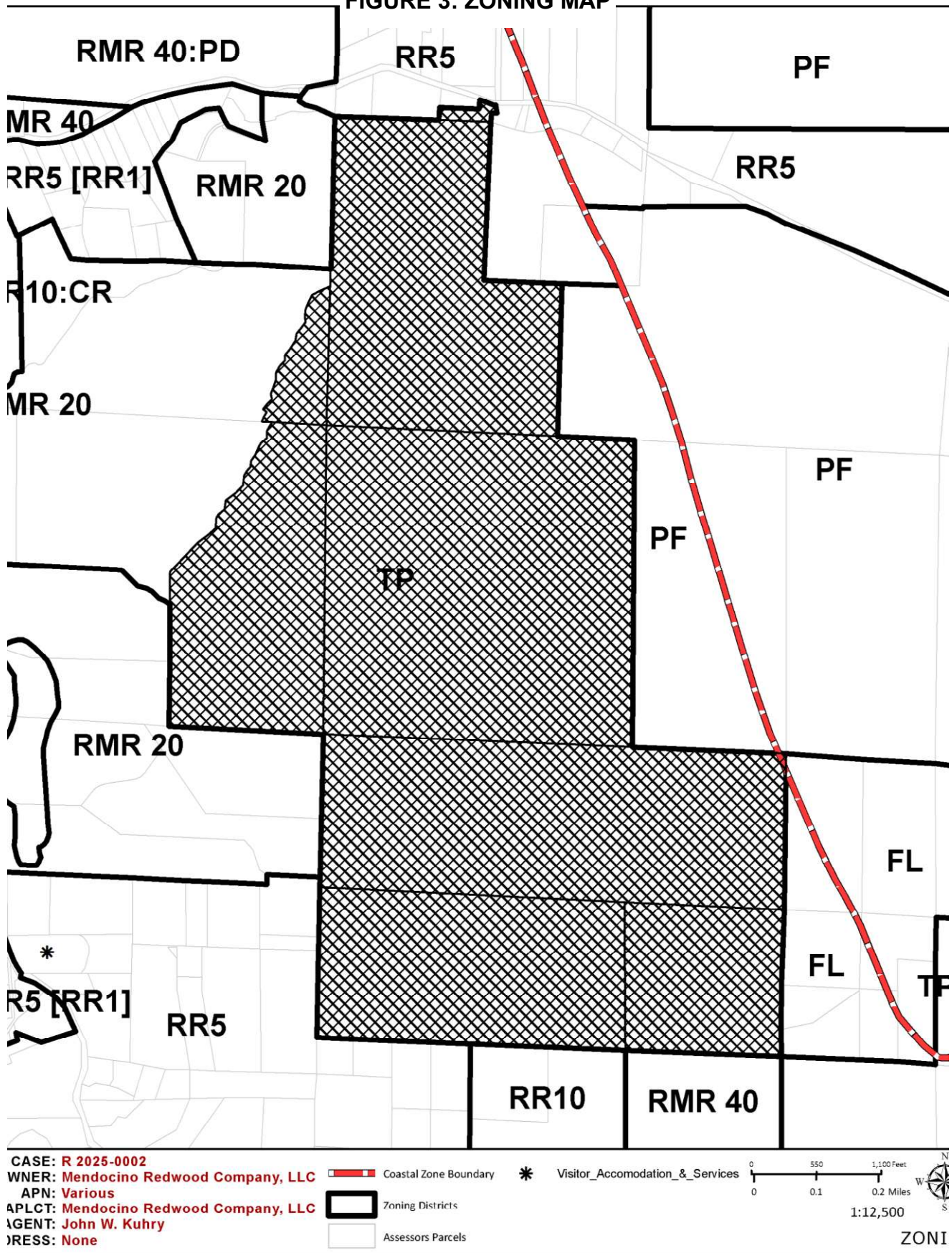
Coastal Zone Boundary Private Roads
Highways (2017)
Public Roads



1:11,551.95
AERIAL IMAGERY

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

FIGURE 3: ZONING MAP



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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

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 / 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.

Liam Crowley
Signature

Liam Crowley
Printed Name

March 13, 2026
Date

Planner III
Title

ENVIRONMENTAL CHECKLIST

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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: The County of Mendocino (County) is a predominately rural county, with most of the land in forest or agricultural production, both of which are considered open spaces that add to the quality of life of the County's residents and attract tourists.¹ 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*.² The California 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. SR 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 SR 1 in the County, the portion of U.S. Route 101 (US 101) near city of Marin and Leggett, all of State Route 20 (SR 20), and all of State Route 128 (SR 128) are listed as "eligible".³

No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.⁴ Additionally, the County has two roadway segments designated as "heritage corridors" by California Public Resources Code Section 5077.5.⁵ The North Coast Heritage Corridor includes the entire

¹ Resource Management Element of the Mendocino County General Plan dated August 2009

² California Code, Streets and Highways Code, SHC § 260 (2025).

³ California Code, Streets and Highways Code, CA SCH §263.1 to 263.8 (2023).

⁴ U.S. Department of Transportation. Federal Highway Administration. *National Scenic Byways & All-American Roads*. Retrieved from <https://fhwaapps.fhwa.dot.gov/bywaysp/States/Show/CA>

⁵ California Public Resources Code §5077.5. (January 1, 2025).

segment of SR 1 in the County, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It includes the entire segment of SR 20 within the County and the segment of US 101 from the SR 20 junction north of Calpella to the SR 20 highway exit south of Willits.

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. Census⁶, 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.

Chapter 3.5 of the Coastal Element provides that the *Mendocino's coast includes beaches, dunes, high bluffs, sea stacks, jutting headlands, wetlands, heavily wooded gulches, grassy upland terraces, pygmy forests, serene river estuaries and rocky streams. Several 19th century villages, each with a distinct character, complement the natural landscape. The beauty and accessibility of the Mendocino coast have made it a heavily used tourist and recreational area. The Mendocino coast attracts people to sightsee. Scenic resources are the basis of the coast's tourist and retirement economies as well as a source of continuing pleasure for residents.*

The Resource Management, Coastal, and Development Elements of the Mendocino County General Plan provide policies and goals to govern scenic quality within the County. Mendocino County General Plan Community - Specific Policies⁷ 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.* Several policies are pertinent to Highly Scenic areas in the coastal zone, Town of Mendocino, and other Special Communities. Relevant General Plan policies are included below:

- Policy DE-85: *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.*
- Goal RM-14: *Protection of the visual quality of the county's natural and rural landscapes, scenic resources, and areas of significant natural beauty.*
- Goal RM-15: *Protection of the qualities of the county's nighttime sky and reduced energy use.*

DISCUSSION:

- a) **No Impact:** No direct impacts would occur because no physical development is proposed as part of the rezone. Indirect impacts may occur if reasonably foreseeable future development would substantially adversely affect a scenic vista. However, the site does not contain a scenic vista and is not part of the view from an off-site scenic vista. The site is visually buffered from publicly accessible areas along State Route 1 and Little River Airport Road (CR 404) by other timberlands and slopes east of State Route 1. The site itself is not publicly accessible.
- b) **No Impact:** No direct impacts would occur because no physical development is proposed as part of the rezone. No indirect impacts would occur because the property is not within a state scenic highway.

⁶ US Census Bureau Urban and Rural Guidance. 2020. <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>

⁷ Mendocino County General Plan Chapter 6: Community - Specific Policies. August 2009.
<https://www.mendocinocounty.gov/home/showpublisheddocument/5236/636242320402030000>

- c) **No Impact:** The property is within a nonurbanized area. No direct impacts to the existing visual character or quality of public views of the site and surroundings would occur because no physical development is proposed. Reasonably foreseeable future development, such as the development of Cemetery Services, may result in the conversion of on-site timberlands to non-timber uses. The conversion of timberlands to non-timber uses may result in impacts to visual character or public views if non-timber uses would be exposed to public view, which may be of less visual quality than uninterrupted views of timberland. The site is visually buffered from publicly accessible areas along State Route 1 and Little River Airport Road (CR 404) by other timberlands and slopes east of State Route 1. The site itself is not publicly accessible. As noted in the Project Description section above, California Code of Regulations Title 14 Sections 1104.1 and 1108 allow a maximum of 3 acres of timberland to be converted to non-timber uses unless the conversion provides for necessary timber processing and related facilities. As such, future conversion of timberlands for newly allowable uses in the FL zoning district that were not allowable in the TP zoning district would be limited to a maximum of 3 acres. The maximum 3-acre conversion requirement is applicable regardless of the non-timber use type that is proposed. As such, the amount of timberland that may be converted to non-timber uses would not increase due to the proposed rezoning. Therefore, no impact would occur.
- d) **No Impact:** No direct impacts would occur because no physical development is proposed. Indirect impacts could occur if reasonably foreseeable future development would create a new source of substantial light or glare. However, it is not reasonably foreseeable to what extent newly allowable uses within the FL zoning district, such as Cemetery Services or Commercial Recreation: Outdoor Sports and Recreation, may create new sources of substantial light or glare until such uses are proposed and external lighting plans, building material plans, or other information is submitted that indicates whether new sources of light or glare may be installed. Because such development would be a conditionally permitted use in FL that would require the issuance of a Coastal Development Use Permit, such uses would be subject to existing LCP requirements for exterior lighting, including Mendocino County Code Section 20.504.035, which establishes exterior lighting regulations, including a requirement that lights “*shall be shielded or shall be positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel on which it is placed*”. The issuance of Coastal Development Use Permits would require individualized CEQA determinations regarding potential aesthetic impacts and would afford the opportunity to condition permits such that significant, unforeseen aesthetic impacts may be mitigated.

MITIGATION MEASURES: None

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: The 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. Each map is updated at approximately two-year intervals. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called "Prime Farmland". Other critical designations including "Unique Farmland" and "Farmland of Statewide Importance." The most recent map covering Mendocino County was published in 2018.

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. 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 would not be subject to use conflicts with neighboring lands.

Several zoning districts established by the Mendocino County Zoning Ordinance allow for agricultural uses. The Zoning Ordinance also establishes use types which are allowable by-right and conditionally in each zoning district. A zoning conflict may occur if a use is proposed which is not allowable in the corresponding zoning district. Mendocino County has adopted Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, which were most recently amended in 2018. Among the policies and procedures are regulations concerning compatible and incompatible uses on lands under a Williamson Act contract.

