



**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**

SCH: XXXXXX

FOR
CARL RITTIMAN & ASSOCIATES, INC.
COASTAL DEVELOPMENT PERMIT
AT 46451 GYPSY FLAT ROAD, GUALALA;
APN: 143-070-06
File No. CDP_2021-0031

LEAD AGENCY:

County of Mendocino
Department of Planning & Building Services
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(707) 234-6650

PREPARED BY:

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July 10, 2026

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INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed project as detailed below in the Project Description. This Initial Study includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: CDP_2021-0031

OWNER/APPLICANT: Carl Rittiman & Associates, Inc.
40281 Comptche Ukiah Road
Mendocino, CA 95460

AGENT: Wynn Coastal Planning & Biology, Inc.
C/O Amy Wynn
703 N. Main Street
Fort Bragg, CA 95460

PROJECT LOCATION: In the Coastal Zone, 1.5± miles north of the community of Anchor Bay on the south side of Gypsy Flat Road (private) 0.48± miles east of its intersection with State Route 1 (SR 1) at 46451 Gypsy Flat Road, Gualala (APN: 143-070-06).

TOTAL ACREAGE: 1.5± Acres

GENERAL PLAN: Rural Residential 10-Acres Minimum (RR10)

ZONING: Rural Residential 10-Acres Minimum (RR10)

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15071, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests a Standard Coastal Development to remove an existing 157 square-foot structure, construct a 1,911 square-foot driveway and parking area, and a 1,548 square-foot single-family residence, install a septic system, a water tank, construct a well, and connect to utilities including an off-site spring. The project proposes removing up to 30 trees and 2 boulders, including trees located within 30 feet of the proposed single-family residence for CAL FIRE defensible space requirements.

The project proposal includes a Fuel Modification Plan dated June 12, 2025, to maintain defensible space within 30 feet of the proposed residence and additional clearing including thinning underbrush and removing lower limbs on standing trees would occur within a 100-foot defensible space boundary around the proposed residence with the exception of vegetation associated with environmentally sensitive habitat areas.

The subject property is constrained by five (5) large boulders, dense vegetation, a wetland, an intermittent stream, and ephemeral drainages. The project area is situated within a redwood forest with pockets of young regenerating redwoods to the southern and eastern portion of the property and tan oak seedlings within a large opening in the center of the property. The Coastal Groundwater Map indicates the subject parcel is mapped in a Critical Groundwater Resources area. The Mendocino County Assessor's Office stated a structure was constructed in 1966 on the subject parcel.

From north to south, topography on the project site ranges from 530 feet to 440 feet, with slopes ranging between 33 and 72 degrees. The project site is within a Very High Fire Hazard area and is served by the South Coast Fire Protection District. The parcel is sited on Caspar-Quinliven-Ferncreek complex soil classifications. The vegetation in this map unit is mainly redwood, Douglas fir, and bishop pine trees. The LCP Land Capabilities and Hazards map indicates the subject parcel is mapped in a Moderate Timberland Productivity area. CAL FIRE mapping indicates the subject parcel is mapped within a Very High Fire hazard area.

SURROUNDING LAND USES AND SETTING: Parcels to the north, west, east, and south are zoned Rural Residential 10-Acres Minimum and range in size from .05± acres to 3± acres. The surrounding parcels to the north, west and south are developed with single-family residences. The immediate adjacent parcel to the northeast (APN:143-070-12) is developed with a spring box and water storage tanks. The immediate parcel to the east is undeveloped.

Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements): California Department of Fish and Wildlife

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

Pursuant to Public Resources Code (PRC) §21080.3.1, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The following tribes were notified Cloverdale Rancheria, Redwood Valley Rancheria, Sherwood Valley Band of Pomo Indians, and Cahto Tribe.

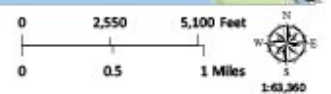
PROJECT PLOT PLAN: See Page 5 of this document.

FIGURE 1: LOCATION MAP



CASE: CDP 2021-0031
 OWNER: Carl Rittiman & Associates, Inc.
 APN: 143-070-06
 APLCT: Carl Rittiman
 AGENT: Amy Wynn
 ADDRESS: 46451 Gypsy Flat Road, Gualala

- Major Towns & Places
- California Counties
- Coastal Zone Boundary
- Highways
- Major Roads



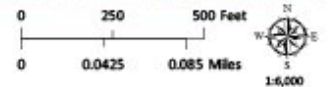
LOCATION MAP

FIGURE 2: AERIAL IMAGERY

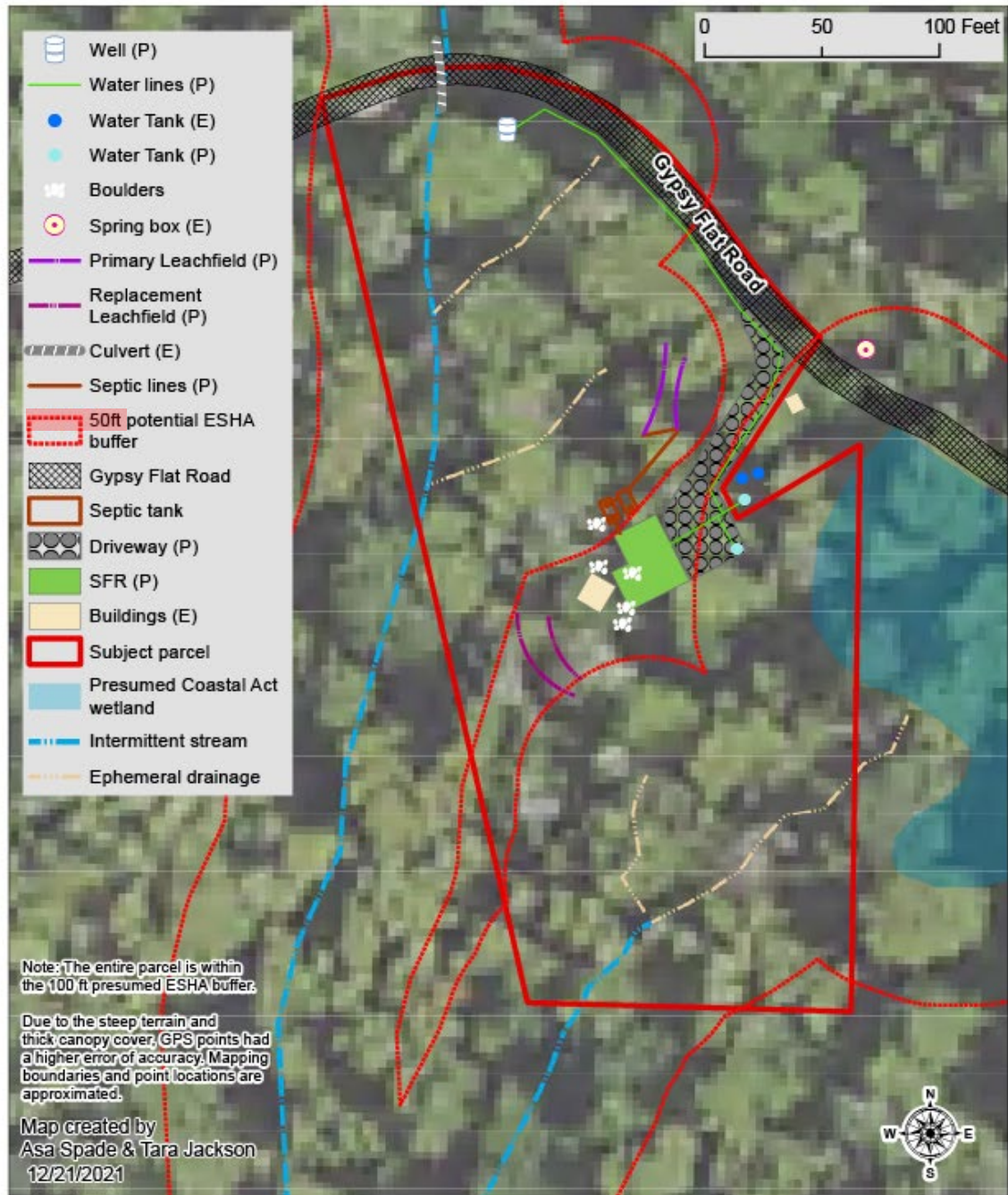


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OWNER: Carl Rittiman & Associates, Inc.
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APLCT: Carl Rittiman
AGENT: Amy Wynn
ADDRESS: 46451 Gypsy Flat Road, Gualala

— Named Rivers
— Public Roads
- - Private Roads



AERIAL IMAGERY



OWNER: Carl Rittiman
APN: 143-070-06
ADDRESS: 46451 Gypsy Flat Road, Gualala, CA

Presumed ESHA Map and Development

Figure 2. Presumed ESHA and development map with 50ft ESHA buffer with proposed well and water lines displayed. Revised December 9, 2021 to add the proposed well and water lines.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:

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

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

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

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

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



Signature

Shelby Miller

Printed Name

7/27/2026

Date

Planner III

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

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

ENVIRONMENTAL SETTING: The County of Mendocino (County) is a predominately rural county, with most of the land in forest or agricultural production, both of which are considered open spaces that add to the quality of life of the County's residents and attract tourists.¹ A "scenic vista" is defined as *a singular vantage point that offers high quality, harmonious, or visually interesting views of a valued landscape for the benefit of the public*. Scenic vistas are typically found along major highways or other public roads but may also occur in other areas accessible to the public. "Scenic resources" include objects, features, or patterns within the landscape which are visually interesting or pleasing. Scenic resources can include trees, rock outcroppings, historic buildings, or other features. California Streets and Highways Code (SHC) Sections 260-284 establish the State Scenic Highway program for *the protection and enhancement of California's natural scenic beauty*.² The California Department of Transportation (CALTRANS) oversees this program, including a list of officially designated Scenic Highways and those deemed "eligible" for incorporation into the program.

No highways in Mendocino County have been officially incorporated into the State Scenic Highway system. State Route 1 (SR 1) is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, is part of the National Highway System; a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. SR 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a "scenic highway", meaning that there are substantial sections of highway passing through a "memorable landscape" with no "visual intrusions." As such, there are no adopted Corridor Protection Programs in the County. However, the entirety of SR 1 in the County, the portion of U.S. Route 101 (US 101) near city of Marin and Leggett, all of State Route 20 (SR 20), and all of State Route 128 (SR 128) are listed as "eligible".³

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

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

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

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

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

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

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

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting off of structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by "light pollution." Two elements of light pollution may affect county residents: sky glow (a result of light fixtures that emit a portion of their light directly upward in the sky), and light trespass (poorly shielded or poorly aimed fixtures which cast light into unwanted areas, such as neighboring properties and homes). Different lighting standards are set by classifying areas by lighting zones (LZ). The 2000 Census classified the majority of Mendocino County as LZ2 (rural), which requires stricter lighting standards in order to protect these areas from new sources of light pollution and light trespass. According to the 2020 U.S. Census⁶, there are three "Urban Areas" in Mendocino County: Ukiah, Willits, and Fort Bragg. Some of these Urban Areas extend into the unincorporated portions of the County. The Census provides shapefiles for use in visualizing these Urban Areas.

