



**INITIAL STUDY AND  
NEGATIVE DECLARATION**

SCH: XXXXXX

FOR

**STEVEN AMATO**

**GENERAL PLAN AMENDMENT/ REZONE**

**AT 3557, 3565, & 3563 FELIZ CREEK ROAD; APNs:**

**047-080-31, -33, -34 & 047-050-46**

File No. GP\_2024-0002/ R\_2024-0002

**LEAD AGENCY:**

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**APRIL 20, 2026**

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# INTRODUCTION

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In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Negative Declaration (ND) for the proposed General Plan Amendment and Rezone to change the land use classification and zoning district of three (3) parcels from Range Lands 160-Acres Minimum (RL160) to Agricultural 40-Acres Minimum (AG40) with a Contract Rezone Combining District at 3557, 3565, & 3563 Feliz Creek Road, APNs: 047-080-33, 047-080-34, 047-080-31, and 047-050-46 (Project). This Draft IS/ND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

Pursuant to Section 15367 of the State CEQA Guidelines, the County of Mendocino is the Lead Agency for the Project. As the Lead Agency, The County of Mendocino has the principal responsibility for carrying out the project and has the authority to approve the Project and its accompanying environmental documentation. In addition to addressing the potential environmental impacts that would result from the Project, this Draft IS/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

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**FILE NUMBER:** GP\_2024-0002 and R\_2024-0002

**OWNER:** Feliz Creek Vineyards, LLC.  
500 Craig Road #202  
Manalapan, NJ 07726

**APPLICANT:** Steven Amato  
4600 Feliz Creek Road  
Hopland, CA 95449

**AGENT:** Jim Ronco Consulting, LLC.  
445 N. State Street  
Ukiah, CA 95482

**PROJECT LOCATION:** 3± miles northwest of the Hopland town center, 1.5± miles northwest of the intersection of Feliz Creek Road (CR 109) and County Road 110,

located at 3557, 3565, & 3563 Feliz Creek Road (APNs: 047-080-33, 047-080-34, 047-080-31, and 047-050-46).

- TOTAL ACREAGE:** 108± Acres
- GENERAL PLAN:** Range Lands 160-Acres Minimum (RL160)
- ZONING:** Range Lands 160-Acres Minimum (RL:160)

**PROJECT DESCRIPTION:** Pursuant to CEQA Guidelines Section 15125, 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 a General Plan Amendment and Rezone to change the land use classification and zoning district of three (3) parcels from Range Lands (RL160) to Agricultural (AG40) with a Contract Rezone Combining District, totaling 108± acres in size. The project description on the application stated, *this change is necessary to enhance the agricultural operations on the property, ensure the long-term sustainability of the vineyard and grazing uses, and align the zoning with the surrounding land uses and the objectives of the Mendocino County General Plan. The subject parcels form a crucial part of the agricultural landscape in the northern branch of Feliz Creek. The existing use of these parcels as vineyards, grazing land, and residential areas seamlessly integrates with the surrounding land uses, creating a harmonious blend of agricultural and rural residential activities that is consistent with the Mendocino County General Plan.* In addition, the applicant stated that they have considered cultivating commercial cannabis on APN: 047-080-31, however, *“with the current conditions of cannabis markets it is not even a viable pursuit at this time any longer and [!] originally started the process of potential licensing just to have the option if it made sense in the future”*

Similar to the general uses in the RL land use classification, AG designated parcels generally include residential uses, agricultural uses, uses determined to be related to and compatible with agriculture, conservation, processing, and development of natural resources, and cottage industries. The AG classification also allows farmworker housing, processing and sale of agricultural products, residential clustering, and utility installations. Agricultural lands have a dwelling unit and parcel minimum density of one unit per 40 acres, down from the Range Lands’ 160-acre minimum. This increase in potential development and parcel density is known as “upzoning”. While subdivision and more intense residential development is not a stated goal of the proposal, Parcel 3 could be subdivided into two parcels in the future, resulting in a possible net increase of dwelling units or other improvements. If the applicant pursues a subdivision in the future, additional review under the CEQA would be required. The primary distinction between the permitted uses in the AG and RL zoning districts is that commercial cannabis cultivation and processing is permitted subject to an Administrative Permit or Zoning Clearance and Forest production and processing of commercial woodlots subject to an Administrative Permit in the AG district. Forest production and processing of commercial woodlots would be an inappropriate use given that the parcels do not contain commercial timber species. A Contract Rezone combining district is necessary so as not to create problems inimical to the public health, safety, or welfare of the County, in that the conditions imposed by the contract will ensure that resources located within the subject parcels are protected from potential environmental impacts resulting from the change in general plan classification and zoning district.

The project is located approximately 3 miles northwest of the Hopland town center, 1.5± miles northwest of the intersection of Feliz Creek Road (CR 109) and County Road 110, located at 3557, 3565, & 3563 Feliz Creek Road (APNs: 047-080-33, 047-080-34, 047-050-46 and 047-050-31). Parcel 1 contains a single-family residence, a well and septic system. Parcel 2 is undeveloped with the exception of a well. Parcel 3 contains a single-family residence, a secondary residence, ancillary structures, vineyards, three barns, and an agricultural pond. From east to west, elevations range from 0 degrees to 86 degrees.<sup>1</sup> The subject parcels are mapped within a Moderate Fire Hazard area and are served by the Hopland Rural Fire Protection District.<sup>2</sup>

The subject properties are under a Williamson Act contract (Agricultural Preserve No. 0026). Currently 25.5± acres of land are utilized for vineyard cultivation within the Prime agriculture land.<sup>3</sup> The Important

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<sup>1</sup> Estimated Slope Map.

<sup>2</sup> Fire Hazard Zones and Responsibility Areas

<sup>3</sup> Crops Map.

Farmlands map indicates Parcel 3 is situated on Prime Farmland, Unique Farmland, Rural Residential & Rural Commercial, and Parcels 1 and 2 are situated on Grazing Land. The subject parcels are situated within Eastern Soil Classifications including Yorkville-Hopland loams, Feliz loam, Feliz clay loam and gravelly substratum, Bearwallow-Hellman loams, and Hopland-Witherell-Squaw rock complex.

**SURROUNDING LAND USE AND SETTING:** Adjacent parcels to the north, south, west, and east are zoned Range Lands 160-Acres Minimum (RL160) and are primarily agricultural in nature, with few single-family residences. With the exception of parcels to the north, adjacent parcels are under non-prime land Williamson Act contracts. The parcels to the north contain single-family residences and are 10± acres in size.

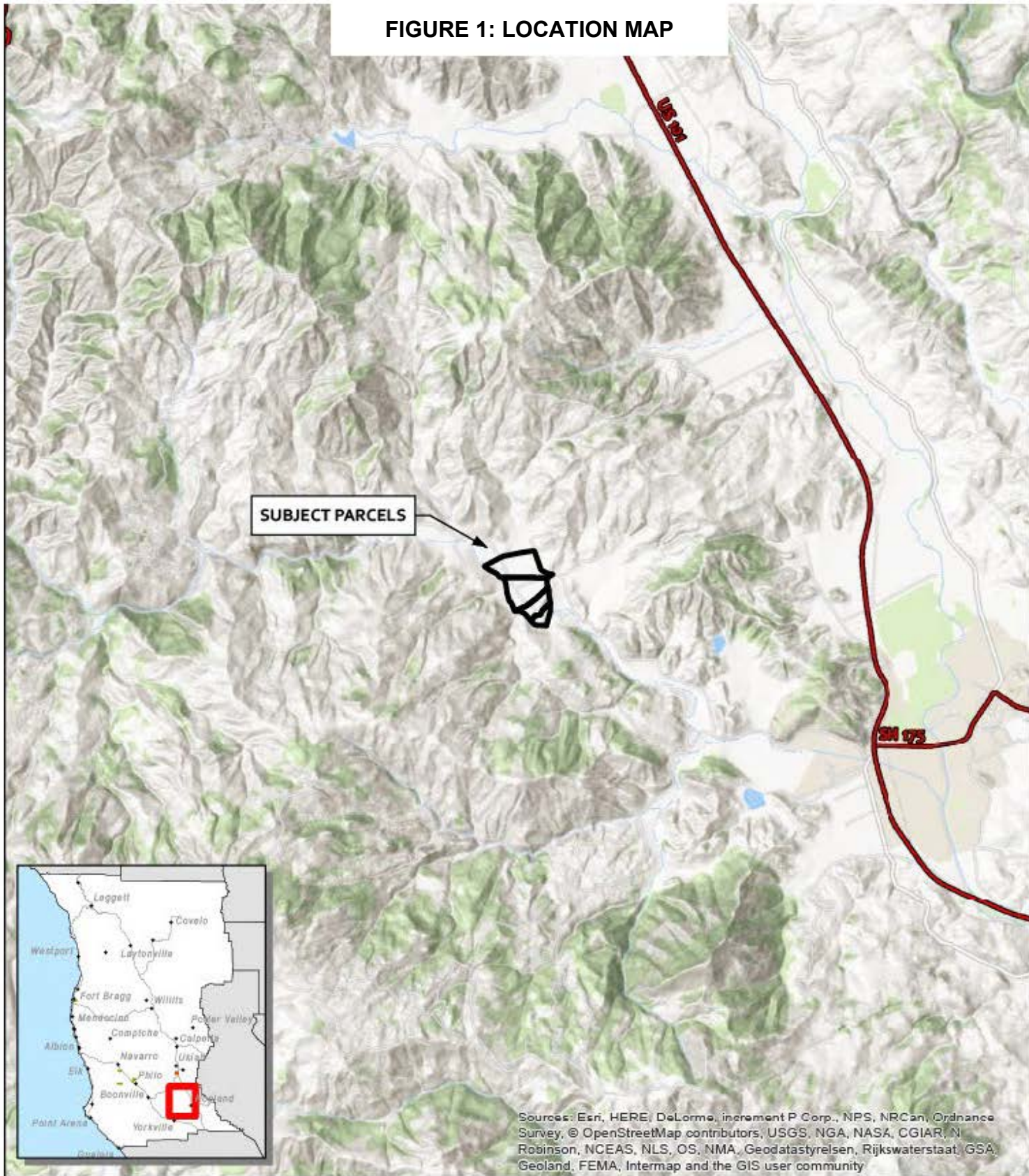
**Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements):**

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

Pursuant to PRC Section 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 Hopland Tribe, Sherwood Valley Band of Pomo Indians, Potter Valley Tribe, Redwood Valley Rancheria, and Cloverdale Rancheria.

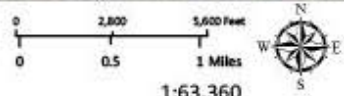
**PROJECT PLOT PLAN:** See Page 6 of this document.