Public Resources Code (PRC) Section 12220(g) defines "forest land" as *land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.*

PRC Section 4526 defines "timberland" as *land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.* In this definition, "board" refers to the California Board of Forestry and Fire Protection.

Government Code Section 51104(g) defines "Timberland production zone" (TPZ) as *an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).*

DISCUSSION:

- a) **No Impact:** The subject property does not contain prime farmland, unique farmland, or farmland of statewide importance.
- b) **No Impact:** The subject property is not within a Williamson Act contract. Amending the zoning district of the property to the FL zone would allow Light Agriculture as a permitted use where it was a conditional use in the TP zone. The amendment would also allow Packing and Processing: Fisheries Byproducts as a conditional use in the FL zone where it was not permitted in the TP zone. These are considered Agricultural Use Types in the Mendocino County Code. As such, the proposed zone would be less restrictive to agricultural uses.
- c) **Less than Significant Impact:** The proposal would directly cause the rezoning of 569± acres of timberland zoned Timberland Production. However, this action would not cause a significant environmental impact because the newly designated zone would be Forest Lands (FL), which according to Mendocino County Code Section 20.360.005 is intended *“to encompass lands within the Coastal Zone which are suited for and are appropriately retained for the growing, harvesting and production of timber and timber-related products. The district includes lands eligible to be zoned Timberland Production (TP), as well as intermixed smaller parcels and other contiguous lands necessary for the production and efficient management of timber resource lands.”* The rezoned lots would remain as timberlands of commercial size. Existing Local Coastal Program policies and the Forest Practice Rules would prevent future activities within the FL zone from conflicting with Coastal Act Section 30243, which states that the *“long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.”* For example, Coastal Element Policy 3.3-3 provides that timberland units of commercial size *“shall not be converted to uses other than the growing of timber and those compatible uses as identified in Chapter 2 under the Forest Lands Classification.”* The proposed amendment would not change the Forest Lands Classification of the property. Therefore, the allowable compatible uses would not change. Pursuant to Mendocino County Code Section 20.532.100(A)(2)(a), Coastal Development Permits within the FL zone may not be approved unless it is found that *“the proposed use is compatible with the long-term protection of resource lands.”* California Code of Regulations Title 14 Section 1108 requires a Timberland Conversion Permit for the conversion of coastal commercial timberland to uses other than the growing of timber. Conversions of such timberland are limited to providing for necessary timber processing and related facilities. However, upon appeal, the Board of Forestry & Fire Protection may approve a conversion for other than necessary timber processing and related facilities only if all of the following conditions are met:
- Such conversion will not introduce new uses or significantly intensify existing uses that are incompatible with timber growing on areas adjacent to the area proposed for conversion, or that have a substantial adverse impact on coastal resources, as determined by the Director; and*
 - The area proposed for conversion is in a unit of noncommercial size as determined by the California State Coastal Commission or the zoning in a certified local coastal plan; and*
 - The conversion complies with all other applicable laws, Rules, and regulations.*

Because each lot is a unit of commercial size (at least 40 acres) and is within the Coastal Zone, the subject timberland could not be converted to uses other than those necessary for timber processing and related facilities, unless otherwise exempt under Section 1104.1.

- d) **No Impact:** As noted in section 5.2(c) above, the proposal would not result in the conversion of forest land to non-forest use due to existing regulations within the Local Coastal Program and Forest Practice Rules. As noted in section 5.1(c) above, California Code of Regulations Section 1104.1 allows a maximum of one 3-acre conversion of timberlands for non-timber uses within a contiguous ownership regardless of whether the property is within the FL or TP zone. As such, the proposed rezoning would have no impact on the amount of forest land that may be converted to non-forest use.

- e) **No Impact:** The proposal would not result in other changes to the environment that could result in the conversion of forest lands. The property does not contain Farmlands.

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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: Mendocino County is located within the North Coast Air Basin. Mendocino County Air Quality Management District (MCAQMD) is responsible for enforcing the state and federal Clean Air Act, as well as local air quality regulations. Air Districts in California develop regulations based on the measures identified in the Clean Air Act and its Clean Air plan as well as state regulations. MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. In Mendocino County, these are known as the district "Rules and Regulations". These regulations establish the procedure for new point source emissions to obtain an air quality permit, air quality standards for new construction, and others. In 2005, MCAQMD adopted a Particulate Matter Attainment Plan which quantified past and present Particulate Matter levels and recommended control measures to reduce emissions. These control measures were incorporated into the District Rules and Regulations.

California Air Resources Board (CARB) is the primary source for air quality data collected throughout California, and ensures the quality of this data. State and federal area designations indicate how each area in California fares in relation to the ambient air quality standards, which identify outdoor pollutant levels considered safe for the public. CARB has established ambient air quality standards (AAQS) for ten pollutants including: ozone, suspended particulate matter (PM₁₀), fine suspended particulate matter (PM_{2.5}), carbon monoxide, nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and visibility reducing particles. The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to set National AAQS for six commonly found air pollutants including: ozone, PM₁₀, PM_{2.5}, carbon monoxide (CO), nitrogen dioxide (NO_x), and sulfur dioxide (SO₂).⁸ With the exception of Hydrogen Sulfide and Visibility Reducing Particles, the County is in attainment for all criteria pollutants that are designated for the State and National standards.⁹ The County achieved attainment in 2021.¹⁰ The Hydrogen Sulfide (H₂S) and Visibility Reducing Particles designations remain unclassified in Mendocino County.

MCAQMD Rule 1-400 states: *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or that endanger the comfort, repose, health or safety of any such*

⁸ U.S. Environmental Protection Agency (2023). *Nonattainment Areas for Criteria Pollutants (Green Book)*. Retrieved from <https://www.epa.gov/green-book>.

⁹ California Air Resources Board. State and Federal Area Designations. <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>. Accessed December 2025.

¹⁰ California Air Resources Board (2022). *2021 Amendments to Area Designations for State Ambient Air Quality Standards*. Retrieved from <https://ww2.arb.ca.gov/rulemaking>.

persons or the public or that cause or have a natural tendency to cause injury or damage to business or property.

MCAQMD Rule 1-430 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 PM_{2.5}. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

For the purposes of CEQA, MCAQMD previously recommended that agencies use adopted Bay Area Air Quality Management District (BAAQMD) thresholds for projects in Mendocino County. However, MCAQMD has issued clarifications to resolve conflicts between District rules and BAAQMD thresholds. This includes the Indirect Source Rule, Stationary Source Emissions Levels, CO Standards, Greenhouse Gas rules, Risk Exposure, and Odor rule. More information can be found on the MCAQMD website.¹¹

Per California Health and Safety Code (HSC) Section 42705.5, "sensitive receptors" include hospitals, schools, day care centers, and other locations that the district or state board may determine. According to the California Air Resources Board (CARB), sensitive receptors include "*children, elderly, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. The locations where these sensitive receptors congregate are considered sensitive receptor locations. Sensitive receptor locations may include hospitals, schools, and day care centers.*"

¹¹ Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/aqmd/>.

Mendocino County General Plan Policies RM-37, RM-38, and RM-49 relate to Air Quality.¹² Mendocino County also contains areas where naturally occurring asbestos (NOA) is known to occur. When asbestos fibers are disturbed, such as by grading and construction activities, the fibers can be released into the air. These fibers can cause serious health threats if inhaled. Ultramafic rocks are an indicator of possible asbestos minerals, including a rock known as serpentine. Serpentine and ultramafic rocks are common in the eastern belt of the Franciscan Formation in Mendocino County. Planning & Building Services uses a map derived from the California Bureau of Mines and Geology and the US Department of Agriculture's Natural Resource Conservation Service (NRCS) to identify areas likely to have asbestos containing geologic features. MCAQMD has adopted policies for areas containing NOA. For projects in areas identified as potentially containing NOA, the District requires an evaluation and report by a State registered geologist to determine that any observed NOA is below levels of regulatory concern in the areas being disturbed. If it is determined that NOA is present at levels above regulatory concern, or the applicant chooses not to have the testing and evaluation conducted, MCAQMD requires that certain measures be implemented in accordance with Title 17 California Code of Regulations Section 93105.¹³

DISCUSSION:

- a) **Less than Significant Impact:** Direct impacts would not occur because physical development is not proposed. Indirect impacts may occur if reasonably foreseeable future development would conflict with or obstruct implementation of the applicable air quality plan. As mentioned in the Project Description section above, the proposed rezoning would cause seven (7) use types that are not permitted in the TP zone to become conditionally permitted uses within the FL zone. Some newly permitted use types may generate pollutant emissions, such as onshore oil and gas facilities, but the probability that such uses may be established in the future is uncertain. Likewise, the specific effects of future uses are uncertain until a project has been proposed. As noted in the Project Description above, each lot is a unit of commercial size (at least 40 acres) and is within the Coastal Zone. Therefore, under the Forest Practice Rules (CCR Title 14 Section 1108) the subject timberland could not be converted to uses other than those necessary for timber processing and related facilities, unless otherwise exempt under Section 1104.1 (Less than 3 Acre Conversion Exemptions). The rezoning would not become effective until ten (10) years after the date of approval. The new use types could not be established until the rezoning becomes effective after the ten (10) year period. A Coastal Development Use Permit is required to establish a conditionally permitted use. Therefore, the specific impacts of future uses can be evaluated at the time that a Use Permit application is submitted. One (1) use type that is currently a conditionally permitted use in the TP zone would become a principal permitted use in the FL zone: Light Agriculture. Light Agriculture is defined as:

(A) *Land devoted to the hatching, raising, butchering or marketing on a small scale of chickens, turkeys or other fowl or poultry and eggs, rabbits, fish, frogs, mink, chinchilla or other small farm animals similar in nature, provided that not more than ten (10) mature animals per forty thousand (40,000) square feet, combined total; of all species, may be kept, fed or maintained. The total number of all species shall not exceed forty (40). The permissible number of animals per acre shall be computed on the basis of the nearest equivalent ratio (i.e., five (5) animals on twenty thousand (20,000) square feet). Coops or pens shall be located only on the rear one third (1/3) of the lot and shall be located no closer than five (5) feet from the side or rear property line.*

(B) *The grazing of cattle, horses, sheep, goats, hop or other farm stock or animals, including the supplementary feeding thereof, provided not more than one (1) such animal per forty thousand (40,000) square feet shall be kept or maintained. The total number of all species shall not exceed four (4). In no*

¹² County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

¹³ Mendocino County Air Quality Management District (2013). *Policies for Areas Containing Naturally Occurring Asbestos (NOA)*. Retrieved from <https://www.co.mendocino.ca.us/aqmd>

event shall there be any limit to the permissible number of sheep or goats which may be grazed per acre when such grazing operation is conducted on fields for the purpose of cleaning up unharvested crops and, further where such grazing operation is not conducted for more than four (4) weeks in any six (6) month period.