Policy 3.5-15 of the Coastal Element of the Mendocino County General Plan provides in part that "*Security lighting and floodlighting for occasional and/or emergency use shall be permitted in all areas. Minor additions to existing nightlighting for safety purposes shall be exempt from a coastal permit. In any event no lights shall be installed so that they distract motorists, and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.*"

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

The Resource Management, Coastal, and Development Elements of the Mendocino County General Plan provide policies and goals to govern scenic quality within the County. Mendocino County General Plan Community - Specific Policies⁷ objectives are to *ensure that the special features in each community area shown in this General Plan shall be retained or enhanced and shall consider these features in its review of any proposed development project.* Several policies are pertinent to Highly Scenic areas in the coastal zone, Town of Mendocino, and other Special Communities. Relevant General Plan policies are included below:

- Policy DE-85: *Viewshed preservation shall be considered when development is located in a highly scenic environment, adjacent to or atop a ridgeline or hill, and in similar settings.*
- Goal RM-14: *Protection of the visual quality of the county's natural and rural landscapes, scenic resources, and areas of significant natural beauty.*
- Goal RM-15: *Protection of the qualities of the county's nighttime sky and reduced energy use.*

DISCUSSION:

a-c) **No Impact:** The subject parcel is located east of State Route 1 and not mapped within a highly scenic area nor accessed via a scenic vista. The project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, or historic buildings within a state scenic highway. Although the project would be located in a rural and nonurbanized area, the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Gypsy Flat Road is a privately maintained road, and the neighborhood is

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

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

highly vegetated. The proposed development would be located downslope and within a vegetated area. Therefore, no impact is anticipated.

- d) **Less Than a Significant Impact:** The project is located within a residential neighborhood and not mapped within a Highly Scenic area. The project proposes a 1,548 sq. ft. single-family residence with attached exterior lighting that would be downcast and shielded. As proposed, the project does not anticipate allowing light glare to exceed the boundaries of the parcel. Therefore, a less than significant impact is anticipated.

MITIGATION MEASURES: None.

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

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

ENVIRONMENTAL SETTING: The California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) which produces maps and statistical data used for analyzing impacts on California's agricultural resources. The FMMP mapping survey covers roughly 98% of privately owned land in the state. Each map is updated at approximately two-year intervals. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called "Prime Farmland". Other critical designations including "Unique Farmland" and "Farmland of Statewide Importance." The most recent map covering Mendocino County was published in 2018.

The Williamson Act (officially the California Land Conservation Act of 1965) provides preferential tax assessments to owners of farmland and open-space land in exchange for a ten year agreement that the land will not be developed or otherwise converted to another use. The intent of the Williamson Act is to preserve a maximum amount of a limited supply of prime agricultural land to discourage premature and unnecessary conversion of prime agricultural land to urban uses.

The Timberland Production Zone (TPZ) was established in 1976 in the California Government Code as a designation for lands for which the Assessor's records as of 1976 demonstrated that the "highest and best use" would be timber production and its accessory uses. Public improvements and urban services are prohibited on TPZ lands except where necessary and compatible with ongoing timber production. The original purpose of TPZ Zoning District was to preserve and protect timberland from conversion to other

more profitable uses and ensure that timber producing areas not be subject to use conflicts with neighboring lands.

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

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

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

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

DISCUSSION:

- a) **No Impact:** The Farmland Classifications map indicates the subject parcel is mapped Grazing Land, which is best suited to the grazing of livestock. The subject parcel is undeveloped and the surrounding area is residential and not used for livestock grazing. The proposed project includes constructing a driveway, a two-story single-family residence, installing a septic system, a well, a water tank and connecting to a spring box on an adjacent parcel to the east. The subject parcel is not located on Prime or Unique Farmland. Farmland of Statewide Importance is defined as farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. As proposed, the project would not convert prime farmland, unique farmland, or farmland of statewide importance. Thus, no impact would occur.
- b) **No Impact:** The subject parcel is within the Rural Residential (RR) zoning district and not contracted under the Williamson Act. The project, as proposed, would not conflict with existing zoning for agricultural use or the Williamson Act. Single-family residences are principally permitted within the RR zoning district. Therefore, the project would not conflict with existing zoning or any Williamson Act contracted land.
- c) **No Impact:** The project site is not zoned within the Forest Land or Timberland Production Zoning Districts and does not meet the timberland definition as defined in Public Resources Code Section 4526. Therefore, no impact is anticipated.
- d) **No Impact:** The project would not result in the loss of forest land or agricultural land nor convert forest land to non-forest land. The subject parcel is mapped within land on which the existing vegetation is suited for the grazing of livestock. The project would not involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, the project would have no impact on agricultural and forestry resources.
- e) **No Impact:** The subject parcel is approximately 1.4± acres in size, is sloped and narrow. Adjacent parcels are similar in size and contain and contain residential development. The Farmland Classifications map indicates the subject parcel is mapped as Grazing Land, which

is best suited to the grazing of livestock. Single-family residences are principally permitted uses within the Rural Residential zoning district and would have no impact on the suitability of farmlands. The proposed residential development would not involve other changes in the existing environment which due to the location or nature result in the conversion of farmland to a non-agricultural use or conversion of forest land to non-forest use. Therefore, no impact is anticipated.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Agricultural and Forestry Resources.

5.3 AIR QUALITY

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

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

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

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

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

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

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

- 1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel-powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM_{2.5}. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

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

Per California Health and Safety Code (HSC) Section 42705.5, “sensitive receptors” include hospitals, schools, day care centers, and other locations that the district or state board may determine. According to the California Air Resources Board (CARB), sensitive receptors include “*children, elderly, asthmatics, and*

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

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

DISCUSSION:

- a) **No Impact:** The proposed project was referred to the Mendocino County Air Quality Management District (MCAQMD). On January 5, 2026, MCAQMD stated that the applicant or landowner is required to submit an Asbestos Demolition-Renovation Notification to their Department prior to the demolition of the existing structure on site. The proposed project also includes removing no more than 30 trees and 2 boulders, constructing a driveway, parking area for two cars, a single-family residence, installing a septic system, a well, water tank, and connecting to utilities including an off-site spring box located immediately east of the parcel. MCAQMD enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. Construction would be temporary and would not conflict with or obstruct the implementation of the applicable air quality plan. No impact is anticipated.
- 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-d) **Less Than a Significant Impact:** Parcels to the west, north, and south contain a single-family residence that is approximately 250 to 300 feet from the proposed development. A residence, is a location where sensitive receptors may congregate. Tree and boulder removal, construction of driveway and residence, and installation of utilities and connections would be temporary. The proposed development has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. The project would not include any sources likely to create objectionable odors. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure

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

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

ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Air Quality.

5.4 BIOLOGICAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

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

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

Food and Agriculture with regard to economic pests; or (2) The Director of Health Services with regard to health risks.

A Species of Special Concern is a species, subspecies, or distinct population of an animal native to California that typically meets the State definition of threatened or endangered but has not formally been listed; is experiencing serious (noncyclical) population declines or range retractions that, if continued or resumed, could qualify it for State threatened or endangered ; or has naturally small populations exhibiting high susceptibility to risk from any factor(s) that, if realized, could lead to declines that would qualify it for State threatened or endangered status. Species that are recognized as candidates for future listing by agencies with resource management responsibilities, such as US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NOAA Fisheries, also known as NMFS), and California Department of Fish and Wildlife (CDFW)

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

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

The U.S Fish and Wildlife Service (USFWS) is responsible for protecting endangered and threatened species, and conserving candidate and at-risk species. The USFWS Information for Planning and Consultation tool (IPaC) provides site-specific information on federally listed species. In addition, the USFWS National Wetlands Inventory houses information on the status, extent, characteristics, and function of wetlands. Section 404 of the federal Clean Water Act establishes a program to regulate the discharge of dredged or fill material into waters of the United States. Section 404 requires a permit before dredged or fill material may be discharged unless the activity is exempt. Section 404 defines wetlands as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstance do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bog, and similar areas.”

California Fish and Game Code The California Department of Fish and Wildlife (CDFW) manages the California Natural Diversity Database (CNDDB) 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 CNDDB. VegCAMP has been ranking California Natural Communities by their rarity and threat since 1979. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents.

Fish and Game Code Section 3503 addresses protection of Migratory Birds and Raptors. It states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests. Section 3511 protects species considered “fully protected”. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act. Fish and Game Code Section 4150 states a mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A nongame mammal

may not be taken or possessed under this code. All bat species occurring naturally in California are considered nongame mammals and are therefore prohibited from take as stated in Fish and Game Code Section 4150. Section 1602 protects natural resources by requiring notification before certain activities are performed near rivers, streams, or lakes.

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

The Porter-Cologne Act governs water quality through nine Regional Water Boards and the State Water Board. Mendocino County is within the jurisdiction of the North Coast Regional Water Quality Control Board (the ‘Board’). The Board regulates discharges under the Act through the issuance of National Pollutant Discharge Elimination System (NPDES) permits. The Porter-Cologne Act also requires adoption of regional water quality control plans. The North Coast Basin Plan was most recently adopted in 2018 and establishes water quality objectives, implementation measures, and monitoring programs for the region. Fish, wildlife, and native plant resources are protected and managed by the California Department of Fish and Wildlife (CDFW).

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

California Wildlife Protection Act of 1990 establishes that the mountain lion is a specially protected mammal under the laws of this state, and makes it unlawful to take, injure, possess, transport, import, or sell a mountain lion or a product of a mountain lion. The act authorizes a person whose livestock or other property is being or has been injured, damaged, or destroyed by a mountain lion to report that fact to the Department of Fish and Wildlife and request a permit to take the mountain lion.

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

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

Section 3.1 of the Coastal Element of the General Plan provides Policies regarding Habitats and Natural Resources. Coastal Element Policy 3.1-2 requires that *Development proposal in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource. Section 3.1 of the Coastal Element defines wetlands as lands which may be covered periodically or permanently with shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.*

Wetlands are extremely fertile and productive environments. Tidal flushing from the ocean and/or nutrient-rich freshwater runoff mix to form a delicate balance responsible for their productivity. They function as nurseries for many aquatic species and serve as feeding and nesting areas for waterfowl, shorebirds and wading birds, as well as a few rare and endangered species.