**FIGURE 1: LOCATION MAP**



**CASE: GP 2024-0002 & R 2024-0002**  
**OWNER: Feliz Creek Vineyards, LLC**  
**APN: Various**  
**APLCT: Steven Amato**  
**AGENT: Jim Ronco Consulting LLC**  
**ADDRESS: 3357, 3565 & 3563 Feliz Creek Rd.**

Highways

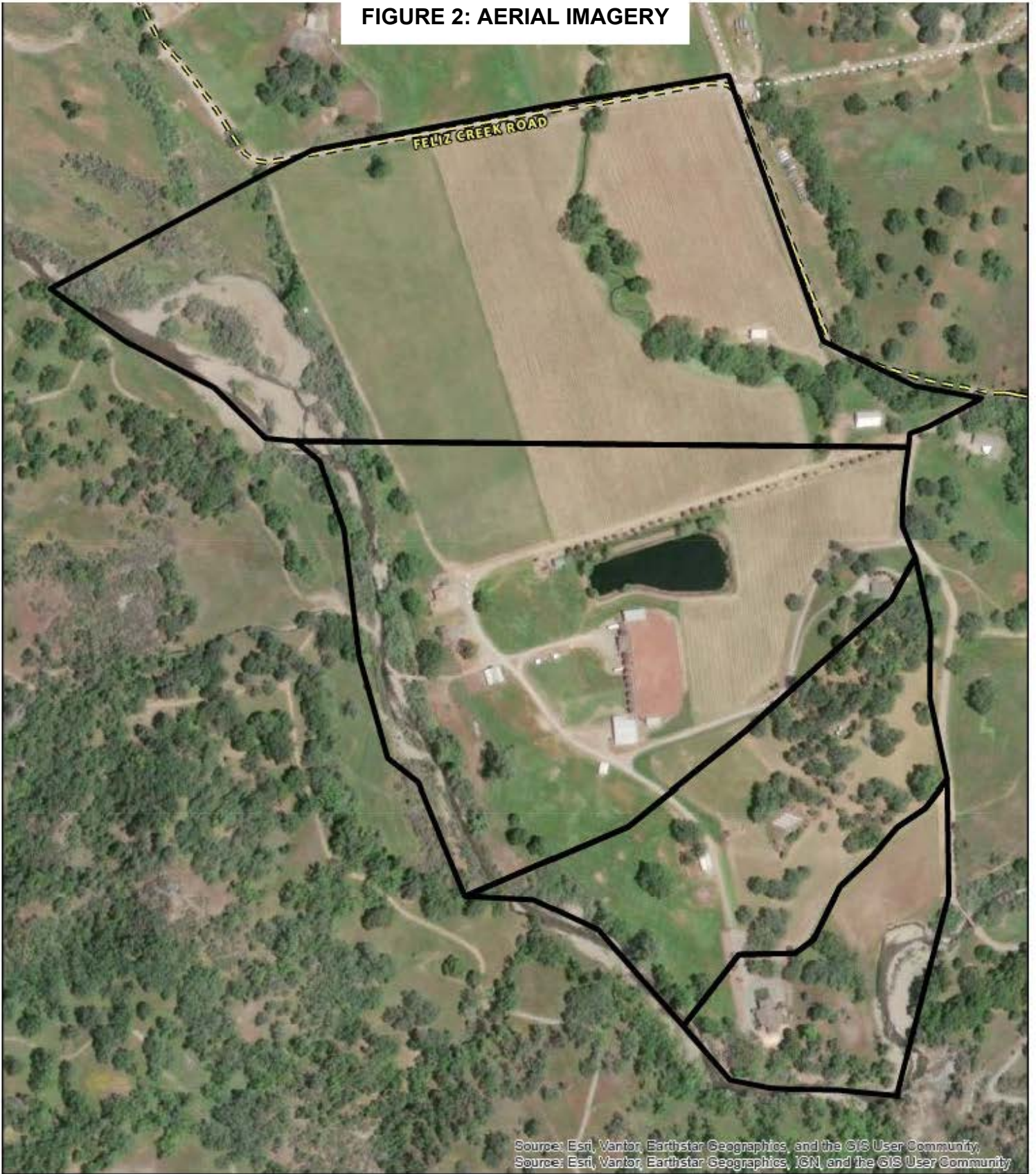


1:63,360

**LOCATION**

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

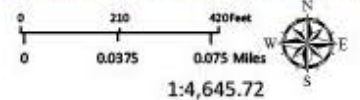
**FIGURE 2: AERIAL IMAGERY**



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

**CASE:** GP 2024-0002 & R 2024-0002  
**OWNER:** Feliz Creek Vineyards, LLC  
**APN:** Various  
**APLCT:** Steven Amato  
**AGENT:** Jim Ronco Consulting LLC  
**ADDRESS:** 3357, 3565 & 3563 Feliz Creek Rd.

-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads



1:4,645.72

**AERIAL IMAGERY**

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

FIGURE 3: PLOT PLAN

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# ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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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.

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

## DETERMINATION

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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.



Signature

Shelby Miller

Printed Name

May 5, 2026

Date

Planner III

Title

# ENVIRONMENTAL CHECKLIST

## 5.1 AESTHETICS

Except as provided in public resources code section 21099, <b>WOULD THE PROJECT:</b>	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** A “scenic vista” is defined as a *singular vantage point that offers high quality, harmonious, or visually interesting views of a valued landscape for the benefit of the public*. Scenic vistas are typically found along major highways or other public roads but may also occur in other areas accessible to the public. “Scenic resources” include objects, features, or patterns within the landscape which are visually interesting or pleasing. Scenic resources can include trees, rock outcroppings, historic buildings, or other features. California Streets and Highways Code (SHC) Sections 260-284 establish the State Scenic Highway program for *“the protection and enhancement of California’s natural scenic beauty”*.<sup>4</sup> The Department of Transportation (CALTRANS) oversees this program, including a list of officially designated Scenic Highways and those deemed “eligible” for incorporation into the program.

No highways in Mendocino County have been officially incorporated into the State Scenic Highway system. State Route 1 (SR 1) is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, is part of the National Highway System; a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. State Route 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a “scenic highway”, meaning that there are substantial sections of highway passing through a “memorable landscape” with no “visual intrusions.” As such, there are no adopted Corridor Protection Programs in the county. However, the entirety of State Route 1 (SR 1) in Mendocino County, the portion of U.S. Route 101 (US 101) 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”.<sup>5</sup>

No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.<sup>6</sup> Additionally, the County has two roadway segments designated as “heritage corridors” by California Public Resources Code Section 5077.5.<sup>7</sup> The North Coast Heritage Corridor includes the entire segment of SR 1 in the county, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It 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.

<sup>4</sup> California Code, Streets and Highways Code, California Streets and Highways Code (SCH) § 260 (2023).

<sup>5</sup> California Code, Streets and Highways Code, CA SCH §263.1 to 263.8 (2023).

<sup>6</sup> 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>

<sup>7</sup> California Public Resources Code §5077.5.

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting off of structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Two elements of light pollution may affect county residents: sky glow (a result of light fixtures that emit a portion of their light directly upward in the sky), and light trespass (poorly shielded or poorly aimed fixtures which cast light into unwanted areas, such as neighboring properties and homes). Different lighting standards are set by classifying areas by lighting zones (LZ). The 2000 Census classified the majority of Mendocino County as LZ2 (rural), which requires stricter lighting standards in order to protect these areas from new sources of light pollution and light trespass. According to the 2020 U.S. Census<sup>8</sup>, 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.

### Mendocino County General Plan

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 Policies<sup>9</sup> 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 from the Development Element (DE) and Resource Management (RM) 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.*
- Policy DE-89: *Reduce excessive artificial light and offsite light impacts while maintaining nighttime safety, security, and productivity.*
- 
- 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.”*
- Policy RM-87: *Conserve the county’s hillside vegetation (consistent with fire safety standards) by incorporating density transfers, clustering, small building sites, shared improvements and other measures that: a. Are compatible with the natural terrain and hydrology, b. Conserve continuous critical habitats, oak woodlands and natural vegetation, and c. Minimize visual impacts.*

a-b) **No Impact:** The project proposes a General Plan Amendment and Rezone to change the land use classification and zoning district of three (3) parcels from Rangeland (RL160) to Agricultural (AG40), totaling 108± acres. The project site is not accessed or visible from a scenic vista or state scenic highway. No development is proposed as part of the project at this time. However, several types of development could occur in the future including residential, civic, and agricultural.

c) **No Impact:** The project site is nestled in the western foothills of Hopland and would not be visible from a public vantage point. Feliz Creek Road is partially county-maintained and partially privately maintained. The west side of Feliz Creek Road (CR 109) is lined with trees, vegetation and a barn on an adjacent parcel. The subject properties are not visible from the county-maintained portion, which is approximately 2 miles north of the Mountain House Road (CR 110) intersection. The subject properties are only visible from the privately maintained portion of Feliz Creek Road. Therefore, there is no impact on visual resources from a publicly accessible vantage point.

d) **Less Than a Significant Impact:** The project proposes a General Plan Amendment and Rezone to change the land use classification and zoning district of three (3) parcels from Rangeland (RL160) to Agricultural (AG40), totaling 108± acres.

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<sup>8</sup> US Census Bureau Urban and Rural Guidance. 2020. <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>

<sup>9</sup> Mendocino County General Plan Chapter 6: Community - Specific Policies. August 2009.  
<https://www.mendocinocounty.gov/home/showpublisheddocument/5236/636242320402030000>

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

The Mendocino County General Plan states the Rangeland (RL) classification is intended to *be applied to lands which are suited for and are appropriately retained for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels, and other contiguous lands, the inclusion of which is necessary for*

*the protection and efficient management of rangelands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.*

In comparison, the Agricultural Lands classification, as stated in the Development Element of the Mendocino County General Plan, intends to *be applied to lands that are suited for and are appropriately retained for the production of crops. The classification should include lands presently under Type I agricultural preserve contracts, land having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which non-compatible uses could jeopardize the agricultural use of agricultural lands. Permitted non-agricultural uses, to the greatest extent possible, should not occur on lands that might otherwise be devoted to crop production. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.*

- a) **No Impact:** The project proposes rezoning and amending the General Plan classifications on three parcels, totaling 108± acres from Rangeland to Agriculture. The applicant stated, *this change is necessary to enhance the viability of agricultural operations on the property, ensure the long-term sustainability of the vineyard and grazing uses, and align the zoning with the surrounding land uses and the objectives of the Mendocino County General Plan... the existing use of these parcels as vineyards, grazing land, and residential areas seamlessly integrates with the surrounding land uses, creating a harmonious blend of agricultural and rural residential activities that is consistent with the Mendocino County General Plan.*

According to the Important Farmlands map, the majority of Parcel 3 (APNs: 047-080-31 & 047-050-46) is sited on Prime farmland, the remaining portion is sited on Grazing Land, Rural Residential, and Unique Farmlands. Parcels 1 (APN: 047-080-34) and 2 (APNs: 047-080-33) are sited on Grazing Land.<sup>10</sup> The property would continue its agricultural uses and would not convert the uses to a non-agricultural use. Thus, no impact is anticipated.