(C) For parcels of forty thousand (40,000) square feet or larger, keeping of small and large animals shall be cumulative (i.e., eighty thousand (80,000): two (2) large animals and twenty (20) small animals).

(D) Apiaries, provided that no more than two (2) working hives may be kept on parcels of forty thousand (40,000) square feet or less.

(E) Sale of agricultural products grown, raised, or produced on the premises.

(F) 4-H, FFA or similar projects shall be permitted in all zoning districts.

Any "development" within the Coastal Zone requires a Coastal Development Permit unless otherwise exempt. The processing of a Coastal Development Permit requires environmental review. Pursuant to County Code Section 20.308.035, "Development" means *"on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511)."*

The future establishment of Light Agriculture as a permitted use may not qualify as "development" and as such may not require a Coastal Development Permit (CDP). For example, the construction of a barn would qualify as "development" but cattle grazing on its own does not seem to qualify as "development". As such, it may be possible to establish agricultural activities on the property in the future without additional environmental review under CEQA. Agricultural activities larger than 3 acres are unlikely to occur due to Forest Practice Rules that limit the conversion of timberlands in the coastal zone. It is unlikely that Light Agriculture could occur within the existing timberlands or without the development of supporting structures, such as fences or barns. Nevertheless, Light Agriculture that is exempt from further environmental review is not expected to conflict with MCAQMD regulations because (1) it would not create a new point source of emissions, (2) is exempt from Authority to Construct and Permit to Operate requirements per Rule 1-200(d)(5), (3) is exempt from the public nuisance requirements of Rule 1-400, (4) is exempt from permanent submerged fill pipe requirements of Rule 1-482, (5) agricultural burning pursuant to Rule 2-300 is exempt from Air Toxic Control Measures, (6) and is expected to follow the agricultural diesel engine registration program in Rule 3.9-300.

- b) **No Impact:** Mendocino County is currently in attainment for all criteria pollutants at both the State and Federal level.
- c) **Less than Significant Impact:** The nearest hospital to the project site is in Fort Bragg approximately thirteen (13) miles north. The nearest schools and day care centers are in the Town of Mendocino approximately four (4) miles north. There are several residences near the site which may house children or elderly, or others who may be at a heightened risk of negative health outcomes due to exposure. Several residences lie between the northern property

boundary and Little River Airport Road. Other nearby residences lie along the southwestern and southeastern corners of the property within the FL and RR-5 zones. If future land uses generate substantial emissions, nearby residents may be affected. As noted in section “a)” above, most newly permitted uses would involve additional environmental review because of future CDP applications. CDP-exempt Light Agriculture is unlikely to expose nearby residents to substantial pollutant concentrations because (1) the conversion of timberland would remain limited to three acres under the forest practice rules; (2) the removal of more than fifteen (15) trees with a diameter of twelve (12) inches or circumference of thirty-eight (38) inches at breast height or the removal of trees with a total contiguous ground area of six thousand (6,000) square feet constitutes Major Vegetation Removal that requires a CDP; and (3) the entire ownership is densely covered by timberlands, and Major Vegetation Removal would likely be necessary to perform an amount of Light Agriculture activities that could emit pollutants. Because the land use types permitted within the FL zone would not become effective for ten (10) years, the specific impacts that may occur due to the theoretical establishment of those uses are not foreseeable.

- d) **No Impact:** The potential that newly permitted use types may result in other emissions, such as odors, that would adversely affect a substantial number of people, is dependent in part upon the specific locations or intensities with which those uses are proposed. For example, odors resulting from Light Agriculture activities such as raising livestock may be insignificant if those activities are located in the geographic center of the property away from nearby residences, or they may be significant if located along the northern property boundary, which lies approximately 150 feet from the nearest residence. As noted in sections “a)” and “c)” above, these theoretical impacts are not foreseeable. Future development requiring a CDP would involve subsequent environmental review when the details of specific projects can be provided.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have a **Less than 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 Game 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, and regulations or by the California Department of Fish and Game 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?	☐	☐	☐	☒

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

ENVIRONMENTAL SETTING: Section 15380 of the CEQA Guidelines defines (a) “species” as a species or subspecies of an animal or a plant or a variety of a plant. A species of animal or plant is: (1) “Endangered” when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors; or (2) “Rare” when either: (A) Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or (B) The species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered “threatened” as that term is used in the Federal Endangered Species Act.

(b) A species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in: (1) Sections 670.2 or 670.5, Title 14, CCR; or (2) Title 50, Code of Federal Regulations Section 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered. (c) A species not included in any listing identified in subdivision (c) shall nevertheless be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria in subdivision (b). (e) This definition shall not include any species of the Class Insecta which is a pest whose protection under the provisions of CEQA would present an overwhelming and overriding risk to man as determined by: (1) The Director of Food and Agriculture with regard to economic pests; or (2) The Director of Health Services with regard to health risks.

A Species of Special Concern is a species, subspecies, or distinct population of an animal native to California that typically meets the State definition of threatened or endangered but has not formally been listed; is experiencing serious (noncyclical) population declines or range retractions that, if continued or resumed, could qualify it for State threatened or endangered ; or has naturally small populations exhibiting high susceptibility to risk from any factor(s) that, if realized, could lead to declines that would qualify it for State threatened or endangered status. 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)

Federal Endangered Species Act. Section 9 of the federal Endangered Species Act (ESA) protects federally- listed endangered and threatened wildlife species from unlawful take (16 U.S.C. § 1538 (a)(1)). “Take” is defined to mean “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. § 1532 (19)). In addition, federal agencies are required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under ESA or result in the destruction or adverse modification of critical habitat designated for such species (16 USC 1536[3], [4]). Projects that would result in “take” of any federally listed threatened or endangered species are required to obtain authorization from NMFS and/or USFWS through either Section 7 (interagency consultation) or section 10(a) (incidental take permit) of ESA, depending on whether the federal government is involved in permitting or funding the project.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act (MBTA) regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50 Code of Federal Regulations (CFR) Section 10.13. The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country and is enforced in the United States by the USFWS. The MBTA was amended in 1972 to include protection for migratory birds of prey (raptors).

The U.S Fish and Wildlife Service (USFWS) is responsible for protecting endangered and threatened species, and conserving candidate and at-risk species. The 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 federal Clean Water Act establishes a program to regulate the discharge of dredged or fill material into waters of the United States. Section 404 requires a permit before dredged or fill material may be discharged unless the activity is exempt. Section 404 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.”

California Fish and Game Code The California Department of Fish and Wildlife (CDFW) manages the California Natural Diversity Database (CNDDDB) which 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. Natural Communities are evaluated using NatureServe’s Heritage Methodology, the same system used to assign global and state rarity ranks for plant and animal species in the CNDDDB. VegCAMP has been ranking California Natural Communities by their rarity and threat since 1979. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents.

Fish and Game Code Section 3503 addresses protection of Migratory Birds and Raptors. It states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests. Section 3511 protects species considered “fully protected”. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act. Fish and Game Code Section 4150 states a mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A nongame mammal may not be taken or possessed under this code. All bat species occurring naturally in California are considered nongame mammals and are therefore prohibited from take as stated in Fish and Game Code Section 4150. Section 1602 protects natural resources by requiring notification before certain activities are performed near rivers, streams, or lakes.

California Endangered Species Act (CESA). The CESA prohibits the take of state-listed threatened or endangered species unless an incidental take permit is issued by California Department of Fish and Wildlife (CDFW) pursuant to Section 2081 of the Act. The state definition of take is similar to the federal definition, except that the CESA does not prohibit indirect harm to listed species by way of habitat modification. Pursuant to the requirements of CESA, a State agency reviewing a project within its jurisdiction must determine whether any state-listed endangered or threatened species could be present and the extent to which the project could potentially result in take of such species. CDFW also maintains a Special Animals List which includes species considered of “Special Concern” in California.

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. Fish, wildlife, and native plant resources are protected and managed by the California Department of Fish and Wildlife (CDFW).

PRC §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.”

California Wildlife Protection Act of 1990 establishes that the mountain lion is a specially protected mammal under the laws of this state, and makes it unlawful to take, injure, possess, transport, import, or

sell a mountain lion or a product of a mountain lion. The act authorizes a person whose livestock or other property is being or has been injured, damaged, or destroyed by a mountain lion to report that fact to the Department of Fish and Wildlife and request a permit to take the mountain lion.

The California Coastal Act (PRC §30107.5) provides special protections for areas designated as Environmentally Sensitive Habitat Areas, defined as follows, “Environmentally sensitive area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Mendocino County has an extensive range of biological communities, some of which are highly productive or contain rare plant communities. These include redwood, Douglas-fir, montane hardwood, chaparral, grasslands, closed cone pine-cypress, oak woodland, agricultural, white fir, ponderosa pine, Klamath mixed fir, coastal scrub, urban, red fir, barren, and aquatic habitats. Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA, Section 1600 of the California Fish and Game Code, the California Coastal Act, California Department of Forestry and Fire Protection directives, and Section 404 of the Federal Clean Water Act. Sensitive habitats in Mendocino County include: Serpentine soils and rock outcrops, Pygmy forest, wetlands/ Waters of the U.S, old-growth forest, and freshwater and marine resources.