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

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

Policy RM-28 of the General Plan's Resource Management Element states *all discretionary public and private projects that identify special-status species in a biological resources evaluation (where natural conditions of the site suggest the potential presence of special-status species) shall avoid impacts to special-status species and their habitat to the maximum extent feasible. Where impacts cannot be avoided, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction.*

DISCUSSION:

- a-b) **Less Than Significant with Mitigation Incorporated:** The project proposes to remove an existing structure from the property, construct a 1,911 square-foot driveway and parking area, and a 1,548 sq. ft. single-family residence, install a septic system, a water tank, construct a well, and connect to utilities including an off-site spring. A Biological Report prepared by Wynn Coastal Planning & Biology (WCPB) dated May 20, 2021, identified an intermittent stream (ESHA) and ephemeral drainages (ESHA) located to the west and south of the project site and a Coast Redwood forest with a wetland and slough sedge understory (ESHA) located on the eastern side of the project site. WCPB stated *that the onsite wetland is upslope or adjacent to the proposed development and therefore less likely to be negative impacted. Amphibians that utilize the wetlands have the potential to be present and/or move through the project site but most likely during the rainy season. All ground disturbing construction activities shall be proposed outside of the rainy season when amphibians may be departing the wetland for overland movement. The ephemeral drainage downslope from the proposed driveway has some bed and bank features but does not support wetland vegetation or aquatic habitat.* In summary, aquatic animals may drink water that collects in channels for a short time after rainfall events. WCPB stated that there is not a significant functional relationship between the ESHA and the adjacent redwood forest that would necessitate a wider buffer. No development is proposed within the identified ESHAs nor within an area that serves a functional relationship related to aquatic habitats. Portions of the driveway, parking area, water tank, and septic system would be within the 50 ft buffer of the ESHAs.

The project was referred to the California Department of Fish and Wildlife (CDFW) on July 23, 2021, August 8, 2022, October 30, 2024, and on January 5, 2026. Due to the presence of ESHA on the site, County and CDFW staff conducted a site visit with the landowner and WCPB on November 18, 2024. CDFW stated that the site visit was very informative and highlighted the challenges associated with building on this small and steep parcel. In addition, CDFW understands that the project would be sited within 100 ft. buffers of two unnamed tributaries and would typically recommend revisions to the development's footprint or installation of low symbolic fencing along the 50 ft. buffer of such resources to reduce incidental encroachment. CDFW states incidental encroachment or development expansion is highly unlikely due to the steep terrain, which in and of itself is a barrier to footprint expansion.

CDFW concurs with the buffer reduction from 100 ft to 50 ft if the following is incorporated: (1) the protective measures in the biological report are incorporated, (2) low, symbolic fencing shall be installed along the edge of the driveway, once installed, (3) the project shall target for removal non-native invasive species on the property, to the extent feasible, for a period of no less than five years. Currently, a broom species is present along the property line adjacent to Gypsy Flat Road and has the potential to spread onto this property during/ after development; (4) Landscaping shall incorporate locally appropriate, native species and shall not include any invasive plant species, and (5) Native species that naturally re-generate shall be encouraged to become established unless they occur within the fire management plan area. Additionally, CDFW recommends the landowner obtain a Lake and Streambed Alteration Agreement (LSAA) for the continued use or proposed diversion of water from the existing spring box into a storage tank and to include any improvements to the existing infrastructure in the LSAA notification and the CDP application. In addition, a mitigation measure shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution per MCC 20.496.020(4)(a).

Considering the project would be constructed during the dry season to avoid impacts on amphibians, construction in the study area has the potential to disturb birds during the breeding season (February to August). Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds' nesting process. Additionally, construction within the project site has the potential to impact special status at species. Bats are vulnerable when roosting for reproduction when young are not yet able to fly, and during hibernation because they can die of cold or malnutrition if hibernation is disturbed. No special features such as hollow trees, abandoned buildings or other cave analogs, which could serve as roosting or hibernation refugium are present; therefore, the potential for negative impacts on bats is minimal. Temperatures on the Mendocino Coast usually do not drop low enough to necessitate bat hibernation.¹⁴ Mitigation measures have been added to avoid impacts on birds and bats.

Construction activities, including staging of materials and construction debris removal for this project will involve walking across areas where the Pomo bronze shoulderband snail (*Helminthoglypta arrosa* ssp. *Pomoensis*). To minimize impacts to these snails, mitigation measures have been incorporated below.

- c) **Less Than a Significant Impact with Mitigation Incorporated:** The project site contains a protected wetland to the northeast of the parcel. The project proposed driveway, parking area, and water tank would be constructed within the 50 ft buffer of the protected wetland. Wynn Coastal Planning & Biology stated that, "overflow water from an existing water storage tank to the north enters the protected wetland". The identified wetland is dominated with a slough sedge understory and redwood trees overstory (*Sequoia sempervirens*/ *Carex obnupta* Forest Association). WCPB stated that this habitat is not currently recognized association but shall be considered ESHA for the purpose of this report. WCPB stated that a 50 foot buffer will sufficiently protect the identified wetland from the impact of proposed development. However, the proposed driveway, parking area, retaining wall, and water storage tank would be approximately 30 feet from the wetland/coast redwood with slough sedge at its closest point. No development is proposed within the ESHAs or in areas that support their function. The wetland is at a higher elevation than the majority of the proposed development and/or

¹⁴ Wynn Coastal Planning & Biology. Biological Scoping & Botanical Survey Report. May 20, 2021.

separated by areas of higher topography. WCPB stated that, the wetland is also buffered from the majority of the proposed development by the existing water tanks. Nevertheless, there may be some potential for sediment from the proposed development to enter the wetland habitat". Mitigation measures include staging materials and construction vehicles should only occur along Gypsy Flat Road in the turnouts. Silt fencing shall also be installed along the downhill side of Gypsy Flat Road and the wetland. No materials storage, heavy equipment uses or other impacts shall occur within the demarcated drainages. The purpose of the silt fencing is to intercept liquids leaving the construction area. With the incorporation of mitigation measures, the project would have a less than significant impact on protected wetlands.

- d) **Less Than Significant with Mitigation Incorporated:** The proposed project would be sited between a wetland and intermittent streams. The identified wetland is sited upslope. The ephemeral drainage downslope from the proposed driveway does not support wetland vegetation or aquatic habitat. WCPB stated that there was no sensitive animal species observed nesting, feeding breeding, or resting on site during site visits on January 19, April 19, June 5, 2017; July 10 and October 11, 2018; March 4, 2019, and April 1, 2021. Amphibians that utilize the wetlands have the potential to be present and/or move through the project site in the rainy season.¹⁵ All ground disturbing activities shall occur in the dry season when amphibians are not nesting and breeding. No native resident or migratory fish habitats occur onsite. Construction activities will involve walking across areas where amphibians will be traveling. Staging materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. To minimize impacts to amphibians, the following measures should be followed to ensure the project would have a less than significant impact.
- e) **Less Than Significant with Mitigation Incorporated:** Pursuant to the LCP Policy 3.1-7 a buffer area shall be established adjacent to all ESHAs to prevent significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and County Planning staff, that 100 feet is not necessary to protect the resources of that particular ESHA. The buffer area shall be measured from the outside edge of the ESHA and shall not be less than 50 feet in width. Developments permitted within a buffer area shall generally be the same as those uses permitted in the adjacent ESHA and must comply at a minimum with each of the following standards:
1. It shall be sited and designed to prevent impacts which would significantly degrade such areas;
 2. It shall be compatible with the continuance of such habitat areas by maintaining their functional capacity and their ability to be self-sustaining and to maintain natural species diversity; and
 3. Structures will be allowed within the buffer area only if there is no other feasible site available on the parcel. Mitigation measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution.

As stated previously, the proposed driveway, parking area, a retaining wall, water tanks, and septic system would be constructed within a 50 foot buffer of identified streams, a wetland, and coastal redwood forest with slough sedge habitat. WCPB stated the development was planned to avoid major vegetation removal and the area where development is proposed consists largely of regenerating tan oak (*Notholithocarpus densiflorus*) seedlings and boulders. Areas with greater vegetation cover and larger redwood trees exist outside of the proposed building site. The development will be compatible with the continuance of the adjacent habitat area by maintaining the functional capacity, their ability to be self-sustaining and maintaining natural species diversity. Alternative projects were analyzed and staff determined that there is no location that is less impacting and feasible for the proposed development. WCPB did not

¹⁵ Wynn Coastal Planning & Biology. Biological Scoping & Botanical Survey Report. May 20, 2021.

identify any riparian vegetation present on the parcel and determined that planting riparian vegetation within areas already vegetated with upland native plant communities would be both unsuccessful and inappropriate. A mitigation measure has been incorporated to target non-native invasive species on the parcel for removal and replace with native seeds or plants. As such, a less than significant impact would occur.

- f) **No Impact:** The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. As a result, no impact is anticipated.

MITIGATION MEASURES:

BIO-1: Prior to ground or vegetation disturbing activities and demolition, the Contractor shall clearly delineate the boundaries of the project area with fencing, stakes or flags. Maintain fencing, stakes, or flags until the completion of the project in that area. Silt fencing and/or straw wattles shall be installed downslope of each development element, on contour, and as close as practicable to project allowing for access. No materials storage, heavy equipment use or other impacts shall occur within identified environmentally sensitive habitat areas (ephemeral drainages, intermittent streams, wetland, and redwood with slough sedge). Straw wattles shall be properly installed to intercept liquids leaving the construction area. All fencing shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized.

BIO-2: Prior to ground or vegetation disturbing activities and demolition, the identified environmentally sensitive habitat areas (wetlands, intermittent streams, ephemeral drainages, and redwood with slough sedge) shall be flagged and demarcated as exclusion areas where construction activities may not occur.

BIO-3: Areas of bare soil shall be reseeded with a native erosion control soil mix and/or covered with biodegradable erosion control materials (e.g. coconut fiber, jute, weed free straw). All erosion control materials shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized. Erosion control materials shall be checked, and appropriate maintenance shall occur on a weekly basis and after every rain event.

BIO-4: Outslope driveway to avoid concentrated flow. The driveway shall be designed with its lower edge on the downslope side to allow continuous water flow across the entire road during rain, rather than being sloped inward which would require an inboard ditch and relief culvert. Proper road designs can be found in the Handbook for Forest, Ranch & Rural Road by Pacific Watershed Associates.

BIO-5: Contractors shall fall trees away from identified waters of the State whenever possible to avoid depositing or placing tree bark, sawdust, and/or other debris. If not feasible, contractor shall supplement existing protective measures to address the potential for bark, sawdust, and/or other debris from entering the creek or where it can be washed into the creek.

BIO-6: The landowner shall target non-native invasive plants (per California Invasive Plant Council) for removal and replace with locally appropriate native tree, shrub, and annual species.

BIO-7: All ground disturbing activities shall occur in the dry season when amphibians are not nesting and breeding. If a rain event occurs during the ground disturbance period, all ground disturbing activities shall cease for a period of 48 hours, starting after the rain stops. In addition, construction during the dry season reduces the potential of sediment from disturbed soils running into streams and other identified ESHAs.

BIO-8: Prior to demolition and construction activities, project contractors and all workers on the project site shall be trained by a qualified biologist in the identification of Pomo bronze shoulderband snails and amphibians that occur along the Mendocino County coast.

BIO-9: Prior to and during ground disturbing activities, and after a rain event, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians. If a special status amphibian is detected, construction crews shall stop all work to prevent harm or incidental "take". Contractors shall contact a biologist and the California Department of Fish and Wildlife (CDFW) to

report the sighting and receive authorization on how to proceed. Clearance from CDFW is required prior to reinitiating work.

BIO-10: During construction and debris removal, any wood stockpiles shall be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians or Pomo bronze shoulderband snails.