- b) **Less Than a Significant Impact:** The subject property is under a Williamson Act Contract (Agricultural Preserve No.0026). Approximately 25.5 acres of contracted land contains vineyards. The remaining acres are used for grazing. The property is compliant with their Williamson Act contract. As stated previously, the project proposes rezoning and amending the General Plan classification of the subject property from Rangeland (RL) to Agriculture (AG). Considering the property would continue its agricultural use and may expand agricultural use types, the project would not conflict with the existing Williamson Act contract. Unlike the RL district, AG zoned parcels are permitted to cultivate commercial cannabis or process commercial cannabis subject to a Zoning Clearance or an Administrative Permit. According to the County's Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, commercial cannabis cultivation and processing are compatible uses on agricultural land.

Rezoning and amending the GP classification would result in the loss of several agricultural use types by-right. Unlike the RL classification and zoning district, forest production and processing – portable sawmills, commercial animal sales and services – horse stables; kennels; and stockyards would be permitted subject to an Administrative Permit. Additionally, unlike the RL zoning district and classification, animal waste processing would require a Use Permit. The RL district principally permits more agricultural use types by-right than the AG district. The project proposal would eliminate the packing and processing – commercial cooperage use that is currently permitted in RL districts subject to a Use Permit. All other agricultural use types are permitted either by-right, with an Administrative Permit or Use Permit. Considering the permitted use types would shift from a by-right approval to a discretionary approval, the project would have a less than significant impact. Additionally, the remaining 191± acres of the property would remain in the RL district.

- c) **No Impact:** The subject parcels are located within a Range Lands zoning district and land use classification. The subject parcels are not associated with forest land or timberland production

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<sup>10</sup> Important Farmlands map.

as defined in Public Resources Code Sections 12220(g) and 51104(g). Therefore, no impact would occur.

- d) **No Impact:** The subject parcels contain vineyards, agricultural buildings, single-family residences, and grazing land. The property is not considered forest land and therefore no impact would occur.
- e) **No Impact:** The applicant stated that this project *is necessary to enhance the viability of agricultural operations on the property, ensure the long-term sustainability of the vineyard and grazing uses, and align the zoning with the surrounding land uses and the objectives of the Mendocino County General Plan. The subject parcels...form a crucial part of the agricultural landscape in the northern branch of Feliz Creek. The existing use of these parcels as vineyards, grazing land, and residential areas seamlessly integrates with the surrounding land uses, creating a harmonious blend of agricultural and rural residential activities that is consistent with the Mendocino County General Plan.* The applicants aim to continue agriculture uses on the subject property. Therefore, no impact would occur.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** The 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. Area designations are based on the most recent available air quality data and are compared to the ambient air quality standards to indicate the healthfulness of air quality throughout the State. CARB has established ambient air quality standards for ten pollutants including: ozone, suspended particulate matter (PM<sub>10</sub>), fine suspended particulate matter (PM<sub>2.5</sub>), 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 Ambient Air Quality Standards for six commonly found air pollutants including: ozone, PM<sub>10</sub>, PM<sub>2.5</sub>, carbon monoxide, nitrogen dioxide, and sulfur dioxide. 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.<sup>11</sup> The County achieved attainment in 2021.<sup>12</sup> The Hydrogen Sulfide and Visibility Reducing Particles designations remain unclassified in Mendocino County.

<sup>11</sup> 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.

<sup>12</sup> California Air Resources Board (2022). 2021 Amendments to Area Designations for State Ambient Air Quality Standards. Retrieved from <https://ww2.arb.ca.gov/rulemaking>.

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.

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 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 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

- 1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel-powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM<sub>2.5</sub>. 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.<sup>13</sup> Mendocino County General Plan Policies RM-37, RM-38, and RM-49 relate to Air Quality.<sup>14</sup>

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.*”

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.<sup>15</sup>

**The Mendocino Cannabis Cultivation Regulation (MCCR)** include the following requirements regarding air quality: MCC Section 10A.17.040: General Limitations on Cultivation of Cannabis (C) The outdoor, indoor or mixed light cultivation of cannabis shall not propagate objectionable odors which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public. (D) The indoor or mixed-light cultivation of cannabis shall rely on the electrical grid or some form of alternative energy source. The indoor or mixed-light cultivation cannabis shall not rely on a generator as a primary source of power.

MCC Section 10A.17.070: Requirements for all Cannabis Cultivation Business Licenses (CCBLs) (F) Generators. The indoor or mixed-light cultivation of cannabis shall not rely on a generator as a primary source of power. (1) If no grid power source is available and there is not an alternative power source supporting both any required legal dwelling unit and the indoor or mixed-light CCBL operations, a generator may be used only under the following conditions: (1) the CCBL Holder shall install an alternative power source that will meet at least one-half (½) of the combined power requirements by the expiration of four (4) years from the date of initial application for a CCBL pursuant to this Chapter and (2) it will be a condition of the renewal of a CCBL at the end of such four (4) year period that the cultivator commit, in writing, to expand their alternative power source to fully meet the combined needs of the cultivation operations and any required legal dwelling unit within two years. If a generator is being used pursuant to the conditions set forth in this paragraph, CCBL Holder shall have conducted an analysis of the noise levels produced by the generator at full operational speed, showing compliance with Mendocino County General Plan Policies DE100, 101 and 103. This analysis shall be performed by an accredited acoustical engineer or using some other mechanism or device as provided for on a list to be prepared and published by the Department. All generators shall be, at a minimum, equipped with the manufacturer's specified muffler; if compliance with Policies DE100, 101 and 103 requires additional measures, the generator shall be equipped with such

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<sup>13</sup> Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/aqmd/>.

<sup>14</sup> County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

<sup>15</sup> Mendocino County Air Quality Management District (2013). *Policies for Areas Containing Naturally Occurring Asbestos (NOA)*. Retrieved from <https://www.co.mendocino.ca.us/aqmd>

measures, which may include a hospital- grade muffler and/or a structure to enclose the generator designed for sound suppression.

(2) If a generator is used to support any aspect of a cultivation operation with a CCBL, (excluding the conditions set forth in paragraph (1) above), it shall be as a secondary or back-up power source. The use of the generator shall only be allowed when the primary alternative power source is unable to provide its normal output and generate sufficient power to meet the needs of the cultivation operation and the legal dwelling unit. The Owner's Manual and/or Operation Manual (or operational fact sheet) providing the operational characteristics and maintenance schedule for the generator shall be on-site and available for review.

(P) All buildings, including greenhouses, used for the cultivation of cannabis pursuant to an "artificial light" permit (generally Type C-A, Type 1-A, Type 2-A and Nursery as applicable), shall be equipped with filtered ventilation systems, permitted by the MCAQMD which rely on Activated Carbon Filtration, Negative Ion Generation, Ozone Generation or other odor control mechanism demonstrated to be effective in reducing cannabis odors.

(U) CCBL Holders shall obtain as may be required all approvals and permits required by the Mendocino County Air Quality Management District (MCAQMD) pursuant to state and federal laws, MCAQMD regulations, adopted air quality plans, MCAQMD policies and other applicable statutes.

Per MCC Section 20.242.070, each proposed cannabis cultivation sites in AG zoned parcels are subject to the either a Zoning Clearance or an Administrative Permit planning review process. Zoning Clearances confirm the cannabis cultivation site is allowed in the zoning district and is subject to the applicable requirements of MCC Chapter 20.242 and confirm the legal parcel on which the cultivation site is located. The Department shall additionally provide any information as requested by the Mendocino Cannabis Department to confirm compliance with any of the provisions of Chapter 10A.17. Administrative Permits are subject to special findings as outlined in MCC Section 20.242.070(C) and shall be in accordance with the Administrative Permit review procedure listed in MCC Chapter 20.192.

MCC Section 20.243.060, Cannabis facilities may be allowed with an approved Zoning Clearance or Administrative Permit as required for the zoning district in which the cannabis facility is located. Additionally, (A) Distribution licenses shall be allowed in any zoning district as an accessory use to other cannabis facilities on the site, subject to the limitations of paragraph (E) of section 20.243.040. (B) Non-Storefront Retail locations shall be permitted in any zoning district as an accessory use to a cultivation site under application review or permitted pursuant to Chapters 10A.17 and 20.242.

- a) **No Impact:** The permitted uses within the AG and RL zoning districts are relatively the same with the exception of commercial cannabis cultivation and processing. The cultivation of cannabis has the potential to generate substantial emissions of particulate matter, increasing a non-attainment criterion pollutant throughout Mendocino County. However, existing regulations such as the MCAQMD Rules 1-400 and 1-430 would reduce such emissions and exposure. Per the Mendocino Commercial Cannabis Ordinance, licensed cannabis cultivations shall be compliant with applicable state and local laws related to air quality. Therefore, no impact would occur.
- b) **No Impact:** 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. The County achieved attainment in 2021. The Hydrogen Sulfide and Visibility Reducing Particles designations remain unclassified in Mendocino County. The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant.
- c) **No Impact:** The subject parcels and adjacent parcels are at a minimum of 9-acres and greater in size. The nearest residence is located at APN:047-080-26, approximately 200 ft east of the project site. A barn and other agricultural buildings are located 530 feet west of the project site located at APN:047-080-03. Other residential and agricultural buildings are located greater than 500 feet south of the project site. As proposed, the project would have no impact on sensitive receptors.

- d) **Less Than a Significant Impact:** With the exception of commercial cannabis operations, the permitted uses within the AG and RL zoning district are comparable. Per the Mendocino Commercial Cannabis Ordinance, licensed cannabis cultivations shall be compliant with applicable state and local laws related to air quality. The Draft Initial Study and Environmental Checklist for the Mendocino County Medical Cannabis Cultivation Regulation (MCCR) prepared by LACO for the Board of Supervisor’s public hearing on March 21, 2017, address impacts to air quality and odors from fuels, fertilizers, and cannabis plants. These impacts have been addressed and implemented in the permitting procedures for cannabis cultivation. In addition, the nearest sensitive receptors to the project site are greater than 200 feet away. Thus, the project would have a less than significant impact on air quality.

**MITIGATION MEASURES:** None.

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

## 5.4 BIOLOGICAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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.

Applicable policies within the General Plan’s Resource Management Element include:

Policy RM-27: *Conserve, restore, and enhance natural resources, sensitive environments, and ecological integrity.*

Action Item RM 27.1: *Identify and maintain wildlife movement corridors to support biodiversity and health natural processes.*

Policy RM-30: *Individual development projects and conversions from rangeland to intensive agriculture should retain movement corridor(s) adequate (both in size and in habitat quality) to allow for continued wildlife use based on the species anticipated to use the corridor and compatibility with adjacent uses.*

Policy RM-74: *Promote land uses and management practices that protect biological diversity and productivity.*

Policy RM-79: Limit land use density and intensity within and adjacent to critical wildlife habitats, such as wetlands, deer wintering range, old-growth forests, and riparian corridors.

Policy RM-28: 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.