Section 3.1 of the Coastal Element of the General Plan provides Policies regarding Habitats and Natural Resources. Coastal Element Policy 3.1-2 requires that *Development proposal in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plan or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource. Section 3.1 of the Coastal Element defines wetlands as lands which may be covered periodically or permanently with shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are extremely fertile and productive environments. Tidal flushing from the ocean and/or nutrient-rich freshwater runoff mix to form a delicate balance responsible for their productivity. They function as nurseries for many aquatic species and serve as feeding and nesting areas for waterfowl, shorebirds and wading birds, as well as a few rare and endangered species.*

Environmentally Sensitive Habitat Areas are defined in Section 3.1 of the Coastal Element of the General Plan as *any areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.* In Mendocino County, environmentally sensitive habitat areas include: anadromous fish streams, sand dunes, rookeries and marine mammal haulout areas, wetlands, riparian areas, pygmy vegetation containing species of rare or endangered plants, and habitats of rare and endangered plants and animals. In addition, several state agencies and private environmental groups and Local Citizens Advisory Committees have identified certain resource areas which require protection. These resource areas include State Parks and Reserves, Underwater Parks and Reserves, Areas of Special Biological Significance, Natural Areas, Special Treatment Areas (designated by California Division of Forestry), Fishing Access Points, Areas of Special Biological Importance, Significant California Ecosystems, and Coastal Marine Ecosystems.

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.

Policy RM-28 of the General Plan’s Resource Management Element states *all discretionary public and private projects that identify special-status species in a biological resources evaluation (where natural conditions of the site suggest the potential presence of special-status species) shall avoid impacts to special-status species and their habitat to the maximum extent feasible. Where impacts cannot be avoided,*

projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction.

DISCUSSION:

- a) **No Impact:** No direct impacts or direct habitat modification would occur because physical development is not proposed. Indirect impacts would occur if future development of newly permitted land use types would substantially adversely affect listed species. However, as mentioned previously, only modification of the Light Agriculture use type from a conditional use to a permitted use has the potential to result in impacts because it is the only newly permitted use that may not require a Coastal Development Permit (CDP). Existing CDP regulations prevent development that would significantly degrade Environmentally Sensitive Habitat Areas (ESHA), which include the habitats of listed species. Several know ESHA exist on the property, including Mendocino Cypress woodlands and related vegetation along the eastern property boundary and several mapped watercourses. Some biological surveying has been conducted on the property associated with the current Timber Harvest Plan. Some vegetation removal would likely be necessary, at minimum, to establish a Light Agriculture use. County Code Section 20.308.080(C)(3) provides that a proposal to remove vegetation may constitute Major Vegetation Removal if the Planning & Building Services Director finds that it may result in a significant impact, including that the vegetation removal is located within or adjacent to an environmentally sensitive habitat. Therefore, the establishment of a Light Agriculture use is likely to require a CDP, and by extension an evaluation of whether the project may affect ESHA.
- b) **No Impact:** ESHA, as defined in the County Code, includes riparian habitat and sensitive natural communities. As noted in section “a)” above, future development of newly permitted uses would require a CDP, and by extension an evaluation of whether the project may affect ESHA.
- c) **No Impact:** ESHA, as defined in the County Code, includes both federal and Coastal Act wetlands. As noted in section “a)” above, future development of newly permitted uses would require a CDP, and by extension an evaluation of whether the project may affect ESHA.
- d) **No Impact:** The property contains portions of Buckhorn Creek, which is designated as critical habitat for Steelhead fish. Several observations of Northern Spotted Owl have also been recorded on the property. The property may contain other habitats for native fish or wildlife species. ESHA, as defined in the County Code, includes anadromous fish streams, rookeries, wetlands, riparian areas, and habitats of rare and endangered animals. As noted in section “a)” above, future development of newly permitted uses would require a CDP, and by extension an evaluation of whether the project may affect ESHA.
- e) **No Impact:** Coastal Act Sections 30240 through 30244 establish policies for the protection of Environmentally Sensitive Habitat Areas (ESHA), agricultural lands, timberlands, and archaeological resources. The proposed amendment would have no direct impact on the policies related to ESHA because it would not change any related regulations in the LCP. As noted above, the proposed amendment may indirectly impact these resources by allowing more uses on the property. However, the establishment of these uses would require Coastal Development Permits that would allow the enforcement of existing LCP policies that protect ESHA.
- f) **No Impact:** The property is not within the boundaries of any habitat conservation plan or natural community conservation plan.

MITIGATION MEASURES: None.

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

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: The California Office of Historic Preservation manages the Built Environment Resources Directory (BERD) which provides information organized by county, regarding non-archaeological resources. This includes resources reviewed for eligibility to the National Register of Historic Places and the California Historical Landmarks programs through federal and state environmental compliance laws, and resources nominated under federal and state registration programs.¹⁴ The term "cultural resources" refers to archaeological sites and features of the built environment (e.g., buildings, landscape elements) that have importance to the community, providing connections to pre-historic and historical peoples and events. Per the California Code of Regulations (CCR) Title 14, §15064.5, the term "historical resources" shall include the following:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (PRC §5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 14 CCR, Section 4852) including the following:

- (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- (B) Is associated with the lives of persons important in our past;
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to PRC §5020.1(k)), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC sections 5020.1(j) or 5024.1.

¹⁴ California Department of Parks and Recreation (2023). Office of Historic Preservation. *Built Environment Resource Directory (BERD)*. Retrieved from https://ohp.parks.ca.gov/?page_id=30338

Pursuant to PRC §210832.2(g), “unique archaeological resource” means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge that it meets any of the following criteria: (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information. (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type. (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person. In addition, a “nonunique archaeological resource” means an archaeological artifact, object, or site which does not meet the criteria in subdivision (g). A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.

Archaeological resources are governed by MCC §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 CCR §15064.5, *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.*

According to MCC §20.308.020(A), “Archaeological Site” means any area containing significant or important archaeological resources. Any person who, in the preparation for or in the process of excavating or otherwise disturbing earth, discovers any archaeological or paleontological site shall cease and desist from all further excavation within one hundred (100) feet of the discovery and notify the Director of the Department of Planning and Building Services in conformance with MCC Chapter 22.12. See also Paleontological Site.

Several historical organizations and museums exist in Mendocino County, but the County has not adopted an inventory of local historic resources. The County has not designated any historical sites or buildings but has adopted an Archaeological Ordinance designed to protect Native American sites. The ordinance establishes a County Archaeological Commission that evaluates the potential impacts of proposed projects on archaeological resources and recommends measures to reduce or eliminate impacts on these resources.

DISCUSSION:

- a-c) **No Impact:** No direct impacts would occur because physical development is not proposed. Mendocino County Code Chapter 22.12, the “Archaeological Resources Ordinance”, provides that as part of the processing of any Coastal Development Permit, referrals shall be made to the Northwest Information Center at Sonoma State University (NWIC) for literature review regarding potential archaeological sensitivity. The recommendations of NWIC are then reviewed by the Mendocino County Archaeological Commission, who decide whether an archaeological survey shall be required for the project. The Archaeological Resources Ordinance includes procedures and regulations for impact mitigations, excavations, and unanticipated discoveries of archaeological resources or human remains. Grading, removing, dredging, or mining any materials are “development” as defined within the LCP. As such, activities that have the potential to disturb cultural resources require a CDP, and in turn requires that the Archaeological Resources Ordinance process be followed. This procedure applies to development on the property regardless of the proposed rezoning. The rezoning application was referred to three local tribes on December 12, 2025, including the Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. The Sherwood Valley Band of Pomo Indians responded on January 8, 2026, with no comment. The other tribes did not respond.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No 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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: California Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015, sets annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires that the California Energy Commission establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy saving and demand reductions in electricity and natural gas 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 2022 Scoping Plan for Achieving Carbon Neutrality, adopted by the California Air Resources Board (CARB), *“lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279.”*¹⁵

Title 24, Part 11 of the California Code of Regulations establishes the California Green Building Standards Code, known as ‘CALGreen’. The purpose of this code is to enhance the design and construction of buildings and encourage sustainable construction practices as they relate to planning and design, energy efficiency, water efficiency and conservation, materials conservation and resource efficiency, and environmental quality. Unless specifically exempt, the CALGreen standards apply to the planning, design, operation, construction, use, and occupancy of newly constructed buildings or structures throughout the state. Mandatory standards for energy efficiency are adopted by the California Energy Commission every three years. In 2021, the Commission adopted the 2022 Energy Code, which includes Building Energy Efficiency Standards. The Code *“encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more.”* Mendocino County has adopted the 2025 California Green Building Standards Code pursuant to Mendocino County Code section 18.04.025(L).

Project factors that may influence energy impacts include the following:

- Energy consuming equipment and process to be used during construction, operation, or demolition, including the energy intensiveness of materials and equipment.
- Fuel type and end use of energy.
- Energy conservation equipment and design features to be implemented.
- Energy supplies that would serve the project, such as a utility company.
- Vehicle trips to be generated, including estimated energy consumed per trip.

Factors that may lessen energy impacts include those that decrease overall per capita energy consumption; decreased reliance on fossil fuels such as coal, natural gas, and oil; and increased reliance on renewable energy sources.

¹⁵ California Air Resources Board (2022). 2022 Scoping Plan for Achieving Carbon Neutrality. Retrieved from <https://ww2.arb.ca.gov>.

Mendocino County General Plan Policies RM-55 and RM-57 relate to energy, including Action Items RM-55.1 and RM-55.2.¹⁶ Ukiah Public Utility is the only customer-owned utility in Mendocino County, which supplies electricity, water, and wastewater treatment. Most residents receive electric service from Pacific Gas and Electric (PG&E).