BIO-11: Protection of Bird Nesting Habitat Areas. Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds' nesting process if it occurs during the nesting season. No nesting bird surveys are recommended if activity occurs in the non-breeding season (September to January). If vegetation removal or development is to occur during the breeding season (February to August), a pre-construction survey is required within 14 days of the onset of vegetation removal or construction to ensure that no nesting birds will be disturbed during development. If active native bird nests are observed, no vegetation removal or construction activities with the potential to disrupt nesting shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance. Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

BIO-12: Pre-construction surveys for bats. Tree and boulder removal and construction will ideally occur between September 1st and October 31 after the young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys shall be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If active bat roosts are observed, no tree removal or construction activities with potential to disturb roosting shall occur within a minimum 50 foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

BIO-13: Prior to and during ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of Pomo bronze shoulderband snails. If Pomo bronze shoulderband snails are detected, construction crews shall stop all work to prevent harm or incidental "take". Contractors shall contact a biologist and the California Department of Fish and Wildlife (CDFW) to report the sighting and receive authorization on how to proceed. Clearance from CDFW is required prior to reinitiating work.

BIO-14: Potential Impacts to Special Status Amphibians. Construction activities may involve driving vehicles and/or walking across areas where amphibians may be traveling. Staging of materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. Protection of the riparian buffer zone during development and construction will alleviate the potential impacts to aquatic invertebrate and amphibian habitat. Avoid placing debris and wood stockpiles near riparian areas. Debris and wood stockpiles near the riparian area should be removed carefully by hand to avoid accidental crushing or other damage to amphibians.

BIO-15: Construction Best Management Practices (BMPs). Standard BMPs shall be employed prior to and post-construction to ensure minimization of erosion resulting from construction and to protect water quality. Ground disturbance shall be limited the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Minimize impervious surfaces.

BIO-16: Install low symbolic fencing. The landowner or contractor shall install permanent low symbolic fencing to prevent incidental encroachment into environmentally sensitive habitat areas and their buffers. The low symbolic fencing shall be made of a natural material or metal (avoid plastic). Due to the topography of the site, installing permanent low-symbolic fencing may not be feasible in all areas, but landowner or contractor shall install it in areas where the topography would allow for vehicle or construction encroachment.

BIO-17: Install low symbolic fencing along the edge of the driveway to prevent encroachment outside of driveway and into potential habitat.

FINDINGS: The proposed project would have **Less Than Significant with Mitigation Incorporated** on Biological Resources.

5.5 CULTURAL RESOURCES

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

ENVIRONMENTAL SETTING: The California Office of Historic Preservation manages the Built Environment Resources Directory (BERD) which provides information organized by county, regarding non-archaeological resources. This includes resources reviewed for eligibility to the National Register of Historic Places and the California Historical Landmarks programs through federal and state environmental compliance laws, and resources nominated under federal and state registration programs.¹⁶ The term "cultural resources" refers to archaeological sites and features of the built environment (e.g., buildings, landscape elements) that have importance to the community, providing connections to pre-historic and historical peoples and events. Per the California Code of Regulations (CCR) Title 14, §15064.5, the term "historical resources" shall include the following:

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

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

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

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

¹⁶ California Department of Parks and Recreation (2023). Office of Historic Preservation. *Built Environment Resource Directory (BERD)*. Retrieved from https://ohp.parks.ca.gov/?page_id=30338

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

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

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

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 MCC Chapter 22.12. See also Paleontological Site.

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

DISCUSSION:

- a-b) **No Impact:** The project was referred to the Northwest Information Center (NWIC) on July 23, 2021, August 8, 2022, October 30, 2024, and January 5, 2026. The project request of July 23, 2021, included a single-family residence with a total building footprint of 774 sq. ft., a 1,911 sq. ft. driveway and parking area, removal of the existing structure, and installation of a septic system, and connection to an offsite spring box. The Archaeological Commission heard the project on January 12, 2022, and determined that no survey was required and to incorporate the Discovery Clause as a condition of approval.

Per the project referral dated January 5, 2026, the project scope was amended to include the construction of a supplemental well and a water tank. The proposed building, driveway and parking area, and septic system location for the single-family residence will remain unchanged. The proposed water tank would be located adjacent to existing water tanks and the proposed driveway. The proposed supplemental well would be constructed adjacent to Gypsy Flat Road, with trenching to be installed along the edge of Gypsy Flat Road. On January 12, 2026, NWIC

stated that their office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area.

In addition, NWIC expressed, “the proposed project area has the possibility of containing unrecorded archaeological sites due to the proximity of known archaeological sites located in similar environments as the proposed project area. Given this sensitivity and lack of prior survey of the proposed project area, we therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources.” Considering the additions to the project scope would be located within an already disturbed area, County staff determined incorporating the Discovery Clause as a condition of approval is appropriate. As such, the proposed project does not anticipate causing a substantial adverse change in the significance of a historical resource pursuant to §15064.5 or of an archaeological resource pursuant to §15064.5

- g) **No Impact:** With the incorporation of the Discovery Clause, which includes and is not limited to, “any person who, while excavating or otherwise disturbing earth, discovers any bones or other human remains, whether or not as part of an archaeological site, shall immediately cease and desist from all further excavation and disturbance and shall immediately telephone or otherwise notify the Sheriff-Coroner of Mendocino County. If an archaeological site is involved, the Sheriff-Coroner shall thereupon notify a designated representative of the Commission and if the remains are considered to be those of a Native American Indian, the Sheriff-Coroner shall also make notification as required by Section 7050.5 of the California Health and Safety Code”.

MITIGATION MEASURES: None.

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

5.6 ENERGY

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

ENVIRONMENTAL SETTING: California Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015, sets annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires that the California Energy Commission establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy saving and demand reductions in electricity and natural gas end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The 2022 Scoping Plan for Achieving Carbon Neutrality, adopted by the California Air Resources Board (CARB), “lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279.”¹⁷

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

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

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.
- 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-55.2.¹⁸ Ukiah Public Utility is the only customer-owned utility in Mendocino County, which supplies electricity, water, and wastewater treatment. Most residents receive electric service from Pacific Gas and Electric (PG&E).

DISCUSSION:

- Less Than a Significant Impact:** The proposed project includes demolishing an existing 157 sq. ft. structure, constructing a 1,911 square foot driveway and parking area, a 1,548 sq. ft. two-story single-family residence, installing a septic system, a water tank, and a well, and connecting to utilities. The proposed development would be subject to the minimum energy efficiency standards required by Part 6 of Title 24 of the California Code of Regulations (California Energy Code). The proposed project does not anticipate resulting in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, and during project construction or operation. Therefore, a less than significant impact would occur.
- No Impact:** The proposed development is required to comply with the California Building Code and California Energy Code. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

MITIGATION MEASURES: None.

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

5.7 GEOLOGY AND SOILS

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

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

The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation, which is known to have poor slope stability characteristics. Earthquake hazard zones, as identified by the California Earthquake Hazards Zone Application (EQ Zapp), delineate areas subject to fault rupture, liquefaction, and earthquake induced landslides.¹⁹ 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.

¹⁹ California Department of Conservation (2021). California Geological Survey. *EQ Zapp: California Earthquake Hazards Zone Application*. Retrieved from <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>.

Seismic shaking can also be a triggering mechanism. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to land sliding and erosion. 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.

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

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

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

DISCUSSION:

- a) **No Impact:** According to the California Department of Conservation’s Earthquake Hazards Zone Application (EQ Zapp), the project site is located 2.7± miles west of the San Andreas Fault Zone and is not within a Liquefaction or Landslide Zone. The LCP Land Capabilities and Natural Hazards map does not associate the subject parcel with any natural hazards. The subject parcel is not within an earthquake fault zone, has not been evaluated by the California Geological Survey for liquefaction hazards or seismic landslide hazards. According to the Soil Survey of Mendocino County, California Western Part, the subject parcel is sited on Caspar-Quinliven-Ferncreek complex, 9 to 30 percent slopes. “The main limitations affecting homesite development are the slope and the low strength, the seasonally saturated soil conditions, and the restricted permeability in the subsoil of the Quinliven and Ferncreek soils.”²⁰ The Soil Survey of Mendocino County identifies the most favorable building sites as those in the least sloped areas of the unit, noting that the access road design should control surface runoff and stabilize cut slopes. The proposed single-family residence has been designed to replace

²⁰ Soil Survey.

an existing structure located on a flat portion of the parcel. In addition, the project proposes minimizing impervious surfaces. Therefore, no impact is anticipated.

- b) **Less Than Significant with Mitigation Incorporated:** Carl Rittiman & Associates, Inc. (CRA), a Certified Professional Soil Scientist, provided a letter stating the planned development would occur on the least sloping area of the parcel. The vegetation and soil conditions observed at this site indicate a stable landscape environment. The mature redwood trees do not exhibit any signs of response to soil creep or landslide activity...the deep, well drained soils observed during the leach field investigations also support the idea of a stable landform. For soils to achieve this depth and to develop this level of soil maturity (translocated clays in the subsoil), is thought to take thousands (if not tens of thousands) of years. This could only occur in a stable landform".²¹ Additionally, (CRA) stated, "no areas of surface expressions of slope instability or erosion were observed on the parcel. With careful planning and construction of the driveway, leachfield and house, paying attention to the site drainage, this development should not lead to an increase in the slope instability". The project proposes minimal trenching for utility connections, minimal grading and road construction. Topsoil from trenching would be backfilled. Approximately 4.5 cubic yards of soil is expected to be exported from the site.

To control erosion, **Mitigation Measure BIO-3** requires that areas of bare soil be reseed with native erosion control soil mix and/or covered with biodegradable erosion control materials (e.g. coconut fiber, jute, weed free straw). All erosion control materials shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized. Erosion control materials shall be checked, and appropriate maintenance shall occur on a weekly basis and after every rain event. Additionally, **Mitigation Measure BIO-15** requires employing Standard Best Management Practices (BMPs) prior to and post-construction to ensure minimization of erosion resulting from construction and to protect water quality. Ground disturbance shall be limited the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. With the incorporation of said mitigations, a less than significant impact would occur.

- c) **Less Than a Significant Impact:** The LCP Land Capabilities and Natural Hazards map indicates the subject parcel is sited on Bedrock (Zone 1). According to the U.S Landslide Inventory and Susceptibility map, no landslides have occurred on the project site or in the area. A soil determination letter dated April 4, 2026, and prepared by Carl Rittiman & Associates, Inc., a certified professional soil scientist, stated that the "vegetation and soil conditions observed at this site indicate a stable landscape environment... the deep, well drained soils observed at the site during the leach field investigations also support the idea of a stable landform". The Septic Evaluation Report stated that the landform in this area is stable with large tree growth present and no evidence of slope instability. The proposed single-family residence would replace the existing 157 sq. ft. structure. The property is not subject to lateral spreading, subsidence, liquefaction or collapse. Considering the proposed single-family residence would be two stories' tall, a Geotechnical Investigation would be required as part of the building permit application. A less than significant impact is anticipated.
- d) **No Impact:** As detailed in the Septic Evaluation Report and the follow up soil letter, the project site is not located on expansive soils. Instead, Carl Rittiman & Associates, Inc. observed well-drained and stable soils during soil investigations. No expansive soils were observed. Therefore, no impact is anticipated.
- e) **No Impact:** The project has provided a Septic Evaluation Report (SER) that indicates the location for the primary and secondary leach field and septic tank on the subject parcel. The SER has been recertified from the initial submission in 2021. The parcel has been determined to have soils capable of adequately supporting the use of a septic system. Therefore, no impact is anticipated.
- f) **No Impact:** The project would remove two boulders and thirty trees from the project site for the construction of the single-family residence. Although boulders and trees would be removed

²¹ Carl Rittiman & Associates, Inc. Soil Determination Letter. April 4, 2026.

from the project site, the project would not destroy or alter any unique paleontological resources or sites or unique geologic features. The boulders serve no unique significance. Therefore, no impact is anticipated.