**The Mendocino Cannabis Cultivation Ordinance (MCCO)** include the following requirements regarding biological resources. Before approval of any application for commercial cannabis operations, a biological survey shall be conducted by a qualified biologist. The survey shall include the proposed new commercial cannabis cultivation sites, including areas of anticipated construction and ground disturbance, as well as staging areas, areas of anticipated light or noise impact, ingress and egress routes, and utility routes. The survey area shall be large enough to encompass areas subject to both direct and indirect impacts. The qualified biologist shall assess the habitat suitability of the proposed development area for all special-status plants, special-status wildlife, and sensitive habitats identified as having potential to occur in the County. The biologist shall provide a letter report to the project applicant and DCC with evidence to support a conclusion as to whether special-status species and sensitive habitats are present or are likely to occur in the proposed development area. DCC staff will review the letter report and conclusions and determine whether the evidence provided to support the conclusions is sufficient.

To be protective of potential upland sensitive species that may not otherwise be protected, mitigation is required. Applicable to new cultivation sites (non-contiguous expansion and relocated sites in Phase 1, and all sites in Phase 3), Mitigation Measure BIO-1 would require qualified County staff and/or qualified third party inspectors to review Cultivation Permit applications and identify locations where habitat suitable for sensitive species may exist. Prior to the pre-permit site inspection applications will be checked against publicly available aerial imagery and databases such as the California Natural Diversity Database, California Native Plant Society Inventory of Rare and Endangered Plants, and United States Fish and Wildlife Service List of Threatened and Endangered Species to evaluate the potential for sensitive habitat on-site. During the pre-permit site inspection County staff and third party inspectors will determine if sensitive species are present. If it is determined that sensitive species are present or could be present CDFW will be consulted. CDFW may recommend approval of the proposed development, ask to conduct a site inspection or request additional studies in order to make the determination that no impacts to sensitive species will occur. A cultivator that cannot demonstrate that there will be a less than significant impact to sensitive species will not be issued a cultivation permit.

a, b) **Less Than a Significant Impact:** The project request includes a General Plan Amendment and Rezone to change the zoning and land use classification of three legal parcels, totaling 108± acres, from Rangeland/Range Lands (RL160) to Agricultural (AG40). The project was referred to California Department of Fish and Wildlife (CDFW) and the North Coast Regional Water Quality Control Board (RWQCB) on October 31, 2024. On November 5, 2024, CDFW, as a Trustee Agency, recommended to include the following comments as conditions of approval: (1) require any future development conduct the appropriate natural resources studies to inform least environmentally damaging option, (2) any new or replacement fencing shall be of wildlife-friendly design.

On May 8, 2025, CDFW informed County staff that the applicant applied for a Lake and Streambed Alteration Agreement (LSAA; Notification No. EPIMS-MEN-57640-R1C) to divert water from Feliz Creek for commercial cannabis cultivation and frost protection. On May 21, 2025, CDFW provided additional comments and stated, "CDFW appreciates the opportunity to provide additional comments in our Trustee agency role. When CDFW submitted its initial comments, it was our understanding that the Project proposed a change in land use from Rangeland to Agricultural zoning for the purpose of expanding the existing vineyard and growing kiwis and olives. Based on our discussion then it was CDFW's understanding that no modifications to existing buildings or infrastructure were proposed. However, as we discussed last week, it appears the Project has changed including agricultural type and proposes modifications or improvements to existing facilities.

CDFW recommends the rezoning application and general plan amendment revise the project description to reflect the agricultural crop(s) to be grown and disclose any improvements to the property including proposed modifications or expansion of infrastructure or existing buildings. Without this information, the County as Lead Agency for CEQA does not have adequate information about the proposed change in land use and its duration and intensity to disclose and analyze the potential impacts associated with these changes.” County staff requested the applicant revise the project description to reflect the crops to be grown and to disclose any improvements to the property. The applicant stated that “we are not looking to expand vineyards, no plans of kiwis, nor any plans for olives. No building structure changes are in any plans either.” The applicant provided the LSAA, an associated site plan, and biological information.

The applicant stated that they considered cultivating commercial cannabis on Parcel 3 (APN:047-080-31) in the future and if so, would divert water from Feliz Creek using an existing infiltration well located on the bank of Feliz Creek. However, the applicant also stated that “with the current conditions of cannabis markets, it is not even a viable pursuit at this time any longer and originally stated the process of potential licensing just to have the option of it, if it made sense in the future”. Commercial cannabis cultivation is not permitted under Phase 3 in the Rangeland (RL) zoning district. Commercial cannabis cultivation in AG zoned parcels is subject to a Zoning Clearance or an Administrative Permit depending on cultivation type. The LSAA is on file with the California Department of Fish and Wildlife.

A Biological Assessment Report, prepared by Jacobszoon & Associates, Inc. on October 21, 2021, covered 45.4± acres and intended to determine local biological communities and develop a comprehensive list of all plant and wildlife species observed. The 45.4± acre portion was surveyed for the purposes of commercial cannabis cultivation. The study area is located along the Feliz Creek watershed. Jacobszoon identified 4 vegetation types within the study area including annual grasses and forbs, grain and crop agriculture, Oregon white oak, and an intermittent pond. The on-site pond is for agricultural purposes. Feliz Creek flows through and adjacent to the project site. Although no special status animal species was observed within the study area during the biological site assessment in July 2021, other species not listed above have a moderate to high potential to occur within the study area including, grasshopper sparrow (*Ammodramus savannarum*), long-eared owl (*Asio otus*), oak titmouse (*Baeolophus inornatus*), northern harrier (*Circus hudsonius*), obscure bumble bee (*Bombus caliginosus*), pallid bat (*Antrozous pallidus*), hoary bat (*Lasiurus cinereus*), little brown bat (*Myotis lucifugus*), and Yuma myotis (*Myotis yumanensis*). In addition, no special status plants were observed in the study area.

As part of the application for a Mendocino cannabis cultivation business license (CCBL), the applicant would be required to submit a cultivation and operations plan which includes describing watershed and habitat protection measures; water storage; conservation and use; drainage, runoff, and erosion control; and proper storage of fertilizers, pesticides, and other regulated products to be used on the legal parcel; in addition to a description of cultivation activities. In addition, as part of the CCBL application process, the applicant would be required to obtain a Lake and Streambed Alteration Agreement from CDFW and would be required to submit a Sensitive Species Habitat Questionnaire to protect sensitive species. Therefore, biological resource protections have been incorporated into the Mendocino Cannabis Cultivation Ordinance. As proposed, the project would have a less than significant impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by CDFW and US Fish and Wildlife Service.

County staff recommends a Contract Rezone Combining District to ensure protections of biological resources. The following conditions have been added to the Contract Rezone including: (1) All future development shall be sited a minimum of 50 feet from the edge of riparian vegetation; (2) If vegetation removal or development occurs during breeding season (January 15 to September 15), a pre-construction bird survey is required within 14 days before vegetation removal or development to ensure that no nesting birds will be disturbed during development. (3) Any new or replacement fencing shall be of wildlife-friendly design. In addition, the proposal would have a less than significant impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW and US Fish and Wildlife Service.

- c, d) **Less Than a Significant Impact:** The US Fish and Wildlife Service National Wetland Inventory identifies the onsite pond as a wetland basin or channel that was excavated by a human.<sup>16</sup> The Biological Assessment indicated “there are a series of watercourses adjacent to the study area labeled as Riverine Systems which include all wetland and deepwater habitats contained within a channel. Three watercourse classes outside the study area include R4SBC (Riverine, Intermittent, Streambed, Seasonally Flooded) and R5UBF (Riverine, Unknown Perennial, Unconsolidated Bottom, Semi-permanently flooded). Riverine systems are considered watercourses for the purposes of this assessment and are afforded special protections under CEQA”.

The rezone and general plan amendment project from Range Lands to Agriculture would allow commercial cannabis cultivation subject to an Administrative Permit or Zoning Clearance depending on cultivation type. As stated previously, as part of the cannabis cultivation business license, the applicant would have to abide by all mitigation measures imposed by the Lake and Streambed Alteration Agreement and state and local agencies. Other allowable uses in Agriculture zoning districts would have a less than significant impact on state or federally protected wetlands. Future development would be constrained by the Williamson Act Contract. In addition, the project proposal does not anticipate interfering with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impeding the use of native wildlife nursery sites. CDFW requested that the County require any new or replacement fencing be of a wildlife friendly design. County staff determined to incorporate two other conditions to ensure biological protections including: all future development shall be sited a minimum of 50 feet from the edge of riparian vegetation” and “If vegetation removal or development occurs during breeding season (January 15 to September 15), a pre-construction bird survey is required within 14 days before vegetation removal or development to ensure that no nesting birds will be disturbed during development”. These conditions would be incorporated into the Contract for Compliance with Rezoning Conditions to ensure compliance.

- e) **Less Than a Significant Impact:** The RL160 land use designation and zoning district limits land use density and intensity within and adjacent to critical wildlife habitats such as Feliz Creek. Agricultural lands have a dwelling unit and parcel minimum density of one unit per 40 acres, down from the Rangelands’ one dwelling unit per 160-acres. This increase in potential development and parcel density is known as “upzoning”. While subdivision and more intense residential development is not a stated goal of the proposal, Parcel 3 could be subdivided into two parcels in the future, resulting in a possible net increase of dwelling units or other improvements. If Parcel 3 were to be subdivided in the future, building envelopes could be established to protect wildlife and riparian corridors. If the applicant pursues a subdivision in the future, additional review under the California Environmental Quality Act (CEQA) would be required. Furthermore, future development would be constrained by the Williamson Act Contract. As stated above, the project was referred to California Department of Fish and Wildlife (CDFW) and the North Coast Regional Water Quality Control Board (RWQCB) on October 31, 2024. On November 5, 2024, CDFW recommended conditions of approval to include: (1) require any future development conduct the appropriate natural resources studies to inform least environmentally damaging option, (2) Any new or replacement fencing shall be of wildlife-friendly design. In efforts to address CDFW’s comments, County staff incorporated the following conditions into the Contract Rezone: (1) new or replacement fencing shall be of a wildlife friendly design; (2) all future development shall be sited a minimum of 50 feet from the edge of riparian vegetation; and (3) If vegetation removal or development occurs during breeding season (January 15 to September 15), a pre-construction bird survey is required within 14 days before vegetation removal or development to ensure that no nesting birds will be disturbed during development”.
- f) **No Impact:** The project site is not within a Habitat Conservation Plan, Natural Community Conservation Plan or any other local, regional, or state habitat conservation zone.

**MITIGATION MEASURES:** None.

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<sup>16</sup> US Fish and Wildlife Services. National Wetlands Inventory. <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. Accessed February 18, 2026.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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 Public Resources Code, 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 section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

Per 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.

Archeological 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 Mendocino County Code 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.

a-b) **Less Than a Significant Impact:** The proposed project includes rezoning and amending the General Plan land use classification from Rangeland to Agriculture. The applicant proposes expansion of their vineyard and agricultural production on their project site. Although the project does not propose any development at this time, it was referred to the Northwest Information Center (NWIC), Hopland Tribe, Cloverdale Rancheria, Redwood Valley Rancheria, Sherwood Valley Band of Pomo Indians, and Potter Valley Tribe for comments. NWIC responded by informing the County of a previous archaeological study conducted on the site and that the subject parcels may have the possibility of containing unrecorded archaeological sites due to the proximity of known archaeological resources. No comments were received from Tribes.