DISCUSSION:

- a) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowable land uses would cause significantly wasteful, inefficient, or unnecessary consumption of energy resources. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects. The establishment of CDP-exempt Light Agriculture activities would not result in significant energy impacts because they would not implement any of the project factors listed above which contribute to energy impacts. CDP-exempt Light Agriculture activities would not utilize energy-intensive equipment or generate substantial vehicle trips.
- b) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowable land uses would conflict with state or local renewable energy or energy efficiency plans. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects. The establishment of CDP-exempt Light Agriculture activities would not result in significant energy impacts because they would not implement any of the project factors listed above which contribute to energy impacts. CDP-exempt Light Agriculture activities would not utilize energy-intensive equipment or generate substantial vehicle trips. Future development is expected to comply with applicable building regulations related to 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?	☐	☐	☐	☒

¹⁶ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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 Section 1803.5.3 of the California Building Code (2022), 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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: Mendocino County is in an active earthquake area. Five known faults or fault zones traverse Mendocino County and are considered potentially active or active. The San Andreas Fault traverses the southwest corner of the County and continues offshore north of Manchester. Associated with the San Andreas Fault is the Whale Gulch Fault, which extends from Shelter Cove southward into the northwesternmost corner of Mendocino County. The Maacama Fault extends from northern Sonoma County to the north of Laytonville in Mendocino County. The Round Valley Fault traverses the northeastern corner of Mendocino County. The County has experienced strong seismic shaking historically, most notably during the 1906 San Francisco earthquake, which was estimated at a magnitude 7.9. Ground rupture associated with this earthquake occurred from Santa Cruz to Manchester and offshore. It is reported that the lateral displacement across the fault was as much as 25 feet in Manchester during the 1906 earthquake.

The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation, which is known to have poor slope stability characteristics. Earthquake hazard zones, as identified by the California Earthquake Hazards Zone Application (EQ Zapp), delineate areas subject to fault rupture, liquefaction, and earthquake induced landslides.¹⁷ Landslides in Mendocino County have been a major part of the natural erosion process for tens of thousands of years. The rainy wet winters and relatively dry summers, the mountainous terrain, and commonly weak bedrock conditions all contribute to the development of landslides.

Seismic shaking can also be a triggering mechanism. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to land sliding and erosion. Along the coast, undercutting of the coastal bluffs by wave action makes the bluffs particularly susceptible to rock fall and slope failures. In many areas, landslides along roadways create traffic hazards following winter storms (and delays during the summer months when repairs are made).

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. 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,

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>.

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.

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. Subsidence refers to broad-scale change in the elevation of land. Subsidence is commonly caused by groundwater extraction, oil extraction, underground reservoir pumping of gas, dissolution of limestone aquifers (sinkholes), collapse of a mine, drainage of organic soil, or initial wetting of dry soil (hydrocompaction). The US Geological Survey (USGS) regularly publishes information on land subsidence in California, including a map showing areas of land subsidence due to groundwater pumping, peat loss, and oil extraction.

The Mendocino County Local Agency Management Plan establishes standards for on-site treatment of wastewater, including site evaluation, design, construction, and monitoring requirements. The Plan is administered by the Division of Environmental Health.

Impacts to unique geologic features could include material impairment through destruction or alteration, including grading, rock hunting, human encroachment, or permanent covering of the feature. Unique geologic features are rocks or formations which:

- Are the best example of their kind locally or regionally; or
- Embody the characteristics of a geologic principle that is exclusive to the locality or region; or
- Provide a key piece of information important in geology or geologic history; or
- Are a "type locality" of a geologic feature.

DISCUSSION:

- a) **No Impact:** No direct impacts would occur because physical development is not proposed. There are no known faults within the vicinity of the project area. The nearest known fault is the San Andreas Fault approximately eighteen (18) miles south. The California Geological Survey's Landslide Inventory does not associate the property with any mapped landslides. However, several areas of the property have high deed-seated landslide capability according to the Landslide Inventory. According to the recent Timber Harvest Plan application, *"landslides on this ownership, including the Little River planning watersheds, occur frequently on steeper streamside areas, but can also occur on gentler slopes."* Indirect impacts regarding landslides may occur if reasonably foreseeable future development of newly allowable uses would involve the risk of loss, injury, or death involving landslides. As noted above, the specific characteristics or intensities of future development are speculative and would require subsequent environmental review during review of Coastal Development Permit (CDP) applications.
- b) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed.
- c) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. Unstable soils may be present on the property, but it is not clear whether newly allowable uses will be developed in the future. If so, it is also unclear where development will occur. As such, it is not feasible to determine whether future development will be located on unstable soils until future projects are proposed.
- d) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during

the review of subsequent CDP applications when specific projects are proposed. Expansive soils may be present on the property, but it is not clear whether newly allowable uses will be developed in the future. If so, it is also unclear where development will occur. As such, it is not feasible to determine whether future development will be located on expansive soil until future projects are proposed.

- e) **No Impact:** No direct impacts would occur because physical development is not proposed. Existing soils on the property would not be affected by the proposed rezoning. The future development of newly allowable uses may convert capable soils to other uses, but the likelihood of this is not foreseeable. Each legal lot within the ownership is at least forty (40) acres in size. It is unlikely that the entirety of any lot does not contain adequate soils supporting the use of septic tanks or a waste water disposal system.
- f) **No Impact:** The property does not contain any known unique geological features. No direct impacts would occur because physical development is not proposed. Mendocino County Code Chapter 22.12, the "Archaeological Resources Ordinance", provides that as part of the processing of any Coastal Development Permit, referrals shall be made to the Northwest Information Center at Sonoma State University (NWIC) for literature review regarding potential archaeological sensitivity. The recommendations of NWIC are then reviewed by the Mendocino County Archaeological Commission, who decide whether an archaeological survey shall be required for the project. The Archaeological Resources Ordinance includes procedures and regulations for impact mitigations, excavations, and unanticipated discoveries of archaeological resources or human remains. Grading, removing, dredging, or mining any materials are "development" as defined within the LCP. As such, activities that have the potential to disturb paleontological resources require a CDP, and in turn requires that the Archaeological Resources Ordinance process be followed. This procedure applies to development on the property regardless of the proposed rezoning.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No 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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: Senate Bill No. 32 (SB 32) requires the California Air Resources Board (CARB) to ensure the state's greenhouse gas (GHG) emissions are reduced to 40 percent below the 1990 levels by 2030. Title 14 of the California Code of Regulations (CCR) Section 15064.4 establishes specific guidelines for determining the significance of impacts from greenhouse gas emissions. Lead agencies may choose to quantify greenhouse gas emissions resulting from a project or rely on a qualitative analysis or performance-based standards. Mendocino County Air Quality Management District (MCAQMD) has 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 MCAQMD, these CEQA thresholds of

significance are the same as those which have been adopted by the Bay Area Air Quality Management District (BAAQMD) with noted exceptions.¹⁸

MCAQMD has not adopted a construction related emissions threshold. For projects other than stationary sources, the operational threshold is 1,100 Metric Tons of CO₂e per year or 4.5 Metric Tons of CO₂e per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO₂e per year. The California Emissions Estimator Model (CalEEMod) is a tool that can be used to quantify ozone precursors, criteria pollutants, and greenhouse gas emissions from construction and operation of development in California. The model is published by the California Air Pollution Control Officers Association. MCAQMD and Mendocino County have not adopted any plans specifically aimed at reducing GHG emissions. However, General Plan Policy RM-50 and associated action items address GHG emissions: California Climate Policies related to GHG emissions include but are not limited to Senate Bill (SB) Numbers 32, 100, 350, 375, 743, 604, and 1383 and Assembly Bill (AB) Numbers 32 and 1493.

AB 32, the California Global Warming Solutions Act of 2006, requires California to set the stage for its transition to a sustainable, low-carbon future by requiring in law a sharp reduction of greenhouse gas (GHG) emissions. AB 32 includes the major GHGs and groups of GHGs that are being emitted into the atmosphere. These gases include: Carbon dioxide (CO₂), Methane (CH₄), Nitrous oxide (N₂O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), Sulfur hexafluoride (SF₆), and Nitrogen trifluoride* (NF₃). AB 32 requires CARB to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. CARB's 2022 Scoping Plan Update provides a framework for achieving California's 2030 GHG target and carbon neutrality.¹⁹

AB 1279, the California Climate Crisis Act, would declare the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the 1990 levels. The bill would require the state board to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies in California, as specified. The bill would require the state board to submit an annual report, as specified. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures.

DISCUSSION:

- a-b) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. Newly allowable uses may generate greenhouse gas emissions, but it is not clear whether newly allowable uses will be developed in the future. If so, the intensity of future use is also unforeseeable. As such, it is not feasible to determine whether future development will generate substantial greenhouse gas emissions until new uses are proposed.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Greenhouse Gas Emissions.

5.9 HAZARDS AND HAZARDOUS MATERIALS

¹⁸ Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/aqmd/>.

¹⁹ California Air Resources Board. 2022 Scoping Plan Update. Retrieved on <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>.

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 compiled 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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage, and disposal of hazardous materials, substances, and waste as well as the investigation and mitigation of waste releases, air and water quality, human health, and land use. The term “hazardous materials,” as used in this section, includes all materials defined in the California Health and Safety Code Section 25260(d): a substance or waste that, because of its physical, chemical, or other characteristics, may pose a risk of endangering human health or safety or of degrading the environment. “Hazardous material” includes, but is not limited to, all of the following:

- (1) A hazardous substance, as defined in Section 25281 or subdivision (a) of Section 78075.
- (2) A hazardous waste, as defined in Section 25117.
- (3) A waste, as defined in Section 470 or as defined in Section 13050 of the Water Code.

The primary federal laws regulating hazardous materials are the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) (42 United States Code [USC] §9601 et seq.) and the Resource Conservation and Recovery Act of 1976 (RCRA) 42 USC §6901 et seq.). The purpose of CERCLA, often referred to as “Superfund,” is to identify and clean up abandoned contaminated sites so that public health and welfare are not compromised. The RCRA provides for “cradle-to-grave” regulation of hazardous waste generated by operating entities.

Mendocino County has adopted numerous hazard management and mitigation plans including, but not limited to, Community Wildfire Protection Plan, Multi-Jurisdictional Hazard Mitigation Plan, Hazardous Waste Management Plan (through the California Environmental Reporting System), and Operational Area Emergency Plan. On September 13, 2016, the County adopted the Mendocino County Operational Area Emergency Operations Plan (County EOP), under Resolution Number 16-119. As noted on the Plans and Publications webpage of the Mendocino County Office of Emergency Services (MCOES), the Mendocino County EOP, which complies with local ordinances, state law, and state and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within Mendocino County. The purpose of the County EOP is to “facilitate multiagency and multi-

jurisdictional coordination during emergency operations, particularly between the County, local and tribal governments, special districts as well as state and Federal agencies”.²⁰

Policies in the Mendocino County 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. The County Division of Environmental Health assumes 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 Airport Land Use Compatibility Plan sets forth the criteria and policies which the Mendocino County Land Use Commission will use in assessing the compatibility between the public use airports in the County and proposed land use development in the areas surrounding them. The 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.