MITIGATION MEASURES: BIO-3 and BIO-15 are Mitigation Measures listed under the Biological Resources section.

FINDINGS: The proposed project would have **Less Than Significant with Mitigation Incorporated** on Geology and Soils.

5.8 GREENHOUSE GAS EMISSIONS

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

ENVIRONMENTAL SETTING: Senate Bill No. 32 (SB 32) requires the California Air Resources Board (CARB) to ensure the state's greenhouse gas (GHG) emissions are reduced to 40 percent below the 1990 levels by 2030. Title 14 of the California Code of Regulations (CCR) Section 15064.4 establishes specific guidelines for determining the significance of impacts from greenhouse gas emissions. Lead agencies may choose to quantify greenhouse gas emissions resulting from a project or rely on a qualitative analysis or performance-based standards. Mendocino County Air Quality Management District (MCAQMD) has adopted CEQA thresholds of significance for criteria air pollutants and GHGs and issued updated CEQA guidelines to assist Lead Agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to MCAQMD, these CEQA thresholds of significance are the same as those which have been adopted by the Bay Area Air Quality Management District (BAAQMD) with noted exceptions.²²

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

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

²² Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/aqmd/>.

years. CARB's 2022 Scoping Plan Update provides a framework for achieving California's 2030 GHG target and carbon neutrality.²³

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

DISCUSSION:

- a) **Less Than a Significant Impact:** The proposed project includes demolishing an existing structure, removing 30 trees and 2 boulders, constructing a 1,911 sq. ft. driveway, a 1,548 sq. ft. single-family residence, a septic system, a well, a water tank and connecting to utilities including an existing off-site spring. Proposed earthwork includes 50 cubic yards of cut and 45.5 cubic yards of fill. The remaining 4.5± cubic yards may be used elsewhere on the project site. The associated construction would also include grading and other construction equipment. According to the California Emissions Estimator Model (CalEEMod), the construction phase including site preparation, grading, and building construction would generate the most greenhouse gases. MCAQMD Rule's 1-430 and 1-400 would also reduce greenhouse gas emissions. Mendocino County's building code requires new construction to include energy efficient materials and fixtures. With the incorporation of energy efficient materials and fixtures, operation of the single-family residence would generate GHGs that may have a less than significant impact. Therefore, the project would have a less than significant impact on the environment.
- b) **No Impact:** There are no adopted local plans for reducing the emissions of greenhouse gases.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Greenhouse Gas Emissions.

5.9 HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

²³ California Air Resources Board. 2022 Scoping Plan Update. Retrieved on <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>.

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

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

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

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

Mendocino County has adopted numerous hazard management and mitigation plans including, but not limited to, Community Wildfire Protection Plan, Multi-Jurisdictional Hazard Mitigation Plan, Hazardous Waste Management Plan (through the California Environmental Reporting System), and Operational Area Emergency Plan. On September 13, 2016, the County adopted the Mendocino County Operational Area Emergency Operations Plan (County EOP), under Resolution Number 16-119. As noted on the Plans and Publications webpage of the Mendocino County Office of Emergency Services (MCOES), the Mendocino County EOP, which complies with local ordinances, state law, and state and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within Mendocino County. The purpose of the County EOP is to “facilitate multiagency and multi-jurisdictional coordination during emergency operations, particularly between the County, local and tribal governments, special districts as well as state and Federal agencies”.²⁴

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

²⁴ MCOES – Plans and Publications, 2019.

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.²⁵ The FVA focuses on the areas of the County at greatest risk to wildfire hazards and organizes the analysis into four planning areas within the County. Within each planning area, key roadways, populations, and communities are characterized and critical facilities at risk of fire are identified. The Evacuation Plan identifies evacuation protocols and criteria the County can use for emergency response and preparedness and focuses on key evacuation concerns for the same Planning Areas. For each Planning Area, Evacuation Zones and Maps are identified, which focuses on key areas and concerns to take into consideration during an evacuation event.

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

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

The National Flood Hazard Layer maintained by the Federal Emergency Management Agency (FEMA) can be used to review project impacts from flooding. The Department of Water Resources Division of Safety of Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers and submitted by dam owners for hazardous dams and appurtenant structures. These maps are based on a hypothetical failure of a dam or appurtenant structure. DSOD maintains a web map that displays this information. Projects may be subject to applicable regulations found in MCC Chapter 16.30. Section 16.30.040 prohibits elicit discharges. Section 16.30.070 requires implementation of Best Management Practices (BMPs) to the maximum extent practical for reducing pollutants in stormwater.

DISCUSSION:

- a) **Less Than a Significant Impact:** The project anticipates using hazardous materials for construction activities temporarily. The project does not anticipate creating a significant hazard to public health. The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, and power tools. Storage of these materials in the open may result in contaminated storm water runoff being discharged into nearby water bodies. This potential hazard is not significant if these materials, particularly construction debris, are properly stored at least 50 feet away from any ESHA on the project site, and then disposed of at an approved collection facility. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with

²⁵ 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 household waste and transported by waste haulers to approved disposal facilities. Considering the project is to construct a residence and associated structures, it is assumed that hazardous materials, such as lead, volatile organic compounds, plastics, and other substances, would be used temporarily. The ongoing use of hazardous materials outside of household cleaning supplies is not anticipated. Thus, a less than significant impact would occur.

- b) **Less Than Significant with Mitigation Incorporated:** Hazardous materials would be used temporarily on the project site and properly stored away from ESHAs and other sensitive resources when not in use. Mitigation Measure **HAZ-1** indicates, "Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within 50 feet of the identified environmentally sensitive habitat areas (ESHAs). All such fluids and containers shall be disposed of properly off-site. Heavy equipment shall not be stored within 50 feet of any ESHAs on site". Mitigation Measure **BIO-1** requires that the Contractor clearly delineate the boundaries of the project area with fencing, stakes, or flags and maintain throughout construction and install silt fencing and/or straw wattles at the downslope of each development element. No materials storage, heavy equipment use or other impacts shall occur within identified environmentally sensitive habitat areas (ephemeral drainages, intermittent streams, wetland, and redwood with slough sedge). With the inclusion of the conditions of approval and mitigation measure BIO-1 and HAZ-1, the project would have a less than significant impact.
- c) **No Impact:** The project site is located on a private road in a residential neighborhood. There are no proposed schools within one-quarter mile of the property. The nearest school is the Forager School located 6.5± miles southeast of the subject property. Therefore, no impact is anticipated.
- d) **No Impact:** The project site is not listed as a hazardous materials site and is not within at least 1,000 feet of a hazardous materials site pursuant to Government Code §65962.5. Therefore, no impact would occur on the public or the environment.
- e) **No Impact:** The project is not located within an airport land use plan or where such plan has not been adopted. The nearest airport is the Ocean Ridge Airport in Gualala approximately 8 miles southeast of the project site. The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. The project would have no impact and would not result in a safety hazard or create excessive noise for people residing or working in the project area. No impact would occur.
- f) **No Impact:** The project site is located within the boundaries of the South Coast Fire Protection District. Highways 1 and 128 are the primary transportation corridors for evacuation routes. A series of well-maintained secondary roads run on top of the ridge from Gualala to Point Arena, a distance of approximately 18 miles. These are Old State Highway, Iverson Road, and Ten Mile Cut Off. All three could serve as a secondary evacuation route for many of the subdivisions and ranches found to the east of Highway 1. The proposed project would not impair the adopted emergency response plan or emergency evacuation plan. Thus, no impact is anticipated.
- g) **Less Than a Significant Impact:** The project materials included a Fuel Modification Plan to ensure that the property maintains defensible space throughout the life of the property without the loss of environmentally sensitive habitat areas. The Fuel Modification plan includes clearing or maintaining vegetation within 30 feet of the proposed residence. Fuel modification within this zone shall utilize approaches that are most appropriate to the site, including strategies such as preserving fire-resistant, locally indigenous species instead of completely removing all vegetation. The project would permit the landowner to remove dead, dying and diseased material, invasive species, and non-sensitive native species if within 30 feet of the proposed structure. The project was also referred to the South Coast Fire Protection District and CAL FIRE. CAL FIRE recommended several conditions of approval be added to the staff report including requiring the address be posted at the beginning of construction and maintained thereafter and shall be placed at the driveway entrance in compliance with CAL FIRE standards. In addition, the proposed driveway shall incorporate all of CAL FIRE's driveway

standards and to maintain defensible space on the property site. With the incorporation of all these conditions, the project would have a less than significant impact.

MITIGATION MEASURES:

HAZ-1: Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within 50 feet of the identified environmentally sensitive habitat areas (ESHAs). All such fluids and containers shall be disposed of properly off-site. Heavy equipment shall not be stored within 50 feet of any ESHA on site.

FINDINGS: The proposed project would have **Less Than Significant with Mitigation Incorporated** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☒	☐	☐
i) result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

ENVIRONMENTAL SETTING: The North Coast Regional Quality Control Board (RWQCB) oversees the protection of surface and groundwater resources in the North Coast Region. Per Section 1005.1 of the California Water Code, groundwater is defined as water beneath the surface of the ground, whether or not flowing through known and definite channels. Both surface water and groundwater define a watershed, as they move from higher to lower elevations.

The State and Regional Water Boards are California's regulatory agencies responsible for ensuring that the quality of the State's rivers, streams, lakes, wetlands, ocean, and groundwaters is protected. The State Water Board sets statewide policies and plans for the implementation of state and federal laws and regulations. The regional water boards adopt and implement water quality control plans (basin plans), which

recognize the unique characteristics of each region with regard to natural water quality; past, present, and potential beneficial uses; and water quality problems.

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

CA Water Code Section 13050(d) states: *Waste includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.* Typical activities and uses that affect water quality include, but are not limited to, discharge of process wastewater from factories, confined animal facilities, construction sites, sewage treatment facilities, and material handling areas which drain into storm drains.

In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. There are six identified major groundwater basins in Mendocino County. The basic source of all water in Mendocino County is precipitation in the form of rain or snow. Average annual rainfall in Mendocino County ranges from slightly less than 35 inches in the Ukiah area to more than 80 inches near Branscomb. Most of the precipitation falls during the winter, and substantial snowfall is limited to higher elevations. Rainfall is often from storms which move in from the northwest. Virtually no rainfall occurs during the summer months.