On April 9, 2025, the project was heard by the Archaeological Commission, who recommended the applicant provide an Archaeological Survey. The applicant obtained an archaeological survey prepared by Brian Much in 2012 that covered portions of the project site. The portions surveyed included along the southwestern boundary of Parcel 1 and the western boundary of Parcel 2 for a dam removal project. No cultural resources were found. The archaeological survey and project materials were reviewed by the Commission on June 11, 2025, who required additional surveys covering APNs 047-080-31, -33, and -34. The applicant obtained a cultural resources study prepared by Eileen Barrow & Associates (EBA) on August 26, 2025. EBA surveyed two locations totaling a 1±acre portion of the property located on APN: 047-080-27. No cultural resources were found and therefore, no recommendations were made.

The Commission heard the project on December 10, 2025, and stated, “no resources found in the area surveyed. Commission determined to accept the survey as presented and condition any future ground disturbance outside the surveyed area per the submitted report require an ARCH survey be conducted. County staff recommends a Contract Rezone combining district (AG40[CR]) to provide protections of unknown cultural resources outside of surveyed areas prior to ground disturbance.

c) **No Impact:** The associated project materials determined that no cultural resources or human remains were found. As proposed, the project would amend the General Plan land use

classification and rezone from RL to AG. With the exception of the commercial cannabis operation improvements, no other development is proposed. No impact would occur.

**MITIGATION MEASURES:** None.

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

## 5.6 ENERGY

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

**DISCUSSION:** 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.*<sup>17</sup>

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 2022 California Green Building Standards Code pursuant to Mendocino County Code section 18.04.025(K).

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.

<sup>17</sup> California Air Resources Board (2022). 2022 Scoping Plan for Achieving Carbon Neutrality. Retrieved from <https://ww2.arb.ca.gov>. Accessed in January 2026.

- 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.

Mendocino County General Plan Policies RM-55 and RM-57 relate to energy, including Action Items RM-55.1 and RM-55.2.<sup>18</sup> 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).

- a) **Less Than a Significant Impact:** The project proposes a General Plan Amendment and Rezone to change the land use classification of three (3) legal parcels from Rangeland (RL160) to Agricultural (AG40). No development is proposed at this time. The principally permitted uses in the AG and RL zoning districts are similar, however, the permitted uses in the AG zoning district are limited to residential use types, civic use types, and agricultural use types. Unlike RL zoning, agricultural zoning does not principally permit commercial use types, cemetery uses, animal waste processing, or forest production and processing—portable sawmills. Commercial use types would be permitted in AG zoned parcels subject to an Administrative or Use Permit. The primary distinction between the permitted uses in the AG and RL zoning districts is that commercial cannabis cultivation and processing is permitted subject to either an Administrative Permit or Zoning Clearance in the AG district. Whereas in RL districts, only processing is permitted with an Administrative Permit as of Phase 3 of the Mendocino Commercial Cannabis Ordinance (MCCO). Per MCC Section 10A.17.020, “processing” means all activities associated with the drying, curing, grading, trimming, rolling, storing, packaging, and labeling of nonmanufactured cannabis products. Given the similar principally permitted uses in the RL and AG zoning district, the project would not 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) **Less Than a Significant Impact:** No development is proposed at this time. Future development could occur as the result of this project and would be required to meet all building code requirements.

**MITIGATION MEASURES:** None

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>18</sup> The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

<b>WOULD THE PROJECT:</b>	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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. It can generate very strong earthquakes. The last major earthquake on this portion of the San Andreas Fault was the 1906 San Francisco earthquake, estimated at a magnitude 7.9. This earthquake caused severe shaking in Mendocino County and extensive structural damage, particularly along the county's southern coast. 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. Since the 1906 earthquake, very little seismic activity has been recorded on the San Andreas Fault from San Francisco north. The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation.

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

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. Activities of man that affect vegetation, slope gradients, and drainage processes can also contribute to land sliding and erosion. In general, most rock formations in Mendocino County are associated with the Franciscan Formation, which is known to have poor slope stability characteristics. Slope stability characteristics in the Maacama fault zone are typically very poor as well. 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, 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.

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.

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.

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.

- a, c) **Less Than a Significant Impact:** The project proposes rezoning and amending the General Plan classifications on three parcels, totaling 108± acres from Rangeland (RL) to Agriculture (AG). The Maacama Fault is approximately 5.3± miles east of the project site.<sup>19</sup> There have been no reported landslides that have occurred within the project site.<sup>20</sup> One reported landslide event has occurred approximately 3 miles southeast of the project site. The project is not located within a California Geological Survey (CGS) Liquefaction zone. Landslides may occur on slopes of 15 percent or less. The probability of landslides is greater on steeper slopes that exhibit old landslide features such as scarps, slanted vegetation, and transverse ridges. The project site is relatively flat and contains development.

As a result of rezoning and amending the GP classification from RL to AG, the landowner would be precluded from all commercial use types, as well as one civic use types (cemetery) and several agricultural use types (animal waste processing and forest production and processing – portable sawmills). Subject to an Administrative Permit, commercial cannabis cultivation is a potential use on the project site. Licensed commercial cannabis cultivation sites would be required to comply with state and local regulatory requirements related to geologic hazards, such that the risk of life or property through exposure to expansive or unstable soils because of the project would be reduced. All other future developments would require to be compliant with the California Building Code (CBC), unless exempt under CBC 15.2. However, considering no development is proposed at this time, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, liquefaction, and landslides.

<sup>19</sup> California Department of Conservation. Earthquake Hazards Zone Application (EQ ZAPP). <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>. Accessed November 12, 2025.

<sup>20</sup> California Department of Conservation. Reported California Landslides Database. <https://www.conservation.ca.gov/cgs/landslides>. Accessed November 12, 2025.

- b) **Less Than a Significant Impact:** As a result of the proposed project, there is a potential for change of use which all potential uses should be evaluated. Future development would require a building permit application and compliance with the California Building Code. The potential for commercial cannabis cultivation sites being located on expansive soils, substantial soil erosion, or loss of topsoil from implementation of the project would be addressed through compliance with SWRCB Order WQ 2023-0102-DWQ, Mendocino County Code's Grading Ordinance, and the California Building Code (CBC).<sup>21</sup>
- d) **No Impact:** The project site is situated on several eastern class soil types including Yorkville-Hopland loams, Feliz loam, Feliz clay loam and gravelly substratum, Bearwallow-Hellman loams, and Hopland-Witherell-Squawrock complex. Yorkville-Hopland loams is sited on spur ridges, ridgetops, and unstable side slopes of hills and mountains. Feliz loam soil is best suited for irrigated orchards and vineyards. The subject parcels are not located on expansive soils, as defined in the California Building Code and would not create a substantial direct or indirect risk to life or property.
- e) **No Impact:** Parcels 1 and 3 contain septic systems. Parcel 2 is undeveloped with the exception of a well. Parcel 2 is sited on Bearwallow-Hellman loams 15 to 30 percent slopes and Hopland - Witherell - Squawrock complex 30 to 50 percent slopes.<sup>22</sup> Bearwallow-Hellman loam soils are used mainly for livestock grazing and as recreation areas, watershed, and wildlife habitat. The Eastern Soil Survey states that this soil unit is poorly suited to homesite development due to the susceptibility of slumping and disturbing the soil increases the risk. If this unit is used for septic tank absorption fields, the limitation of restricted permeability can be overcome by increasing the size of absorption field and using low volume flush toilets. The Eastern Soil Survey does not provide soil capabilities for septic on Hopland -Witherell – Squawrock soils. However, a septic system could be installed within the Bearwallow-Hellman loam soil area. Therefore, no impact would occur.
- f) **No Impact:** The project site is relatively flat, contains vineyards, residences, barns, and associated structures. The project would not directly nor indirectly destroy a unique paleontological resource or site or unique geologic features. No impact would occur.

**MITIGATION MEASURES:** None.

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

## 5.8 GREENHOUSE GAS EMISSIONS

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

**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

<sup>21</sup> Ascent, DBA Ascent Environmental, Inc. CEQA Findings of Fact and Statement of Overriding Considerations Licensing of Commercial Cannabis Cultivation in Mendocino County Project. SCH Number: 2023080049.

<sup>22</sup> US Department of Agriculture and Soil Conservation Service. Soil Survey of Mendocino County, Eastern Part, and Trinity County, and Southwestern Part, California. 1991.

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.<sup>23</sup>

MCAQMD has not adopted a construction related emissions threshold. For projects other than stationary sources, the operational threshold is 1,100 Metric Tons of CO<sub>2</sub>e per year or 4.5 Metric Tons of CO<sub>2</sub>e per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO<sub>2</sub>e 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 (CO<sub>2</sub>), Methane (CH<sub>4</sub>), Nitrous oxide (N<sub>2</sub>O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), Sulfur hexafluoride (SF<sub>6</sub>), and Nitrogen trifluoride\* (NF<sub>3</sub>). 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.<sup>24</sup>

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.

- a) **No Impact:** The proposed project includes rezoning and amending the General Plan land use classification from Rangeland to Agriculture. The proposed project intends on expanding their vineyard and agricultural production including cultivating commercial cannabis on the project site. However, the intention of the RL and AG land use classifications and general uses are largely comparable, with the primary distinction being the increased development potential permitted under the AG designation. In comparing the potential allowed uses under the AG40 zoning as opposed to the RL160 zoning district, the RL classification permits more residential, civic, commercial, and agricultural use types than AG. In actual fact, the applicant would be giving up their right to several use types. Agriculture zoned parcels are permitted for commercial cannabis operations subject to an Administrative Permit or Zoning Clearance. The Mendocino Cannabis Cultivation Ordinance (MCCO) incorporated mitigation measures to reduce greenhouse gas (GHG) impacts such as: established maximum cultivation areas which limit the scale of potential emissions from individual operations, prohibited the use of a generator as a primary source of power, established a maximum lighting capacity for indoor operations, and require all cultivation operations to have an onsite source of water to reduce

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<sup>23</sup> Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/raqmd/>.

<sup>24</sup> 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>.

the potential to rely on water delivery. Additionally, the MCCO requires consultation with the Mendocino County Air Quality Management District to reduce GHG impacts. Therefore, no impact is anticipated.

- b) **No Impact:** While the proposed project would forfeit several use types, the parcels would be permitted to operate commercial cannabis uses. As stated previously, the MCCO prescribed mitigation measures to reduce potential GHGs impacts. As such, no impact is anticipated.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Greenhouse Gas Emissions.

## **5.9 HAZARDS AND HAZARDOUS MATERIALS**

<b>WOULD THE PROJECT:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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”.<sup>25</sup>

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.<sup>26</sup> 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.”*

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<sup>25</sup> MCOES – Plans and Publications, 2019.

<sup>26</sup> 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>

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.