To better address wildfire and evacuation concerns, Mendocino Council of Governments recently completed a Fire Vulnerability Assessment (FVA) for Mendocino County which assists in identifying areas of fire vulnerability and evacuation concerns.²¹ The FVA focuses on the areas of the County at greatest risk to wildfire hazards and organizes the analysis into four planning areas within the County. Within each planning area, key roadways, populations, and communities are characterized and critical facilities at risk of fire are identified. The Evacuation Plan identifies evacuation protocols and criteria the County can use for emergency response and preparedness and focuses on key evacuation concerns for the same Planning Areas. For each Planning Area, Evacuation Zones and Maps are identified, which focuses on key areas and concerns to take into consideration during an evacuation event.

Chapter 4.13 of the Mendocino County Coastal Element, Sustainability Policy Action number S-5.1, states new projects that *create or replace 2,500 square feet or more of impervious area shall implement site design measures to reduce stormwater runoff and increase groundwater recharge.* Mendocino County Code Title 16 establishes water and sewage regulations. It is primarily the responsibility of the Division of Environmental Health (EH) to implement these regulations, including permitting wells and septic systems. Chapter 16.30 establishes stormwater runoff pollution prevention procedures.

The purpose of Chapter 16.30 is to *“protect and promote the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.), and the Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drainage system.”*

The National Flood Hazard Layer maintained by the Federal Emergency Management Agency (FEMA) can be used to review project impacts from flooding. The Department of Water Resources Division of Safety of Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers and submitted by dam owners for hazardous dams and appurtenant structures. These maps are based on a hypothetical failure of a dam or appurtenant structure. DSOD maintains a web map that displays this information.

Projects may be subject to applicable regulations found in MCC Chapter 16.30. Section 16.30.040 prohibits elicit discharges. Section 16.30.070 requires implementation of Best Management Practices (BMPs) to the maximum extent practical for reducing pollutants in stormwater.

DISCUSSION:

²⁰ MCOES – Plans and Publications, 2019.

²¹ Mendocino Council of Governments. Fire Vulnerability Assessment & Emergency Evacuation Preparedness Plan. October 1, 2020.
<https://www.mendocinocog.org/fire-vulnerability-assessment-emergency-evacuation-preparedness-plan-completed>

- a) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. Newly allowed uses may involve the routine transport, use, or disposal of hazardous materials, but it is not clear whether newly allowed uses will be developed in the future. If so, it is also unclear what types of hazardous materials may be used. As such, it is not feasible to determine whether future development will cause impacts until new uses are proposed.
- b) **No Impact:** Upset and accident conditions involving the release of hazardous materials are not reasonably foreseeable until new uses are proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed.
- c) **No Impact:** The subject property is not within one-quarter mile of an existing or proposed school.
- d) **No Impact:** The subject property does not contain any sites included on the list of hazardous materials sites compiled pursuant to Government Code §65962.5.
- e) **No Impact:** The subject property is within the vicinity of the Little River Airport. No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. Newly allowed uses may introduce safety hazards or noise, but it is not clear whether newly allowed uses will be developed in the future. If so, the likelihood of hazards or potential intensity of noise is also unforeseeable until new uses are proposed. As such, it is not feasible to determine whether future development will cause impacts.
- f) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. The site is not mentioned specifically in any adopted emergency response plans or emergency evacuation plans. The property is accessed from Little River Airport Road via private driveway and private internal logging roads. Future development of newly allowed uses is unlikely to interfere with emergency plans because it is unlikely to block public emergency access routes, such as Little River Airport Road.
- g) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. Most of the ownership is within either the Moderate or High Fire Hazard Severity zones mapped by CAL FIRE. The northeastern corner of APN 121-020-16 is within the Very High Fire Hazard Severity zone.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: The North Coast Regional Quality Control Board (RWQCB) oversees the protection of surface and groundwater resources in the North Coast Region. Per Section 1005.1 of the California Water Code, groundwater is defined 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.

The State and Regional Water Boards are California's regulatory agencies responsible for ensuring that the quality of the State's rivers, streams, lakes, wetlands, ocean, and groundwaters is protected. The State Water Board sets statewide policies and plans for the implementation of state and federal laws and regulations. The regional water boards adopt and implement water quality control plans (basin plans), which recognize the unique characteristics of each region with regard to natural water quality; past, present, and potential beneficial uses; and water quality problems.

The North Coast Basin Plan is designed to provide a definitive program of actions to preserve and enhance water quality and protect beneficial uses of all regional waters. The Basin Plan designates beneficial uses of surface waters and groundwaters, sets narrative and numeric objectives that must be attained or maintained to protect beneficial uses, defines implementation programs that include specific prohibitions, action plans, and policies to achieve the water quality objectives, and describes the Regional Water Board's monitoring activities. The Basin Plan implements a number of state and federal laws. The most important are the California Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Other pertinent state and federal laws include the California Health and Safety Code and the Federal Resource Conservation and Recovery Act.

CA 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.

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. There are six identified major groundwater basins in Mendocino County. 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.

In 2013, Mendocino County adopted Ordinance No. 4313 Storm Water Runoff Pollution Prevention Procedure which requires that, “any person performing construction and grading work anywhere in the County shall implement appropriate Best Management Practices (BMPs) to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system.”²² This ordinance was developed and adopted by Mendocino County to comply with requirements of the County’s National Pollution Discharge Elimination System (NPDES) Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit administered by the State Water Resources Control Board (SWRCB).

Mendocino County Code Title 16 establishes water and sewage regulations. It is primarily the responsibility of the Division of Environmental Health (EH) to implement these regulations, including permitting wells and septic systems. Chapter 16.30 establishes stormwater runoff pollution prevention procedures. The purpose of Chapter 16.30 is to *“protect and promote the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act, and the Porter-Cologne Water Quality Control Act by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drainage system.”*

The National Flood Hazard Layer maintained by the Federal Emergency Management Agency (FEMA) can be used to review project impacts from flooding. The Department of Water Resources Division of Safety of Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers and submitted by dam owners for hazardous dams and appurtenant structures. These maps are based on a hypothetical failure of a dam or appurtenant structure. DSOD maintains a web map that displays this information.

Projects may be subject to applicable regulations found in MCC Chapter 16.30. Section 16.30.040 prohibits elicit discharges. Section 16.30.070 requires implementation of Best Management Practices (BMPs) to the maximum extent practical for reducing pollutants in stormwater.

DISCUSSION:

- a) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses violate standards or substantially degrade water quality. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects.
- b) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses substantially decrease groundwater supplies or interfere substantially with recharge. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects.
- c) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses substantially alter drainage patterns. The probability that newly allowable land uses may be established after the ten (10) year rezoning

²² Mendocino County Code Chapter 16.30

“roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects.

- d) **No Impact:** The property is not within a flood hazard, tsunami, or seiche zone.
- e) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects.

MITIGATION MEASURES: None.

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

5.11 LAND USE AND PLANNING

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: 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.

DISCUSSION:

- a) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts could occur if newly allowed uses are established which physically divide an established community. However, the property does not contain an established community. Newly allowable uses would include (1) Family Residential: Cluster Development, (2) Cemetery Services, (3) Agricultural Sales & Services, (4) Animal Sales & Services, (5) Commercial Recreation: Outdoor Sports & Recreation, (6) Packing and Processing: Fisheries Byproducts, and (7) Onshore Oil and Gas Development Facilities. If a community is established during the ten (10) year “roll-out” period, the development of these uses are unlikely to physically divide the community because they would not involve the deployment of long, linear features that cannot be crossed, such as a highway.
- b) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

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

ENVIRONMENTAL SETTING: The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized, and mined lands are reclaimed to a usable condition. SMARA also encourages the production, conservation, and protection of the state's mineral resources. SMARA requires the State Mining and Geology Board to adopt policies for the reclamation of mined lands and the conservation of mineral resources. SMARA also directs the State Geologist to identify and map non-fuel mineral resources of the state to show where economically significant mineral deposits occur and where they are likely to occur based upon the best available scientific data. No SMARA classification has yet occurred in Mendocino County.

The most predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. Three sources of aggregate materials are present in Mendocino County: quarries, instream gravel, and terrace gravel deposits. No specific sites have been identified in the General Plan or Coastal Element as locally important mineral resource recovery sites beyond the general identification of quarries, instream gravel, and terrace gravel operations. The California Division of Mine Reclamation houses the Mines Online database, which maps the location of mines and provides access to reclamation plans and inspection documents. According to the Mines Online database, Mendocino County contains twenty-nine (29) mines. Additionally, the U.S. Geological Survey (USGS) publishes the USMIN Mineral Deposit database, which includes a map of prospect- and mine-related features digitized from historical USGS topographic maps. The features include prospect pits, mine shafts and adits, quarries, open-pit mines, gravel and borrow pits.

DISCUSSION:

- a) **No Impact:** The site does not contain any known mineral resources of value.
- b) **No Impact:** No locally important mineral resources are known to occur on the project site.

MITIGATION MEASURES: Insert mitigation measures, or otherwise write "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?	☐	☐	☐	☒

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: Noise pollution has been linked to negative health impacts such as stress, high blood pressure, speech interference, hearing loss, sleep disruption, and lost productivity. In the 1970s, the U.S. Environmental Protection Agency (USEPA) coordinated all federal noise control activities through its Office of Noise Abatement and Control under Subchapter IV of the Clean Air Act. However, this office was phased out in 1982. The federal Noise Control Act of 1972 and Quiet Communities Act of 1978 remain in effect today, but their implementation is essentially unfunded. As such, the responsibility of regulating noise primarily rests with state and local governments. Nevertheless, USEPA has published several documents that outline the health effects of noise. For example, in 1974 USEPA published *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*. In 1979, USEPA published the *Noise Effects Handbook, a Desk Reference to Health and Welfare Effects of Noise*.