In 2013, Mendocino County adopted Ordinance No. 4313 Storm Water Runoff Pollution Prevention Procedure which requires that, "any person performing construction and grading work anywhere in the County shall implement appropriate Best Management Practices (BMPs) to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system."²⁶ This ordinance was developed and adopted by Mendocino County to comply with requirements of the County's National Pollution Discharge Elimination System (NPDES) Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit administered by the State Water Resources Control Board (SWRCB).

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

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

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

²⁶ Mendocino County Code Chapter 16.30

DISCUSSION:

- a) **Less Than Significant with Mitigation Incorporated:** The subject parcel has been granted a water easement agreement from an adjacent property owner (APNs:143-070-02 & 143-070-12) who owns a spring and two water storage tanks located on APN:143-070-12. The Easement Agreement (Document No. 2024-01807) granted the subject parcel overflow water from a pipeline to serve the proposed project. The Easement Agreement states, "Grantor owns the real property at 46400 Gypsy Flat Road, Gualala, CA 95445, APN 143-070-02 and 143-070-12... Grantor owns a spring and two water storage tanks located on Parcels 2 and 12 [APN 143-070-02 and 143-070-12] which she owns. One of the tanks serves Parcel 2 (Grantor), the other tank serves Parcel 4 (Horn). An amount of water overflow is available from the spring". Grantee (subject landowner, Carl Rittiman and Associates, Inc.) has requested the right to take overflow water through a pipeline to serve his improvements to be constructed on Parcel 6. Grantor has agreed to this request and the purpose of the Easement Agreement is to provide "deeded access to the portion of Parcel 12 (of Subdivision Map; Case 2 Drawer 1, Page 69) where the spring and water storage tanks are located".²⁷

On September 29, 2023, Carl Rittiman and Associates, Inc. conducted a spring test and stated that "the spring development consists of a wood catchment box (approximately 1'x3') that is installed at the point where water surfaces from the ground. Two separate 2-inch water lines extend from the catchment box to two water tanks (1,500 gallon and 3,000 gallon tanks)" located on APNs: 143-020-02 and 143-070-12. Carl Rittiman and Associates, Inc. stated that a 2 inch overflow pipe extends from the top of the 3,000-gallon tank which currently discharges onto the ground. The water flow rate for this test was measured from the overflow pipe and determined by Carl Rittiman and Associates, Inc. to be 3.3 gallons per minute. The project also proposes installing a water storage tank on the adjacent parcel, as agreed upon in the Easement Agreement. The proposed septic system would be located west of the proposed driveway greater than 100 feet from the spring infrastructure to protect water quality. The project proposes removing several trees. Mitigation Measure **BIO-5** would require project contractors to fall trees away from identified waters of the State whenever possible to avoid depositing or placing tree bark, sawdust, and/or other debris. If not feasible, contractor shall supplement existing protective measures to address the potential for bark, sawdust, and/or other debris from entering the creek or where it can be washed into the creek. Mitigation Measure **BIO-2** requires the project contractor to flag and demarcate the intermittent streams, wetland and ephemeral drainages prior to ground or vegetation disturbing activities and demolition to prevent encroachment from construction activities. With the added mitigation measures, the project would have a less than significant impact on the environment.

- b) **Less Than a Significant Impact:** The project proposes a supplemental well for fire safety purposes. As stated previously, the project's main water supply would be the overflow from the spring located on the adjacent parcel for the single-family residence. The proposed residence would be subject to the California Building Code and CALGreen mandates requiring low-flow indoor water fixtures. No landscaping is proposed. The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. As such, the project would have a less than significant impact.
- c) **Less Than Significant with Mitigation Incorporated:** The project proposes demolishing a structure, constructing a single-family residence immediately north of the existing structure, a driveway with a retaining wall, installing septic, connecting to utilities. The retaining wall would be along the driveway to prevent erosion. Mitigation Measure **BIO-4** requires the driveway to be designed with its lower edge on the downslope side to allow continuous water flow across the driveway during rain events. Mitigation Measure **BIO-3** requires that areas of bare soil be reseeded with a native erosion control soil mix and/or covered with biodegradable erosion control materials (e.g. coconut fiber, jute, weed free straw). All erosion control materials shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized. Erosion control materials shall be checked, and appropriate maintenance shall occur on a weekly basis and after every rain event. The project proposes to minimize

²⁷ Attachment Easement Agreement Document No. 2024-01807.

impervious surfaces. Best Management Practices shall be implemented to infiltrate and dissipate stormwater. The project site is not located within a flood prone area. With the added mitigation measures, the project would have a less than significant impact.

- d) **No Impact:** The parcel is located approximately 0.4± miles east of State Route 1 and not located in a tsunami or seiche zone. In addition, the subject parcel is not within a flood hazard or inundation zone. No impact is anticipated.
- e) **Less Than Significant with Mitigation Incorporated:** The project site is located within the Gualala River watershed. The Gualala River is one of the nine watersheds that line the Mendocino Coast. The watershed shares a boundary with the Big-Navarro-Garcia watershed to the north, Navarro River watershed to the northeast, and the Russian River watershed to the southeast.²⁸ On February 18, 2026, the North Coast Regional Water Quality Control Board adopted Resolution R1-2026-0011 - *Amendment to the Water Quality Control Plan for the North Coast Region to Incorporate the Action Plan for the Gualala River Sediment TMDL*. The Gualala River Sediment TMDL Action Plan was adopted to achieve the necessary sediment load reductions by requiring land managers and regulated entities to follow proven practices that limit runoff from roads, and other land-use activities. To implement the Gualala River Sediment TMDL Action Plan, Mitigation Measure **BIO-4** requires the driveway be designed with its lower edge on the downslope side to allow continuous water flow across the entire road during rain, rather than being sloped inward which would require an inboard ditch and relief culvert. With the incorporation of BIO-4, the project would have a less than significant impact.

MITIGATION MEASURES: Mitigation Measures BIO-2 through BIO-5 have been incorporated under the Biological Resources section.

FINDINGS: The proposed project would have **Less Than Significant with Mitigation Incorporated** on Hydrology and Water Quality.

5.11 LAND USE AND PLANNING

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

ENVIRONMENTAL SETTING: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, as well as several more locally derived specific plans, such as the Gualala Town Plan, Mendocino Town Plan, or Ukiah Valley Area Plan.

DISCUSSION:

- a) **No Impact:** The proposed project would be located on a private parcel in a residential neighborhood. The project site would have no impact nor physically divide an established community.
- b) **Less Than a Significant Impact:** The proposed project would be constructed within a 50-foot buffer of identified environmentally sensitive habitat areas (ESHAs). However, the project has been sited and designed to prevent impacts which would significantly degrade such areas.

²⁸ Work Plan: Gualala River Watershed Hydrology Model Development.
https://www.waterboards.ca.gov/waterrights/water_issues/programs/supply-and-demand/docs/gualala-river-workplan.pdf. Accessed on July 15, 2026.

Alternative projects were analyzed and County staff determined that there is no other feasible less environmentally damaging site available on the parcel. Post construction, the contractors or landowners would reseed disturbed areas with native and locally appropriate seeds to replace the protective values of the buffer areas. In addition, the Biological Survey prepared by Wynn Coastal Planning & Biology stated the proposed development would be compatible with such habitat areas by maintaining their functional capacity and ability to be self-sustaining and to maintain natural species diversity. The proposed project would comply with all other policies and regulations outlined in the Coastal Element of the General Plan and Division II Zoning Code. Therefore, a less than significant impact is anticipated.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Land Use and Planning.

5.12 MINERAL RESOURCES

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

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

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

DISCUSSION:

- a, b) **No Impact:** There are no known mineral resources on the subject parcel. The associated Grant Deed does not indicate any mineral resources exist on the subject parcel. Therefore, the project is not located in an area designated as a locally important mineral recovery site.

MITIGATION MEASURES: None.

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

5.13 NOISE

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

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

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

Major noise sources in Mendocino County include highway and local traffic, railroad operations, airports, commercial and industrial uses, recreation, and community facilities. Highways with traffic that generates significant noise include State Route 101, 1, 20, 128, 162, 175, and 253. The only active railroad is the Skunk Train which runs between Fort Bragg and Willits. Public Airports include Ukiah Municipal, Willits Municipal (Ells Field), Round Valley Airport, Boonville Airport, Little River Airport, and Ocean Ridge Airport (Gualala). Private airstrips include the Loftly 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*.²⁹ The manual also includes guidelines for vibration damage and vibration annoyance potential thresholds. One method for reducing vibration is the installation of wave barriers. A wave barrier is a trench or thin wall made of sheet piles or similar structural members.

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

DISCUSSION:

- a-b) **Less Than a Significant Impact:** Noise can come from two types of sources: mobile and stationary. Mobile source noises are generally associated with transportation, such as cars, trucks, trains, and aircraft. Stationary sounds can be pinpointed and do not move; examples include machinery and construction sites. Construction associated with the project includes demolishing a structure, removing trees and boulders, construction of a driveway, single-family residence, septic system, and associated structures. Proposed earthwork for grading and driveway construction includes 50 cubic yards of cut and 45.5 cubic yards of fill. The maximum height of fill slope is one foot, and maximum height of cut slope is 2 feet. The remaining four and a half cubic yards of cut would be used onsite. Construction of the single-family residence and other improvements would be temporary. Operation of the single-family residence would not result in excessive groundborne vibration or groundborne noise levels. Therefore, the project would have a less than a significant impact.
- a) **No Impact:** The project site is not located within the vicinity of a private airstrip or within an airport land use plan or within a public airport. No impact would occur as a result of the project.

MITIGATION MEASURES: None.

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

5.14 POPULATION AND HOUSING

²⁹ 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.

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

ENVIRONMENTAL SETTING: The most recent census for Mendocino County was in 2020, with an estimated population of 87,497. The county has undergone cycles of population boom followed by periods of slower growth. For example, the county population increased by approximately 25 percent between 1950 and 1960 but barely grew from 1960 to 1970. Between 1990 and 2000, the population of Mendocino County increased 7.4 percent, a much slower rate of growth than the 20 percent increase from 1980 to 1990. Population growth slowed further from 2000 to 2007, increasing only 4.6 percent. According to the California Department of Finance Demographic Research Unit, the population of Mendocino County is projected to increase by 2.1 percent between 2025 and 2035.

Mendocino County's Housing Element is designed to facilitate the development of housing adequate to meet the needs of all County residents. The Mendocino Council of Government's (MCOG) Regional Housing Needs Plan assigned the County a production goal of 1,349 housing units for the unincorporated area between 2018 and 2027. Goals and policies were set forth to facilitate the development of housing units at a range of sizes and types to address this need. The Housing Element includes an analysis of land suitable for residential development and considers revisions to zoning regulations and development standards to encourage development of these areas.

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

DISCUSSION:

- a) **No Impact:** The subject parcel is located within a private residential neighborhood. The residential use of the property has been evaluated and would not induce substantial unplanned population growth in the area or require new infrastructure or extension of roads. In addition, the proposed residence would contain two bedrooms and would not indirectly or directly induce unplanned population growth. No impact would occur.
- b) **No Impact:** The proposed development would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement house anywhere. Instead, the proposed development would increase housing in this area by one single-family residence.

MITIGATION MEASURES: None.