- a, b) **No Impact:** The subject parcels are located in a predominately rural area with parcels that are 10± acres in size or more and are accessible via Feliz Creek Road (CR 109). The nearest residence is located 200 feet to the east of the subject parcels. The proposed project includes rezoning and amending the General Plan land use classification from Rangeland to Agriculture. The proposed project intends on expanding their vineyard and agricultural production including cultivating commercial cannabis on the project site. Per the Mendocino Commercial Cannabis Ordinance (MCCO), several provisions have been adopted to prevent significant hazard to the public or the environment such as regulating the use of pesticide products and concentrated fertilizers to be consistent with state law and regulations enforced by the California Department of Pesticide Regulation and the Agricultural Commissioner's Office.

All agricultural-use pesticides and concentrated fertilizers, amendments, and similar materials shall be stored in a locked, hard-faced enclosure to prevent unauthorized entry by humans, to exclude large animals that may be attracted by odors, and to ensure that they will not enter or be released into surface or ground waters. Additionally, fuel shall be stored and handled in compliance with applicable state and local laws and regulations and in such a way that no spillage occurs. Furthermore, these provisions apply to all crops, not just commercial cannabis. Considering the provisions are set for all agriculture crops, the project would have no impact on the environment or the public. MCC Section 10A.17.090(E)(2) requires applicants to submit a Cultivation and Operations Plan that includes a maintenance plan for the generator (if proposed), detailing how spent oil, used oil filters, expired batteries and other hazardous wastes generated from the operation of the generator will be handled, including fuel storage and delivery systems.

- c) **No Impact:** The proposed project is located 4± miles west of the nearest school, Shanél Valley Academy. There are no proposed schools within one quarter-mile of the project site. The MCCO adopted provisions to prohibit commercial cannabis operations within 1,000 feet of schools to reduce impacts. Considering the project site is greater than one quarter-mile from any schools, no impact would occur.
- d) **No Impact:** The project site is not a hazardous waste facility<sup>27</sup> or on a list of the hazardous substance release sites subject to CA Health & Safety Code § 78760 (2025). No Impact would occur.
- e) **No Impact:** The project site is located 17± miles southwest of the Ukiah Municipal Airport located at 1403 S. State Street, Ukiah. The project is not located within an airport land use plan. No impact would occur.
- f) **No Impact:** The proposed project would not impair with the adopted emergency response plan or emergency evacuation plan. The rezone and general plan amendment project would have no impact on the adopted emergency response and evacuation plans. Thus, no impact would occur.
- g) **No Impact:** The project site is located on a relatively flat valley floor adjacent to Feliz Creek. The project site is approximately 200 feet west from any residence. The project would not expose people or structures either directly or indirectly to a significant risk of loss, injury, or death involving wildfires.

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<sup>27</sup> California Government Code § 65962.5 (2025)

**MITIGATION MEASURES:** None.

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

### 5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** 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 Regional Quality Control Board (NCRWQCB) 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 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.

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. The County's groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific information regarding recharge areas for Mendocino County's groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal - it is anticipated that continued recharge will re-supply groundwater reservoirs.

The basic source of all water in Mendocino County is precipitation in the form of rain or snow. Average annual rainfall in Mendocino County ranges from slightly less than 35 inches in the Ukiah area to more than 80 inches near Branscomb. Most of the precipitation falls during the winter, and substantial snowfall is limited to higher elevations. Rainfall is often from storms which move in from the northwest. Virtually no rainfall occurs during the summer months. 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."<sup>28</sup> 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).

- a) **Less Than a Significant Impact:** The project proposes to rezone and amend the General Plan land use classification from Rangeland (RL) to Agriculture (AG) for the intentions of cultivating cannabis on Parcel 3. The Mendocino Commercial Cannabis Ordinance (MCCO) requires a Cannabis Cultivation Business License (CCBL) for any person engaged in the cultivation of cannabis in the County. Per MCC §10A.17.070(K), all CCBL Holders shall obtain a Section 404 permit of the Clean Water Act from the Army Corps of Engineers and a Section 401 Water Quality Certification from the North Coast Regional Water Quality Control Board (NCRWQB) prior to commencing construction and cultivation. MCC §10A.17.070(H) requires CCBL Holders comply with all statutes, regulations, and requirements of the California State Water Resources Control Board, Division of Water Rights, including obtaining and complying with any applicable and approved permit, license, or registration, and the annual filing of a statement of diversion and use of surface water from a stream, river, underground stream, or other watercourse pursuant to California Water Code Section 5101. CCBL Holders shall establish and maintain enrollment in Tier 1, 2, or 3 with NCRWQCB Order No. 2015-0023, if applicable, or any superseding or substantially equivalent rule that may be subsequently adopted by the NCRWQCB, the County of Mendocino or other responsible agency, or shall

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<sup>28</sup> Mendocino County Code Chapter 16.30

obtain proof of exemption from said Order. For cultivation areas for which no enrollment pursuant to NCRWQB Order No. 2015-0023 is required, the site shall comply with the standard conditions set forth in that Order, as well as the applicable "Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects" Therefore, the proposed and future projects would have a less than significant impact on surface and ground water quality.

- b) **Less Than a Significant Impact:** AG designated parcels generally include residential uses, agricultural uses, uses determined to be related to and compatible with agriculture, conservation, processing, and development of natural resources, and cottage industries. The AG classification also allows farmworker housing, processing and sale of agricultural products, residential clustering, and utility installations. Agricultural lands have a dwelling unit and parcel minimum density of one unit per 40 acres, down from the Rangelands' one dwelling unit per 160-acre minimum. This increase in potential development and parcel density is known as "upzoning". While subdivision and more intense residential development is not a stated goal of the proposal, Parcel 3 could be subdivided into two parcels in the future, resulting in a possible net increase of dwelling units or other improvements. Considering the subject parcels rely solely on wells for water supply, further CEQA review would be required for a minor subdivision of Parcel 3. As stated previously, commercial cannabis cultivation and processing are subject to regulations imposed by the Mendocino Commercial Cannabis Ordinance, LSAA, California Department of Cannabis Control, and the Section 401 Water Quality Certification. As proposed, the project would have a less than significant impact on groundwater recharge or groundwater management of the basin.
- c) **Less Than a Significant Impact:** Similar to the allowed uses in the RL zoning district, AG zoning districts generally permit residential uses, agricultural uses, uses determined to be related to and compatible with agriculture, conservation, processing, and development of natural resources, and cottage industries. The AG classification also allows farmworker housing, processing and sale of agricultural products, residential clustering, and utility installations. Agricultural lands have a dwelling unit and parcel minimum density of one unit per 40 acres, down from the Rangelands' 160-acre minimum. With the incorporation of Best Management Practices and compliance with the California Building Code, future development would have a less than significant impact on drainage patterns. The main difference between AG and RL zoned parcels is that commercial cannabis cultivation is permitted in AG, whereas only processing is permitted subject to an Administrative Permit in the RL zoning district.

Per the Mendocino Cannabis Cultivation Ordinance (MCCO), cannabis cultivators are required to comply with applicable and approved permit, license, or registration, and the annual filing of a statement of diversion and use of surface water from a stream, river, underground stream, or other watercourse pursuant to Water Code Section 5101. The applicant notified the California Department of Fish and Wildlife (CDFW) for a Lake and Streambed Alteration Agreement (Notification No. EPIMS-MEN-57640-R1C) to divert water from Feliz Creek for cultivation operations and frost protection. Additionally, as part of the Cannabis Cultivation Business License, the applicant would be required to submit a Cannabis Cultivation and Operations Plan which includes describing watershed and habitat protection measures; water storage; conservation and use; drainage, runoff, and erosion control; and proper storage of fertilizers, pesticides, and other regulated products to be used on the legal parcel; in addition to a description of cultivation activities.

The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Storm drainage infrastructure within the vicinity of the site is limited. Although development is proposed on-site, due to the proposed development footprint, site drainage would continue to follow a natural flow pattern and infiltrate into the ground. The project site is not located in a mapped flood zone area by FEMA. The rezone and general plan amendment project would not substantially alter the existing drainage pattern of the area including through the alteration of the course of a stream or river or through the

addition of impervious surfaces. The regulatory framework outlined in the MCCO would impose protections of existing drainage patterns. Therefore, a less than significant impact would occur.

- d) **No Impact:** The project site is not located in a flood hazard, tsunami or Seiche zone or in an inundated area. No impact would occur.
- e) **Less Than a Significant Impact:** The rezone and General Plan amendment project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. However, the project would allow for cultivating commercial cannabis which would be subject to the Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Thus, a less than significant impact would occur.

**MITIGATION MEASURES:** None.

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

### 5.11 LAND USE AND PLANNING

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**REGULATORY FRAMEWORK:** All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance. During project referrals, a number of agencies that may have jurisdiction over the project were contacted.

*Policy RM-30: Individual development projects and conversions from rangeland to intensive agriculture should retain movement corridor(s) adequate (both in size and in habitat quality) to allow for continued wildlife use based on the species anticipated to use the corridor and maintain compatibility with adjacent uses.*

- a) **No Impact:** The project site is located within a rural area west of the Hopland Community Planning Area. The project to rezone and amend the General Plan land use designation of three parcels would not physically divide an established community.
- b) **Less Than a Significant Impact:** As stated previously, the applicant intends to cultivate commercial cannabis on Parcel 3 (APN:047-080-31) and divert water from Feliz Creek using an existing infiltration well located on the bank of Feliz Creek. Considering a commercial cannabis cultivation use is dependent on the general plan amendment and rezone, all reasonably foreseeable impacts shall be evaluated (CEQA §21065). Commercial cannabis cultivation is not permitted under Phase 3 in the Rangeland (RL) zoning district but is permissible subject to a Zoning Clearance or an Administrative Permit in the AG zoning district.

To preserve the continuity of rangeland uses, Phase 3 of the Mendocino Cannabis Cultivation Ordinance (MCCO) prohibits new commercial cannabis cultivation permits in RL Districts.

However, cannabis is considered an agricultural product. Cultivating commercial cannabis would not convert farmland to a non-agricultural use. The uses in RL and AG Districts are relatively comparable. Thus, a less than significant impact would occur.

**MITIGATION MEASURES:** None.

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

## 5.12 MINERAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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 California Division of Mine Reclamation houses the Mines Online database, which maps the location and provides access to documents for several mines 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. The demand for aggregate is typically related to the size of the population, and construction activities, with demand fluctuating from year to year in response to major construction projects, large development activity, and overall economic conditions. After the completion of U.S. 101 in the late 1960s, the bulk of aggregate production and use shifted primarily to residential and related construction. However, since 1990, use has begun to shift back toward highway construction. However, 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.

- a) **No Impact:** The project to rezone and amend the General Plan land use classification from Rangeland to Agriculture would not result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state.
- b) **No Impact:** There are no known mineral resources located on the project site. The proposed project would not 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.

**MITIGATION MEASURES:** None.

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

## 5.13 NOISE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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.

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*.<sup>29</sup> 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, Ukiah Municipal Airport, Ells Field- Willits, 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.