Federal Highway Administration regulations require noise impact analyses and the implementation of abatement measures to reduce or eliminate noise impact of federally funded highway construction projects in California. In 1973, California passed the Noise Control Act, which created the Office of Noise Control. However, this office is now defunct. California Government Code Section 65302 requires that each General Plan contains a noise element. California Streets and Highways Code Section 216, known as the Control of Freeway Noise in School Classrooms, requires that the California Department of Transportation (Caltrans) abate noise from freeways to specified levels when the noise exceeds specified levels in school classrooms. According to California Health and Safety Code Section 46022, noise is defined as “*excessive undesirable sound, including that produced by persons, pets and livestock, industrial equipment, construction, motor vehicles, boats, aircraft, home appliances, electric motors, combustion engines, and any other noise-producing objects.*”

Major noise sources in Mendocino County include highway and local traffic, railroad operations, airports, commercial and industrial uses, recreation, and community facilities. Highways with traffic that generates significant noise include State Route 101, 1, 20, 128, 162, 175, and 253. The only active railroad is the Skunk Train which runs between Fort Bragg and Willits. Public Airports include Ukiah Municipal, Willits Municipal (Ells Field), Round Valley Airport, Boonville Airport, Little River Airport, and Ocean Ridge Airport (Gualala). Private airstrips include the Lofty Redwoods Airport in Anchor Bay, the Fort Bragg Airport, and heliports at the Mendocino Coast District Hospital in Fort Bragg and Adventist Health in Ukiah. Major industrial sources of noise include lumber mills and timber production facilities. Other noise sources are identified in the County General Plan. Land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential 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.

Per Mendocino County General Plan Policy DE-98, *homes or noise-sensitive land uses are to be developed only in places where existing and projected noise levels would meet the exterior noise guidelines and standards outlined in Policies DE-100 and DE-101*. Per Policy DE-99, *no new use regulated by the County shall be permitted to generate noise that would cause the ambient noise on any adjacent parcel to exceed the “completely compatible” 24-hour guidelines shown in Policy DE-101 or the 30-minute noise standards in Policy DE-100*. *Noise mitigation must achieve these standards for any decision that would cause a violation of the standards. These decisions could include roadway construction projects, public park construction, General Plan amendments, changes of zone, conditional use permits, or site plan review approval*. Per General Plan Action Item DE-99.2, *acoustical studies are required for (1) significant new*

noise generators, (2) new noise-sensitive uses in noise-impacted areas or near noise generators, or (3) new uses which are proposed to be developed in areas which do not meet the “completely compatible” exterior noise guidelines contained in Policy DE-100 or Policy DE-101. Policy DE-100 establishes the following Exterior Noise Level Standards (levels not to be exceeded more than 30 minutes in any hour), where “dBA” are A-weighted decibels:

Land Use Type	Time Period	Maximum Noise Level (dBA)
Single-Family Homes & Duplexes	10 p.m. to 7 a.m.	50
	7 a.m. to 10 p.m.	60
Multiple Residential 3 or More Units Per Building (Triplex +)	10 p.m. to 7 a.m.	55
	7 a.m. to 10 p.m.	60

Policy DE-100 also specifies the following:

- Where existing ambient noise levels exceed these standards, the ambient noise level shall be the highest allowable noise level measured in dBA Leq (30 minutes), where “Leq” is equivalent continuous sound level.
- The noise levels specified above shall be lowered by 5 dB for simple tonal noises (such as humming sounds), noises consisting primarily of speech or music, or for recurring impulsive noises (such as pile drivers, punch presses, and similar machinery).
- The County may impose exterior noise standards which are less restrictive than those specified above, provided that:
 - The noise impact on the residential or other noise-sensitive use is addressed in an environmental analysis,
 - A finding is made by the approving body stating the reasons for accepting a higher exterior noise standard, and
 - Interior noise standards will comply with those identified in Policy DE-103.

Policy DE-101 establishes the following Noise Compatibility Guidelines (expressed as a 24-hour day-night average or “LDN”):

Land Use	Completely Compatible	Tentatively Compatible	Normally Incompatible	Completely Incompatible
Residential	Less than 55 dBA	55-60 dBA	60-75 dBA	Greater than 75 dBA
Commercial	Less than 65 dBA	65-75 dBA	75-80 dBA	Greater than 80 dBA
Industrial	Less than 70 dBA	70-80 dBA	80-85 dBA	Greater than 85 dBA

Policy DE-101 also establishes the following:

- These guidelines apply to land designated by this General Plan for these uses. Residential, retail, or public parks that have been developed on land designated for other uses shall be subject to the exterior noise guidelines for the land on which they are located.
- Non-residential uses located on residentially designated land shall be subject to the exterior noise guidelines for residential lands.
- All uses on Commercial lands, including non-commercial uses, shall be subject to commercial land standards. Land use designations not listed above do not have exterior noise compatibility standards. Land use designations with no exterior noise compatibility standard include office and industrial.
- Standards for public schools are set and enforced by the State of California and are not regulated by the County.

Policy DE-103 establishes the following Maximum Acceptable Interior Noise Levels Created by Exterior Noise Sources:

Land Use Type	Acceptable Noise Level (dBA LDN or CNEL)
Residential Living and Sleeping Areas, Daytime	45 dBA
Private School Classrooms	55 dBA
Commercial, Educational, Office, Light and Heavy Industrial, Warehousing	Conform with applicable state and federal workplace safety standards

Policy DE-103 further clarifies that the noise created inside a residential home, classroom, or library shall not count toward the acceptable noise levels in this policy. Policies DE-107 through DE-110 prioritize the use of distance and landscaping as methods for addressing noise. Noise barriers are generally discouraged.

Ground vibration can be caused by the operation of construction equipment and construction techniques such as blasting, pile driving, or demolition activity. Roadway traffic can also be a source of vibration, though traffic rarely generates vibration amplitudes high enough to cause structural damage. Trains can also be a significant source of ground vibration. The motion of particles is used to describe ground vibration, including the concepts of particle displacement, velocity, and acceleration. Vibratory motion is often described by identifying the peak particle velocity (PPV), which is the zero-to-peak amplitude of ground vibration waves.

Sources of ground vibration can be categorized into (1) equipment or activities typical of continuous vibration, (2) single-impact or low-rate repeated impact vibration, and (3) high-rate repeated impact vibration. Equipment or activities typical of continuous vibration include excavation equipment, compaction equipment, and vibratory pile drivers. Equipment or activities typical of single-impact or low-rate repeated impact vibration include impact pile drivers, blasting, or drop balls. Equipment or activities typical of high-rate repeated impact vibration include jackhammers and hydraulic breakers (“hoe rams”).

Ground vibration can be annoying to people and has the potential to damage structures, including structural and cosmetic architectural damage. Ground vibration also has the potential to disrupt the operation of vibration-sensitive equipment, such as microscopes, MRI machines, and precision milling equipment. Vibration amplitudes (PPV) of various construction equipment can be calculated using methods described in the California Department of Transportation’s (Caltrans’) 2020 *Transportation and Construction Vibration Guidance Manual*.²³ The manual also includes guidelines for vibration damage and vibration annoyance potential thresholds. One method for reducing vibration is the installation of wave barriers. A wave barrier is a trench or thin wall made of sheet piles or similar structural members.

Mendocino County has adopted two (2) airport land use plans. The Mendocino County Airport Comprehensive Land Use Plan was adopted in 1996 and covers Boonville Airport, Ells Field, Little River Airport, Ocean Ridge Airport, and Round Valley Airport. The Ukiah Municipal Airport Land Use Compatibility Plan was adopted in 2021. Together, the plans cover all public airports in Mendocino County and contain individualized policies related to noise. Certain land use actions require review by the Mendocino County Airport Land Use Commission.

DISCUSSION:

- a-c) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses generate substantial noise or ground vibration. The probability that newly allowable land uses may be established after the ten (10) year rezoning “roll-out” period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects.

MITIGATION MEASURES: None.

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

²³ California Department of Transportation (Caltrans). (2020). *Transportation and Construction Vibration Guidance Manual*. California Department of Transportation, Division of Environmental Analysis, Environmental Engineering, Hazardous Waste, Air, Noise, Paleontology Office.

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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: 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. According to the California Department of Finance Demographic Research Unit, the population of Mendocino County is projected to increase by 2.1 percent between 2025 and 2035.

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 1,349 housing units for the unincorporated area between 2018 and 2027. Goals and policies were set forth to facilitate the development of housing units at a range of sizes and types to address this need. The Housing Element includes an analysis of land suitable for residential development and considers revisions to zoning regulations and development standards to encourage development of these areas.

"Unplanned" population growth may include the development of new homes businesses, roads, and/or other infrastructure at a density or intensity greater than provided for by the General Plan land use classification or zoning district in which the property is located.

DISCUSSION:

- a) **No Impact:** The new FL zoning district would not change the maximum density or minimum lot size of the subject parcels. As such, the proposed rezoning would not allow any additional residential development beyond existing conditions.
- b) **No Impact:** The project site does not contain any existing housing and does not contain any permanent population.

MITIGATION MEASURES: None.

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

5.15 PUBLIC SERVICES

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

ENVIRONMENTAL SETTING: 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.²⁴ Within Mendocino County, the California Department of Forestry and Fire Protection's Mendocino Unit (CAL FIRE) along with two city fire departments and 19 fire protection districts/community services districts provide life and property emergency response to the residents and visitors of the County. Police protection services within the unincorporated area of the County are 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.

General Plan Policy DE-179 establishes standards for the provision of parkland in the county. The amount of sufficient park space is determined by population.

DISCUSSION:

- a-e) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses induce the need for new or altered governmental facilities. The probability that newly allowable land uses may be established after the ten (10) year rezoning "roll-out" period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects. The new FL zoning district would not change the maximum density or minimum lot size of the subject parcels. As such, the proposed rezoning would not allow any additional residential development beyond existing conditions. Due to the lack of additional residential development, future development is unlikely to require new or expanded governmental facilities.

MITIGATION MEASURES: None.

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

²⁴ County of Mendocino. General Plan - Chapter 3: Development Element. 2009. Revised 2020. <https://www.mendocinocounty.gov/home/showpublisheddocument/54479/638055061911270000>.