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

5.15 PUBLIC SERVICES

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

ENVIRONMENTAL SETTING: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area.³⁰ Within Mendocino County, the California Department of Forestry and Fire Protection's Mendocino Unit (CAL FIRE) along with two city fire departments and 19 fire protection districts/community services districts provide life and property emergency response to the residents and visitors of the County. Police protection services within the unincorporated area of the County are provided by the Mendocino County Sheriff's Office. Thirteen school districts and two community college districts serve Mendocino County. Each school district comprises various numbers of traditional public schools, charter schools, preschools, adult education, and special training opportunities. Some children in the northwestern part of the county may attend schools operated by the Southern Humboldt Unified School District in Humboldt County.

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

DISCUSSION:

- a) **No Impact:** The proposed project was referred to CAL FIRE and the South Coast Fire Protection District. With the added conditions of approval associated with the Staff Report, the project would not result in substantial adverse physical impacts on fire protection.
- b) **No Impact:** Fort Bragg Police Department is the nearest police protection from the project site and is located 53± miles north of the project site. The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. The project would not require the construction of police protection facilities. No impact would occur.
- c) **No Impact:** The project site is located 9± miles south of the Arena Union Elementary School. The proposed development would have no impact and would not require the construction of a new school.
- d) **No Impact:** The nearest public park is the Gualala Point Regional Park located 8± miles southeast and the nearest public beach is Fish Rock Beach located 2.5± miles southeast of the project site. The project would have no impact on any public park or government facility.
- e) **No Impact:** The project site would be accessed by a private driveway on Gypsy Flat Road (private). The project would have no impact on roadway capacity or road maintenance. The nearest Mendocino Transit Authority's bus stop is located 3± miles southeast of the project site located at the Anchor Bay Store. The project site would have no impact on other public facilities.

³⁰ 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?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

ENVIRONMENTAL SETTING: The County of Mendocino manages a variety of public recreation areas including Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion's Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of national and state parks, reserves, other state protected areas used for the purpose of recreation throughout Mendocino County.³¹ 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).³²

DISCUSSION:

- a) **Less Than a Significant Impact:** The proposed two-bedroom single-family residence with ancillary structures would not increase density significantly that would result in deteriorating recreational facilities. The project site is located 8 miles northwest of Bower Park in Gualala and Gualala Point Regional Park & Campground. The proposed development would be minimal and would not increase the use of the existing public parks significantly. Therefore, a less than significant impact is anticipated.
- b) **No Impact:** The project would not include recreational facilities nor would it require the construction or expansion of recreational facilities. The project site is well equipped with public recreation.

MITIGATION MEASURES: None.

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

³¹ Mendocino County Parks Division of General Services. Parks. <https://www.mendocinocounty.gov/departments/general-services/parks>.

³² 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?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

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

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

According to the 2018 Office of Planning and Research (OPR)³³ Technical Advisory on Evaluating Transportation Impacts in CEQA, “many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.” This is based on the Class 1 Existing Facilities CEQA exemption for additions to existing structures up to 10,000 square feet where the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and where the area in which the project is located is not environmentally sensitive (California Code of Regulations Title 14 Section 15301(e)(2)). However, the OPR Technical Advisory screening criteria are not based on VMT. Based on the trip generation rate contained in the Technical Advisory and average vehicle trip lengths for Mendocino County Based on the 2012 California Household Travel Survey (CHTS), the 2020 Mendocino Council of Governments (MCOG) Vehicle Miles Traveled Regional Baseline Study found that projects consistent with the Regional Transportation Plan or General Plan that generate less than 640 VMT per day may be presumed to have less-than-significant VMT impacts. Converting this value to an equivalent number of residential households indicates that up to 22 units can be presumed to have a less-than-significant impact.

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

The Mendocino County Department of Transportation (DOT) is responsible for the maintenance and operation of County maintained roads, bridges, and related features. The County Road and Development

³³ Note: Now known as the Office of Land Use and Climate Innovation (LCI).

Standards apply to road improvements, project-related improvements in subdivisions, and other land development projects that require County approval. On state highways under CALTRANS jurisdiction, the Highway Design Manual establishes policies and procedures that guide state highway design functions. Mendocino County Code Section 17-52, 53, and 54 establish lot design, configuration, access, and private road requirements for subdivisions.

DISCUSSION:

- a) **Less Than a Significant Impact:** The proposed single-family residence project would be located within a residential neighborhood. A central concept of the Coastal Act is that development shall, if possible, occur in areas where public services are available. The major public works policy of the Act applicable to Mendocino County is the limitation on capacity improvements to Highway 1. The project is located on an existing private road with PG&E hookups. Present Highway 1 use indicates that present and increased density may result in delays and temporary discomfort of travel in the urban areas. However, the text recognizes that traffic projection is an inexact science and, given the current available information, it is difficult to predict when and where these delays would occur. The project would be a two-bedroom residence with a parking area for two cars. The project would have a less than significant impact on the circulation system of the Mendocino coast.
- b) **Less Than a Significant Impact:** A significant impact may occur if a project's vehicle miles traveled (VMT) substantially increase compared to existing VMT. SB 743 updates the way transportation impacts are measured in California for new development projects. This change will help California achieve climate commitments, preserve the environment, and improve health and safety. Among the changes to the guidelines was the removal of vehicle delay and level of service (LOS) from consideration for transportation impacts under CEQA. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on VMT. Under SB 743, over 50 percent of development within the state could forego transportation analysis and mitigation entirely. Development projects that can forego transportation analysis include affordable housing, housing within ½ mile of transit, and housing projects generating fewer than 110 trips per day. However, the proposed single-family residence and ancillary structures would create a less than significant impact on the density of the neighborhood.
- c) **Less Than a Significant Impact:** The project site is located on the south side of Gypsy Flat Road (private). The proposed driveway would be located near the end of a curve on the road before it becomes straight. The project would not substantially increase hazards due to a geometric design feature. Gypsy Flat Road is relatively narrow, vegetated, and serves other residential parcels. The project would be residential in nature and would have a less than significant impact on hazards due to geometric design features or incompatible uses.
- d) **Less Than a Significant Impact:** The proposed project involves constructing a 109.53-foot-long driveway that also includes parking for two cars. On January 18, 2019, CAL FIRE reviewed the project plans and recommended several conditions of approval for fire safety including (1) Address must be posted at beginning of construction and maintained thereafter and shall be designed with a minimum 4 inch letter height, ½ inch stroke, reflectorized with contrasting background, and be visible from both directions of travel. Address shall be placed at driveway entrance; (2) The driveway shall be a minimum of 10 feet wide with a 14 ft. unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance. Driveway shall have an all-weather surface, with no more than 16% grade, and minimum 50 ft. radius inside curvature on all turns. With the incorporation of the conditions of approval, the project would have a less than significant impact.

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

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

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

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

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

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

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

- *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.*
- *Is associated with the lives of persons important in our past.*

- *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*
- *Has yielded, or may be likely to yield, information important in prehistory or history.*

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation³⁴ and 1984 regional synthesis.³⁵ This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

DISCUSSION

- a) 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, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?

No Impact: The project site contains a 157 sq. ft. structure that is not listed or eligible for listing in the California Register of Historical Resources or local register of historical resources. Aside from the 157 sq. ft. structure, the parcel is undeveloped and is not listed or eligible for listing in the California Register of Historical Resources or locally listed. The parcel is situated within a private residential neighborhood. The proposed project to demolish the existing structure and construct a single-family residence and associated structures was referred to the Northwest Information Center. NWIC stated that their office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area. The project was heard by the Archaeological Commission on January 12, 2022, in which no survey was required. The project was also referred to Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and Redwood Valley Rancheria on July 23, 2021, August 8, 2022, and October 30, 2024. As of December 31, 2025, no comments were received. As proposed, no impact is anticipated.

- 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.

No Impact: The project was referred to applicable agencies, as stated above. The County would not consider the existing structure a historic resource locally or through the State. The

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

³⁵ Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

parcel is located within a residential neighborhood and is mostly undeveloped. The 157 sq. ft. structure was erected in the 1960s and is not historical. Therefore, no impact would occur.

MITIGATION MEASURES: None.

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

5.19 UTILITIES AND SERVICE SYSTEMS

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

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

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

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

Health Division regulates and inspects more than 50 solid waste facilities in Mendocino County, including: 5 closed/inactive municipal landfills, 3 wood-waste disposal sites, 2 composting facilities, and 11 transfer stations.

DISCUSSION: WOULD THE PROJECT...

- 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?

Less Than a Significant Impact: The subject parcel is located on a hillslope with a southwestern downslope. During and directly storms, water runs northwest in a ditch along the northern side of Gypsy Flat Road and joins with an intermittent stream. Impervious surfaces would be minimized. Roof runoff would be dissipated and infiltrated. The application states that an electricity utility company and telephone company currently services the parcel. The project proposes connection to gas utilities, water connection from an off-site spring for potable supply, and installation of a septic system and a well. An Easement Agreement (Document No. 2024-01807) granted the subject parcel overflow water from a pipeline to serve the proposed project. The Easement Agreement states, "Grantor owns the real property at 46400 Gypsy Flat Road, Gualala, CA 95445, APN 143-070-02 and 143-070-12... Grantor owns a spring and two water storage tanks located on Parcels 2 and 12 [APN 143-070-02 and 143-070-12] which she owns. One of the tanks serves Parcel 2 (Grantor), the other tank serves Parcel 4 (Horn). An amount of water overflow is available from the spring". Grantee (subject landowner, Carl Rittiman and Associates, Inc.) has requested the right to take overflow water through a pipeline to serve his improvements to be constructed on Parcel 6. Grantor has agreed to this request and the purpose of the Easement Agreement is to provide "deeded access to the portion of Parcel 12 (of Subdivision Map; Case 2 Drawer 1, Page 69) where the spring and water storage tanks are located".³⁶ The proposed septic system would be located west of the proposed driveway greater than 100 feet from the spring infrastructure. Although the project would expand the water connection, install an onsite septic system, a well, and storage tank, the project would have a less than significant impact on the environment.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

No Impact: On September 29, 2023, Carl Rittiman and Associates, Inc. conducted a spring test and stated that "the spring development consists of a wood catchment box (approximately 1'x3') that is installed at the point where water surfaces from the ground. Two separate 2-inch water lines extend from the catchment box to two water tanks (1,500 gallon (gal) and 3,000 gal tanks)" located on APNs: 143-020-02 and 143-070-12. Carl Rittiman and Associates, Inc. stated that a 2 inch overflow pipe extends from the top of the 3,000-gallon tank which currently discharges onto the ground. The water flow rate for this test was measured from the overflow pipe and determined by Carl Rittiman and Associates, Inc. to be 3.3 gallons per minute. The overflow water from the spring has been determined to meet the minimum flow requirements to allow for a two bedroom residential development by Carl Rittiman and Associates, Inc. The existing pumphouse and 3,000-gallon water storage tank are located approximately 20 feet east of the proposed driveway on the adjacent parcel (APN: 143-070-12). The project also proposes installing a water storage tank on the adjacent parcel, as agreed upon in the Easement Agreement. As such, the water supply was tested during a dry season and Carl Rittiman and Associates, Inc. determined that the water supply would be sufficient for a two bedroom residence. Thus, no impact is anticipated.