Mendocino County Ordinance No. 4558 – Noise Control Regulations was adopted on April 7, 2026, which determined that certain noise levels and vibrations are detrimental to public health, welfare, safety, and quality of life and are contrary to the public interest. These regulations are adopted with the intent to preserve the right to engage in activities protected by law, including but not limited to farming and industry protection as set forth in Chapter 6.35 and 10A.13 of the Mendocino County Code, respectively.

- a) **No Impact:** The project site is located within the unincorporated area of Mendocino County in Hopland. The rezone and general plan amendment project would have no impact on noise. The allowable uses in AG are very similar to what is allowed in RL. Agricultural operation activities are protected pursuant to MCC Chapter 10A.13 – Right to Farm Ordinance. Agricultural operations are defined as shall mean and include, but not be limited to, the cultivation and tillage of the soil, animal husbandry, the production, cultivation, growing, harvesting and processing of any agricultural commodity including horticulture, timber or apiculture, the raising of livestock, fish or poultry, and any acceptable cultural practices performed as incident to, or in conjunction with, such farming operations, including preparation for market, delivery to storage or market, or to carriers for transportation to market. No impact would occur.
- b) **No Impact:** The permitted uses within the AG zoning district are comparable to the RL zoning district with the exception of commercial cannabis cultivation. Permitted uses within the AG zoning district would not generate excessive ground borne vibration or noise levels post construction. Although there is no proposed development at this time, construction noises and vibrations would be temporary. No impact would occur.
- c) **No Impact:** The project is not located within the vicinity of a private airstrip or an airport land use plan or where such a plan has been adopted. The project site is located 17± miles southwest of the Ukiah Municipal Airport located at 1403 S. State Street, Ukiah. Therefore, the project would not expose people residing or working to excessive noise levels.

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<sup>29</sup> 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.

**MITIGATION MEASURES:** None.

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

## 5.14 POPULATION AND HOUSING

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

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

Mendocino County’s Housing Element is designed to facilitate the development of housing adequate to meet the needs of all County residents. The Mendocino Council of Government’s (MCOG) Regional Housing Needs Assessment (RHNA), part of the overall 2018 Regional Housing Needs Plan, assigned the County a production goal of 1,349 housing units for the unincorporated area between 2018 and 2027.<sup>30</sup> Goals and policies were set forth in order to facilitate the development of these housing units at a range of sizes and types to address this need.

- a) **Less Than a Significant Impact:** Amending the General Plan designation and the zoning district from Rangeland 160-Acres Minimum to Agriculture 40-Acres Minimum would increase the maximum dwelling density. Agricultural zoning districts have a dwelling unit and parcel minimum density of one unit per 40 acres, down from the Rangelands’ 160-acre minimum. This increase in potential development and parcel density is known as “upzoning”. While subdivision and more intense residential development is not a stated goal of the proposal, Parcel 3 could be subdivided into two parcels in the future, resulting in a possible net increase of dwelling units or other improvements. However, the Feliz Creek Road neighborhood is rural in nature with large parcels of land. The subject parcels are under a Williamson Act Contract and compatible residential uses include one single-family residence, a second residential unit, farm labor and farm employee housing. Future developments would have to comply with the Compatible Uses of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts. If the applicant chooses to subdivide in the future, and CEQA review would be required to address possible environmental impacts including dwelling density. Therefore the project would have a less than significant impact on unplanned population growth in the area.
- b) **No Impact:** The project would have no negative impacts on housing and would not displace people or housing. No Impact would occur.

**MITIGATION MEASURES:** None

<sup>30</sup> County of Mendocino. General Plan – Chapter 5: Housing Element. Adopted 2020. Accessed <https://www.mendocinocounty.gov/home/showpublisheddocument/44814/63763685481280000>.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area.<sup>31</sup> 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.

a-b) **No Impact:** The project is located in Hopland and within Planning Area 2: Southeast and Central Mendocino County, Zone 2A – Community of Hopland. As stated in the County EOP, fuel types in this planning area consist of mosaic grass, oak woodlands, brush and mixed chaparral. The mountains and foothills surrounding Hopland present a considerable wildlife urban interface challenge. Hopland Fire Protection District covers 350 square miles and operates out of a single fire station located at 21 Feliz Creek Road, 3.6± miles east of the project site. The nearest CAL FIRE station is approximately 6 miles northeast of the project site. Highways 101 and 20 are the primary evacuation routes for this area and are well maintained and have more than adequate carrying capacity for evacuation purposes. The Wildland-Urban Interface map indicates the project site is mapped very low density vegetation to low density vegetation. The proposed project would have no impact on the County’s EOP. The General Plan amendment and rezone project would not result in the need for new or physically altered police stations. The project would not result in substantial adverse physical impacts to require new or physically altered governmental facilities

c-e) **No Impact:** The project site is 3.4± miles northeast of the nearest school, Shanél Valley Academy which serves education up to 6<sup>th</sup> grade. Pomolita Middle School is located 18.5± miles northwest of the project site and South Valley High School is located 17.8± miles northwest of the project site. The project would not increase density and result in the need for new schools. Mendocino County is rural with various open spaces including parks, rivers, and trails. The nearest public park is Todd Grove Park approximately 18 miles northwest of the project site. The nearest bus stop is located approximately 4 miles east of the project site. The project would have no impact on school, park, or other public facilities.

<sup>31</sup> County of Mendocino. General Plan - Chapter 3: Development Element. 2009. Revised 2020. <https://www.mendocinocounty.gov/home/showpublisheddocument/54479/638055061911270000>.

**MITIGATION MEASURES:** None.

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

## 5.16 RECREATION

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

**DISCUSSION:** 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.<sup>32</sup> 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).<sup>33</sup>

- a) **No Impact:** The nearest county managed park to the project site is Low Gap Park located 20± miles north of the project site. The general plan amendment and rezone would have no impact on the use of existing neighborhood and regional or other recreational facilities. No development is proposed at this time. No impact would occur on parks or recreational facilities in the area.
- b) **No Impact:** Hopland is rural in nature and limited in County managed parks and recreational facilities. South Cow Mountain Recreation Area is located 27.6± miles east of the project site. Sheldon Creek Campground and Federal Public Lands are located approximately 20 miles east of the project site. The rezone and general plan amendment project has no impact on recreational facilities nor would require the construction or expansion of recreational facilities. Thus, no impact is anticipated.

**MITIGATION MEASURES:** None.

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

<sup>32</sup> Mendocino County Parks Division of General Services. Parks. <https://www.mendocinocounty.gov/departments/general-services/parks>.

<sup>33</sup> County of Mendocino. General Plan Coastal Element. 1985. Revised 2021. <https://www.mendocinocounty.gov/home/showpublisheddocument/65985/638587122803630000>.

## 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** 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.” The 2010 MCOG Travel Demand Forecasting Model estimates daily trip generation values for various land uses and geographic areas in Mendocino County and may be used 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.

- a) **No Impact:** The project site is approximately 3 miles west of the US 101 corridor and Feliz Creek Road (CR 109) intersection. The nearest bus stop is located approximately 4 miles east of the project site. The proposed general plan amendment and rezone from Rangeland (160-acres minimum) to Agriculture (40-acres minimum) parcels would not create an impact on the circulation system. The majority of the County, specifically Hopland, is rural with limited public transportation services and along the US 101 corridor. Downtown Hopland contains bike lanes and sidewalks. However, the project would have no impact on any programs, plans, ordinances or policies addressing circulation systems.

- b) **Less Than a Significant Impact:** The permitted, conditional, and administrative uses in the Rangeland and Agricultural zoning districts are similar. The subject parcels are developed with agricultural structures, residences, a vineyard, and pasture animals. Considering the project anticipates cultivating commercial cannabis on a portion of APN:047-080-27, this use shall be analyzed. According to the Draft Environmental Impact Report for the Mendocino Cannabis Cultivation Ordinance, “new licensed commercial cannabis cultivation and associated processing and/or distribution transport-only operations would be required to undergo project level environmental review and would likely generate less than 110 daily trips.” Although the vehicle miles traveled may increase on the project site, the project would have a less than significant impact overall on transportation.
- c) **No Impact:** The project proposes to rezone and amend the General Plan classification from Rangeland to Agriculture on three parcels totaling 108± acres. The project would not alter the landscape, roads, lot lines, or increase hazards due to incompatible uses. Considering the subject parcels are under a Williamson Act contract, the property would continue agricultural production, and the project would not result in incompatible land uses. Therefore, no impact would occur.
- d) **No Impact:** The project site is accessed by a private easement on Feliz Creek Road (private). The proposed project would not alter the road easements or accessibility of the project site. Therefore, no impact would occur.

**MITIGATION MEASURES:** None

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

### 5.18 TRIBAL CULTURAL RESOURCES

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

**DISCUSSION:** Public Resources Code Section 21074 defines Tribal cultural resources “as either of the following:

- 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.

- Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- 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.

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. 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. dissertation<sup>34</sup> and 1984 regional synthesis.<sup>35</sup> This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

- a) **Less Than a Significant Impact:** The proposed project includes rezoning and amending the General Plan land use classification from Rangeland to Agriculture. The project was referred to the Northwest Information Center (NWIC) and on November 14, 2024, NWIC recommended that a qualified archaeologist conduct further archival and field study of the proposed project to identify cultural resources and indicated that survey was conducted in 2012 (Study #38679). Additionally, NWIC recommended that the County contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values.

<sup>34</sup> Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

<sup>35</sup> Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

Two Archaeological Reports including a Cultural Resources Survey and Evaluation Report dated February 6, 2012, and a Cultural Resources Study dated August 26, 2025, were conducted on the project site. The Cultural Resources Survey and Evaluation Report was prepared for the Feliz Creek Dam removal and restoration project and studied the general vicinity of Feliz Creek. The Cultural Resources Study surveyed two locations totaling approximately 1-acre in size on 3565 Feliz Creek Road (portions of APN: 047-080-27). No archaeological specimens were found in the 1-acre surveyed area. The remaining areas of the project site are either developed with vineyards, pasture, residences, agricultural structures, or constrained by steep topography. The project materials including the Archaeological Reports were reviewed by the Mendocino County Archaeological Commission on June 11, 2025, and December 10, 2025. The Arch Commission accepted the archaeological surveys and recommended conditioning the project to state, “restrict any development outside of the surveyed area without an archaeological survey”. Therefore, prior to development outside of the surveyed area, an archaeological survey is required. The project proposes a Contract Rezone to ensure that potential cultural and archaeological resources would be protected against future development.

The project was referred to Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians on October 31, 2024. On February 7, 2025, and June 11, 2025, the project was referred to the Hopland Tribe. No responses were received. None of the structures on the project site are designated or recognized as historically significant. The Discovery Clause has been added as a condition of approval. Therefore, the project would have a less than significant impact on the environment as proposed.