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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: The County of Mendocino manages a variety of public recreation areas including 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 used for the purpose of recreation throughout Mendocino County.²⁵ 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, and Gualala River Redwood Park).²⁶

DISCUSSION:

- a-b) **No Impact:** No direct impact would occur because physical development is not proposed. Indirect impacts may occur if newly allowed land uses increase the use of parks or recreational facilities or involve the construction of recreational facilities. The probability that newly allowable land uses may be established after the ten (10) year rezoning "roll-out" period is unknown. The extent of potential future impacts is speculative. A Coastal Development Permit would be required to establish new uses, which would require additional environmental review based on the details of those future projects. The new FL zoning district would not change the maximum density or minimum lot size of the subject parcels. As such, the proposed rezoning would not allow any additional residential development beyond existing conditions. Due to the lack of additional residential development, future development is unlikely to require new or expanded recreational facilities.

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?	☐	☐	☐	☒

²⁵ Mendocino County Parks Division of General Services. Parks. <https://www.mendocinocounty.gov/departments/general-services/parks>.

²⁶ County of Mendocino. General Plan Coastal Element. 1985. Revised 2021.

<https://www.mendocinocounty.gov/home/showpublisheddocument/65985/638587122803630000>.

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: Mendocino County's General Plan – Development Element Policies DE-131, DE-148, DE-149, and DE-157 relate to transportation, including Action Item DE-138.1. The Mendocino Council of Governments (MCOG) most recently adopted a Regional Transportation Plan on April 7, 2022. The Regional Transportation Plan is a long-range planning document that provides a vision of regional transportation goals, policies, objectives, and strategies. These may be relevant to individual projects when conducting environmental review.

CEQA Guidelines Section 15064.3 recommends “specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, “vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel.” This section details appropriate methods for determining the significance of transportation impacts.

According to the 2018 Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, “many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.” This is based on the Class 1 Existing Facilities CEQA exemption for additions to existing structures up to 10,000 square feet where the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and where the area in which the project is located is not environmentally sensitive (California Code of Regulations Title 14 Section 15301(e)(2)). However, the OPR Technical Advisory screening criteria are not based on VMT. Based on the trip generation rate contained in the Technical Advisory and average vehicle trip lengths for Mendocino County Based on the 2012 California Household Travel Survey (CHTS), the 2020 Mendocino Council of Governments (MCOG) Vehicle Miles Traveled Regional Baseline Study found that projects consistent with the Regional Transportation Plan or General Plan that generate less than 640 VMT per day may be presumed to have less-than-significant VMT impacts. Converting this value to an equivalent number of residential households indicates that up to 22 units can be presumed to have a less-than-significant impact.

The 2010 MCOG Travel Demand Forecasting Model estimates daily trip generation values for various land uses and geographic areas in Mendocino County. For land uses other than residential, the Model may be used in conjunction with average trip lengths to assist in determining whether projects exceed the screening threshold.

The Mendocino County Department of Transportation (DOT) is responsible for the maintenance and operation of County maintained roads, bridges, and related features. The County Road and Development Standards apply to road improvements, project-related improvements in subdivisions, and other land development projects that require County approval. On state highways under CALTRANS jurisdiction, the Highway Design Manual establishes policies and procedures that guide state highway design functions. Mendocino County Code Section 17-52, 53, and 54 establish lot design, configuration, access, and private road requirements for subdivisions.

DISCUSSION:

- a) **No Impact:** No direct conflicts would occur because physical development is not proposed. The project would have no impact on the circulation system because (1) the allowable residential density and minimum lot size would not change, (2) newly allowable uses would not preclude the installation of transit, roadway, bicycle, or pedestrian facilities, and (3) the specific potential impacts of future projects are unforeseeable due to the 10 year “roll-out” period. The scale and intensity of future projects are unforeseeable.
- b) **No Impact:** The scale and intensity of future projects are unknown, and thus the trip-generating or Vehicle Miles Traveled impacts are unforeseeable. The applicant has stated that the intent of the proposed rezoning is to provide for future “ranchette” development, but the proposal would not allow any more residential development than currently allowed. Thus, the potential number of trips or Vehicle Miles Traveled generated by residential development would be no greater than existing conditions.
- c) **No Impact:** No direct impact would occur because no physical development is proposed. The potential that hazardous geometric design features would be developed in the future as a result of the rezoning is unforeseeable due to the 10 year “roll-out” period. The proposed rezoning would allow Light Agriculture as a permitted use rather than a conditional use. Therefore, it may be more likely that agricultural activities are established on the property in the future. However, there are no public roads that intersect the property, except for a single access point along Little River Airport Road. Therefore, farm equipment is not expected to regularly use public roads. Future development of roads would require a Coastal Development Permit, which would in turn require subsequent environmental review.
- d) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. The site is not mentioned specifically in any adopted emergency response plans or emergency evacuation plans. The property is accessed from Little River Airport Road via private driveway and private internal logging roads. Future development of newly allowed uses is unlikely to interfere with emergency plans because it is unlikely to block public emergency access routes, such as Little River Airport Road.

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☐	☐	☒
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)?	☐	☐	☐	☒

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

ENVIRONMENTAL SETTING: Public Resources Code §21074 defines Tribal cultural resources as either of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. (c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).”

PRC Section 5020.1(k) defines a “local register of historical resources” as *a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.*

PRC Section 5024.1(c) establishes the following: *A resource may be listed as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria:*

- *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.*
- *Is associated with the lives of persons important in our past.*
- *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*
- *Has yielded, or may be likely to yield, information important in prehistory or history.*

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. dissertation²⁷ and 1984 regional synthesis.²⁸ 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.

²⁷ Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

²⁸ Fredrickson, David, A. 1984. *The North Coastal Region, California Archaeology*

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.

DISCUSSION:

- a) **No Impact:** No direct impacts would occur because physical development is not proposed. Mendocino County Code Chapter 22.12, the "Archaeological Resources Ordinance", provides that as part of the processing of any Coastal Development Permit, referrals shall be made to the Northwest Information Center at Sonoma State University (NWIC) for literature review regarding potential archaeological sensitivity. The recommendations of NWIC are then reviewed by the Mendocino County Archaeological Commission, who decide whether an archaeological survey shall be required for the project. The Archaeological Resources Ordinance includes procedures and regulations for impact mitigations, excavations, and unanticipated discoveries of archaeological resources or human remains. Grading, removing, dredging, or mining any materials are "development" as defined within the LCP. As such, activities that have the potential to disturb cultural resources require a CDP, and in turn requires that the Archaeological Resources Ordinance process be followed. This procedure applies to development on the property regardless of the proposed rezoning. The rezoning application was referred to three local tribes on December 12, 2025, including the Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. The Sherwood Valley Band of Pomo Indians responded on January 8, 2026, with no comment. The other tribes did not respond.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No 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?	☐	☐	☐	☒

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: 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.

DISCUSSION:

- a) **No Impact:** The proposed rezoning would not directly require or result in the relocation or construction of facilities because no physical development is proposed. The rezoning would not indirectly require the relocation or construction of facilities because it would not require that any of the newly allowed uses be established. The future establishment of newly allowed uses may require new or relocated facilities, but the environmental effects of future establishment are unforeseeable due to the 10 year "roll-out" period and lack of proposed development from the rezoning applicant. Future development would require a Coastal Development Permit, which in turn would require subsequent environmental review when specific projects are proposed.
- b) **No Impact:** Any change in the intensity of use of water is "development" requiring a Coastal Development Permit, as defined in the Coastal Act and Mendocino County LCP. In accordance with existing LCP policies, adequate water supply must be demonstrated prior to the establishment of any new use.
- c) **No Impact:** The site is not within the service area of a wastewater treatment provider.
- d) **No Impact:** No direct impact would occur because no waste-generating development is proposed. The waste-generating potential of newly allowed uses are unforeseeable due to the 10 year "roll-out" period and lack of proposed development from the rezoning applicant. Future

development would require a Coastal Development Permit, which in turn would require subsequent environmental review when specific projects are proposed. Future “ranchette” development, as envisioned by the applicant, would not generate solid waste beyond existing conditions because residential density and minimum lot size requirements would not change.

- e) **No Impact:** No direct impact would occur because no waste-generating development is proposed. The waste-generating potential of newly allowed uses are unforeseeable due to the 10 year “roll-out” period and lack of proposed development from the rezoning applicant. Future development would require a Coastal Development Permit, which in turn would require subsequent environmental review when specific projects are proposed. Future “ranchette” development, as envisioned by the applicant, would not generate solid waste beyond existing conditions because residential density and minimum lot size requirements would not change.

MITIGATION MEASURES: None.

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

5.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: 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”.²⁹

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

²⁹ County of Mendocino – Plans and Publications, 2019.

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.

Public Resources Code (PRC) §4201-4204 and Government 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. 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.

DISCUSSION:

- a) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. The site is not mentioned specifically in any adopted emergency response plans or emergency evacuation plans. The property is accessed from Little River Airport Road via private driveway and private internal logging roads. Future development of newly allowed uses is unlikely to interfere with emergency plans because it is unlikely to block public emergency access routes, such as Little River Airport Road.
- b-d) **No Impact:** No direct impacts would occur because physical development is not proposed. The potential impacts of future development are speculative and would be evaluated during the review of subsequent CDP applications when specific projects are proposed. Most of the ownership is within either the Moderate or High Fire Hazard Severity zones mapped by CAL FIRE. The northeastern corner of APN 121-020-16 is within the Very High Fire Hazard Severity zone. Ongoing timber harvest activities have resulted or will result in the development of fuel breaks and defensible space management on the property

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No 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).	☐	☐	☒	☐

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 Impact:** Based on discussion throughout this document, particularly in Sections 5.2, 5.3, 5.4, 5.5, and 5.18, there is some potential for impacts, but these impacts would be less-than-significant.
- b) **Less than Significant Impact:** Based on discussion throughout this document, there are no cumulatively considerable impacts.
- c) **Less than Significant Impact:** Based on discussion throughout this document, potential adverse effects on human beings, both directly and indirectly, have been considered and found to be less than significant.

MITIGATION MEASURES: None.

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