**MITIGATION MEASURES:** None.

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

### 5.19 UTILITIES AND SERVICE SYSTEMS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** Public sewer systems in Mendocino County are provided by cities, special districts, and some private water purveyors. There are 13 major wastewater systems in the county, four of which primarily serve the incorporated cities, but also serve some unincorporated areas. Sewage collected by the Brooktrails Township Community Services District and Meadowbrook Manor Sanitation District is treated

at the City of Willits Wastewater Treatment Plant. The City of Ukiah's Wastewater Treatment Plant also processes wastewater collected by the Ukiah Valley Sanitation District. Sewage disposal in the remainder of the county is generally handled by private onsite facilities, primarily septic tank and leach field systems, although alternative engineered wastewater systems may be used.

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

Mendocino County's Development Goal DE-21 (Solid Waste) states: *Reduce solid waste sent to landfills by reducing waste, reusing materials, and recycling waste.* Solid Waste and Hazardous Waste and Material Management Policy DE-201 states the County's waste management plan *shall include programs to increase recycling and reuse of materials to reduce landfilled waste.* Mendocino County's Environmental Health Division regulates and inspects more than 50 solid waste facilities in Mendocino County, including: 5 closed/inactive municipal landfills, 3 wood-waste disposal sites, 2 composting facilities, and 11 transfer stations.

- a) **Less Than a Significant Impact:** The proposed rezone and general plan amendment project would not 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. No development is anticipated. The project site is equipped with electricity, gas, telephone services, a septic system, and a reservoir. The landowner mentioned a portion of the property would be developed with a commercial cannabis cultivation operation.

New licensed commercial cannabis cultivation sites and associated processing and/or distribution transport-only operations would be required to receive approval for an individual septic facility and comply with the standards set forth in the County Code of Ordinances section 9.12.080 and MCCR section 10A.17.090(E)(5) that requires will-serve confirmation from wastewater service providers. New licensed commercial cannabis cultivation sites would also be prohibited from discharging cannabis wastewater into on-site wastewater treatment systems<sup>36</sup> and indoor cannabis cultivation uses would be through a connection to a permitted wastewater treatment collection system that accepts cannabis wastewater. If the permitted wastewater treatment collection system cannot accept cannabis wastewater, the indoor commercial cannabis cultivation and processing operation must collect the cannabis wastewater in storage tanks and disposed of by a permitted wastewater handler at a permitted wastewater treatment facility that accepts cannabis wastewater.<sup>37</sup> Compliance with these standards would ensure that wastewater generated by new licensed commercial cannabis cultivation sites is treated properly.

The proposed rezone and general plan amendment would not 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. If the property chooses to subdivide in the future, discretionary review would be required. As proposed, a less than significant impact would occur.

- b) **Less Than a Significant Impact:** The existing residential and agricultural uses are supplied with adequate water supplies. The applicant has stated that a portion of the property would be developed with a commercial cannabis cultivation operation upon approval. The landowner

<sup>36</sup> Term 27 of Attachment A, Section 1 of SWRCB Order WQ 2023-0102-DWQ

<sup>37</sup> SWRCB Order WQ 2023-0102-DWQ.

notified the California Department of Fish and Wildlife for a Lake and Streambed Alteration Agreement (LSAA, Notification No. EPIMS-MEN-57640-R1C) for water diversion from an infiltration well on the bank of Feliz Creek. Water would be directly diverted for irrigation under licensed water right A013633 from May 1 to October 31 each year. Therefore, the project would have a less than significant impact on water supply availability.

- c) **No Impact:** The project does not include any development at this time. The project site contains an existing septic system and an existing reservoir for residential and agricultural uses. The project site is not currently within the boundaries of a wastewater or sanitation district. If the landowner proposes residential uses in the future, the Division of Environmental Health would review wastewater disposal adequacy.
- d) **Less Than a Significant Impact:** The closest solid waste facility to the site is the Ukiah Transfer Station approximately 14 miles north of the project site. The project site is supplied with trash services currently. The project does not anticipate generating excessive solid waste by state or local standards or impair the attainment of solid waste reduction goals. Although not currently proposed, the landowner may cultivate commercial cannabis in the future. Future new licensed commercial cannabis cultivation and associated processing and/or distribution transport-only operations would be required to comply with DCC regulations regarding the proper handling of cannabis waste through implementation of a cannabis waste management plan required under CCR, title 4, section 17223. Most licensed sites compost onsite, although licensees are allowed to self-haul cannabis waste to a fully permitted waste facility. As noted above, several transfer station facilities in the County could accommodate non-cannabis waste. Mendocino County operates 10 transfer stations that haul to nine landfills. Additionally, based on the availability of these facilities, and compliance with CCR, Title 4, Section 17223 regulations, it is not expected that implementation of the project would require construction or expansion of solid waste facilities that could trigger environmental impacts.

Because existing and future licensed commercial cannabis cultivation sites would comply with CCR, Title 4, Sections 17223 and 15049, the impact related to generating solid waste in excess of infrastructure capacity, violating existing statutes related to solid waste, or resulting in adverse environmental would be less than significant.

- e) **No Impact:** All future development would be required to conform to Federal, State and local requirements for management of solid wastes, including MendoRecycle, Mendocino County Code Title 9A, the US Resource Conservation and Recovery Act (RCRA) and CalRecycle.

**MITIGATION MEASURES:** None.

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

## 5.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, <b>WOULD THE PROJECT:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, <b>WOULD THE PROJECT:</b>	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** The County of Mendocino County adopted a Mendocino County Operational Area Emergency Operations Plan (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the County’s website, the County EOP, which complies with local ordinances, state law, and stated and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within the County. The purpose of the County EOP is to “facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies” (County of Mendocino – Plans and Publications, 2019).

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

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.

- a) **No Impact:** The proposed project includes changing the land use classification and rezoning three parcels from Rangeland (160-acres minimum) to Agriculture (40-acres minimum). The project is located in Hopland and within Planning Area 2: Southeast and Central Mendocino County, Zone 2A – Community of Hopland. As stated in the County EOP, fuel types in this planning area consist of mosaic grass, oak woodlands, brush and mixed chaparral. The mountains and foothills surrounding Hopland present a considerable wildlife urban interface challenge. Hopland Fire Protection District covers 350 square miles and operates out of a single fire station located at 21 Feliz Creek Road, 3.6± miles east of the project site. The nearest CAL FIRE station is approximately 6 miles northeast of the project site. Highway 101 and 20 are the primary evacuation routes for this area and are well maintained and have more than adequate carrying capacity for evacuation purposes. The Wildland-Urban Interface map indicates the project site is mapped very low density vegetation to low density vegetation. In addition, Feliz Creek bisects the property. The proposed project would have no impact on the County’s EOP.
  
- b) **No Impact:** The project includes changing the land use classification and zoning district of the three parcels and therefore no development is proposed at this time. From east to west,

elevations range from 0 degrees to 86 degrees.<sup>38</sup> The subject parcels are mapped within a Moderate Fire Hazard area and are served by the Hopland Rural Fire Protection District.<sup>39</sup> The property is under a Williamson Act contract for grazing operations, meat production, and grape cultivation. According to the County's Community Wildfire Protection Plan, animal grazing is encouraged for fuel management and brush removal. As proposed, the project would not exacerbate wildfire risks or expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire.

- c) **No Impact:** As a result of the project, the permitted maximum dwelling density of a family residential – dwelling group or cluster development subject to an Administrative Permit would increase from one dwelling per 160-acres to one dwelling per 40-acres. If the landowner proposes an application for a Use Permit for cluster development or dwelling groups in the future, additional conditions of approval may be added to reduce wildfire risks. Considering the dwelling density would not increase as a result of the project, no installation or maintenance of associated infrastructure would be required at this time. As previously discussed, Feliz Creek bisects the property. The project site is developed with agricultural and residential uses including a vineyard, several agricultural buildings, an onsite well, an agricultural reservoir, grazing land, several water tanks, and electricity, gas, and telephone services. Additionally, the project site is accessed from a private easement on Feliz Creek Road via APN:047-080-31. As proposed, the project would not require the installation or maintenance of associated infrastructure that would result in temporary or ongoing impacts on the environment.
- d) **No Impact:** Considering that no development is proposed and only a minor change in land use is anticipated, the project would have no impact on exposing 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.

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>38</sup> Estimated Slope Map.

<sup>39</sup> Fire Hazard Zones and Responsibility Areas

**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 a Significant Impact:** The proposed project would not likely result in environmental impacts. The allowed uses in the RL and AG zoning district are similar in nature. Rezoning would increase the dwelling density on AG zoned parcels. Considering Parcel 3 (APNs: 047-080-31 & 047-050-46) is 83± Acres in size, the applicant could apply for a minor subdivision in the future. Subdivisions are subject to CEQA review. Future development is also constrained by the existing Williamson Act contract. Unlike RL Zoning Districts, Agricultural zoning permits commercial cannabis cultivation and processing subject to an Administrative Permit or Zoning Clearance depending on cultivation type. New cannabis cultivation business licenses require a Cultivation & Operations Plan, site plan, EnviroStar/ Cortese List review, a Lake and Streambed Alteration Agreement (LSAA), an Air Quality Clearance Checklist, and a Sensitive Species Habitat Questionnaire. If the applicant pursues commercial cultivation of cannabis, the regulatory framework of the Mendocino Cannabis Cultivation Ordinance would ensure environmental protections. Cannabis Cultivation and Operations Plans include describing watershed and habitat protection measures; water storage; conservation and use; drainage, runoff, and erosion control; and proper storage of fertilizers, pesticides, and other regulated products to be used on the legal parcel; in addition to a description of cultivation activities.

In addition, Staff determined that a Contract Rezone combining district would be appropriate to ensure protections of cultural and archaeological resources and sensitive species prior to ground disturbance outside of surveyed areas. The following conditions have been added to the Contract Rezone Combining District: (1) Future ground disturbance outside of the surveyed area shown in Exhibit C shall require an Archaeological Survey be submitted and accepted by the Archaeological Commission prior to issuance of any building permit; (2) All future development shall be sited a minimum of 50 feet from the edge of riparian vegetation; (3) If vegetation removal or development occur during breeding season (January 15 to September 15), a pre-construction bird survey is required within 14 days before vegetation removal or development to ensure that no nesting birds will be disturbed during development; and (4) Any new or replacement fencing shall be of wildlife-friendly design. Therefore, a less than significant impact is anticipated.

- b) **Less Than a Significant Impact:** As stated previously, new commercial cannabis cultivation business licenses require Cultivation & Operations Plan, site plan, EnviroStar/ Cortese List review, a Lake and Streambed Alteration Agreement (LSAA), an Air Quality Clearance Checklist, and a Sensitive Species Habitat Questionnaire to protect the environment. In addition, the project proposes a Contract Rezone combining district that would require the landowner obtain an archaeological survey and biological survey prior to ground disturbance outside of the areas that had already been surveyed and to require the applicant to promise to install wildlife friendly fencing if and when new or replaced fencing is warranted. Therefore, a less than significant impact is anticipated.

- c) **No Impact:** The project, as proposed, would rezone and amend the General Plan land use classification from RL to AG. The permitted uses are comparable with the exception of commercial cannabis cultivation permitted on AG zoned parcels. With the regulatory framework in place for commercial cannabis cultivation and processing, no impact would occur.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Mandatory Findings of Significance.