- c) **No Impact:** The project proposes the installation of a septic system for wastewater collection. The project was referred to the Division of Environmental Health (DEH) for comments regarding the septic system. DEH approved the septic design for the project. No impact is anticipated.

³⁶ Attachment Easement Agreement Document No. 2024-01807.

- 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?

Less Than a Significant Impact: The proposed project involves constructing a two bedroom single-family residence with a driveway and ancillary structures. According to CalRecycle, a single-family residence is expected to generate approximately 12.23 lbs. per day.³⁷ The nearest transfer station to the project site is the South Coast Transfer station located at 40855 Fish Rock Road, Gualala, California passed AB 341, the Mandatory Commercial Recycling law, in 2011. Under this law, businesses that produce four (4) cubic yards or more of solid waste every week and multi-family complexes with five (5) units or more are required to participate in a recycling program. Single-family residences are not expected to generate solid waste in excess of state or local standards. Therefore, a less than significant impact is anticipated.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than a Significant Impact: The proposed project to construct a single-family residence is anticipated to comply with federal, state, and local waste management. Thus, a less than significant impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Utilities and Service Systems.

5.20 WILDFIRE

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

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

³⁷ CalRecycle. Estimated Solid Waste Generation Rates. <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates/#Residential>. Accessed on July 7, 2026.

particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies".³⁸

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.

DISCUSSION:

- a) **Less Than a Significant Impact:** The project proposes demolishing an existing structure, removing 2 boulders, 30 trees, constructing a single-family residence, a well and a water tank for fire safety purposes. Project materials also include a Fuel Modification Plan to remove and maintain vegetation within 30 and 100 feet of the proposed residence for defensible space. Fuel modification within Zone 1 shall utilize approaches that are most appropriate to the site, including strategies such as preserving fire-resistant, locally indigenous species instead of completely removing all vegetation. The project would permit the landowner to remove dead, dying and diseased material, invasive species, and non-sensitive native species if within 30 feet of the proposed structure. The project was also referred to the South Coast Fire Protection District and CAL FIRE. CAL FIRE recommended several conditions of approval be added to the staff report including requiring the address be posted at the beginning of construction and maintained thereafter and shall be placed at the driveway entrance in compliance with CAL FIRE standards. In addition, the proposed driveway shall incorporate all of CAL FIRE's driveway standards and maintain defensible space on the property site.

The project does not involve any components that would impair an adopted emergency response plan or emergency evacuation plan, including the adopted County EOP. Thus, a less than significant impact is anticipated.

- b) **Less Than a Significant Impact:** The project site is highly sloped and the proposed residence would be sited downslope. The proposed driveway would be 109.53 feet long. The project was referred to the South Coast Fire Protection District and CAL FIRE. CAL FIRE recommended several conditions of approval including (1) property address must be posted at the beginning of construction and maintained thereafter and shall be placed at driveway entrance; (2) driveway shall be a minimum of 10 feet wide with 14 feet unobstructed horizontal clearance and 15 feet unobstructed clearance. Driveway shall have an all-weather surface, with no more than 16% grade, and minimum 50 foot radius inside a curvature on all turns; (3) maintain defensible space and fuel modification standards including maintaining the roof structure free of leaves, needles, or other vegetative materials. As stated previously, the project proposes a Fuel Modification Plan to maintain or clear vegetation within 30 feet and 100 feet of the

³⁸ County of Mendocino – Plans and Publications, 2019.

proposed structures. With the inclusion of all CAL FIRE conditions of approval and implementation of the Fuel Modification Plan, a less than significant impact is anticipated.

- c) **No Impact:** The project proposes a supplemental well for fire safety purposes. The supplemental well would not exacerbate fire risk or impacts to the environment. As stated previously, the project proposes a Fuel Modification Plan that would allow the landowner to clear or maintain vegetation within 30 and 100 feet of the proposed structures with the exception of environmentally sensitive habitats. The Fuel Modification Plan would significantly reduce fuel loads in case of a wildfire. Therefore, no impact is anticipated.
- d) **Less Than a Significant Impact:** The project site is not located in a FEMA Flood Hazard zone and within an area associated with landsliding. The Certified Professional Soil Scientist, Carl Rittiman & Associates, Inc. determined that the soils onsite are stable and indicate no evidence of slope instability or erosion. With the implementation of Best Management Practices to control erosion and runoff, the project would not expose people or structures to significant risks. Therefore, a less than significant impact would occur.

MITIGATION MEASURES: None.

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

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

REGULATORY FRAMEWORK: 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.

DISCUSSION:

- a) **Less Than Significant with Mitigation Incorporated:** As stated previously, the project site is constrained by steep topography, parcel size and configuration, and several environmentally sensitive habitat areas (ESHAs) including a wetland with slough sedge (*Carex obnupta*), Coast redwood forest, an intermittent stream, and ephemeral drainages. While no development is proposed within identified ESHA, portions of the driveway, septic system, and water tank would be situated approximately 45 ft. from ESHA. The riparian habitats on site do not contain fish populations but hold potential for special status amphibians and snail populations. The project also would remove 2 boulders and 30 trees, none of which are considered ESHA. The project does not have the potential to degrade fish populations and mitigation measures have been incorporated to prevent impacts to special status plant and animal communities. BIO-1 through BIO-18 and HAZ-1 would prevent encroachment on plant and animal species. With the added mitigation measures and conditions of approval, the project would have a less than significant impact. Additionally, the project would not eliminate important examples of the major periods of California history or pre-history.
- b) **Less Than a Significant Impact:** The project does not have impacts that are cumulatively considerable. The proposed single-family residence would have a minimal impact on the environment and transportation circulation. Therefore, a less than significant impact would occur.
- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than a Significant Impact: The project site is not located within an area at risk of flooding, landsliding, tsunamis, earthquake fault zones, or adjacent to a coastal bluff. Implementing the Fuel Modification Plan would reduce fuel loads in the event of a wildfire. With the incorporation of conditions of approval and mitigation measures, the project would have a less than significant impact.

MITIGATION MEASURES:

HAZ-1: Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within 50 feet of the identified environmentally sensitive habitat areas (ESHAs). All such fluids and containers shall be disposed of properly off-site. Heavy equipment shall not be stored within 50 feet of any ESHA on site.

BIO-1: Prior to ground or vegetation disturbing activities and demolition, the Contractor shall clearly delineate the boundaries of the project area with fencing, stakes or flags. Maintain fencing, stakes, or flags until the completion of the project in that area. Silt fencing and/or straw wattles shall be installed downslope of each development element, on contour, and as close as practicable to project allowing for access. No materials storage, heavy equipment use or other impacts shall occur within identified environmentally sensitive habitat areas (ephemeral drainages, intermittent streams, wetland, and redwood with slough sedge). Straw wattles shall be properly installed to intercept liquids leaving the construction area. All fencing shall be maintained in a functional manner through the duration of construction and until all disturbed soil is stabilized.

BIO-2: Prior to ground or vegetation disturbing activities and demolition, the identified environmentally sensitive habitat areas (wetlands, intermittent streams, ephemeral drainages, and redwood with slough sedge) shall be flagged and demarcated as exclusion areas where construction activities may not occur.

BIO-3: Areas of bare soil shall be reseeded with a native erosion control soil mix and/or covered with biodegradable erosion control materials (e.g. coconut fiber, jute, weed free straw). All erosion control materials shall be maintained in a functional manner through the duration of construction and until all

disturbed soil is stabilized. Erosion control materials shall be checked, and appropriate maintenance shall occur on a weekly basis and after every rain event.

BIO-4: Outslope driveway to avoid concentrated flow. The driveway shall be designed with its lower edge on the downslope side to allow continuous water flow across the entire road during rain, rather than being sloped inward which would require an inboard ditch and relief culvert. Proper road designs can be found in the Handbook for Forest, Ranch & Rural Road by Pacific Watershed Associates.

BIO-5: Contractors shall fall trees away from identified waters of the State whenever possible to avoid depositing or placing tree bark, sawdust, and/or other debris. If not feasible, contractor shall supplement existing protective measures to address the potential for bark, sawdust, and/or other debris from entering the creek or where it can be washed into the creek.

BIO-6: The landowner shall target non-native invasive plants (per California Invasive Plant Council) for removal and replace with locally appropriate native tree, shrub, and annual species.

BIO-7: All ground disturbing activities shall occur in the dry season when amphibians are not nesting and breeding. If a rain event occurs during the ground disturbance period, all ground disturbing activities shall cease for a period of 48 hours, starting after the rain stops. In addition, construction during the dry season reduces the potential of sediment from disturbed soils running into streams and other identified ESHAs.

BIO-8: Prior to demolition and construction activities, project contractors and all workers on the project site shall be trained by a qualified biologist in the identification of Pomo bronze shoulderband snails and amphibians and that occur along the Mendocino County coast.

BIO-9: Prior to and during ground disturbing activities, and after a rain event, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians. If a special status amphibian is detected, construction crews shall stop all work to prevent harm or incidental "take". Contractors shall contact a biologist and the California Department of Fish and Wildlife (CDFW) to report the sighting and receive authorization on how to proceed. Clearance from CDFW is required prior to reinitiating work.

BIO-10: During construction and debris removal, any wood stockpiles shall be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians or Pomo bronze shoulderband snails.

BIO-11: Protection of Bird Nesting Habitat Areas. Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds' nesting process if it occurs during the nesting season. No nesting bird surveys are recommended if activity occurs in the non-breeding season (September to January). If vegetation removal or development is to occur during the breeding season (February to August), a pre-construction survey is required within 14 days of the onset of vegetation removal or construction to ensure that no nesting birds will be disturbed during development. If active native bird nests are observed, no vegetation removal or construction activities with the potential to disrupt nesting shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance. Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

BIO-12: Pre-construction surveys for bats. Tree and boulder removal and construction will ideally occur between September 1st and October 31 after the young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys shall be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If active bat roosts are observed, no tree removal or construction activities with potential to disturb roosting shall occur within a minimum 50 foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The

exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

BIO-13: Prior to and during ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of Pomo bronze shoulderband snails. If Pomo bronze shoulderband snails are detected, construction crews shall stop all work to prevent harm or incidental “take”. Contractors shall contact a biologist and the California Department of Fish and Wildlife (CDFW) to report the sighting and receive authorization on how to proceed. Clearance from CDFW is required prior to reinitiating work.

BIO-14: Potential Impacts to Special Status Amphibians. Construction activities may involve driving vehicles and/or walking across areas where amphibians may be traveling. Staging of materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. Protection of the riparian buffer zone during development and construction will alleviate the potential impacts to aquatic invertebrate and amphibian habitat. Avoid placing debris and wood stockpiles near riparian areas. Debris and wood stockpiles near the riparian area should be removed carefully by hand to avoid accidental crushing or other damage to amphibians.

BIO-15: Construction Best Management Practices (BMPs). Standard BMPs shall be employed prior to and post-construction to ensure minimization of erosion resulting from construction and to protect water quality. Ground disturbance shall be limited the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Minimize impervious surfaces.

BIO-16: Install low symbolic fencing. The landowner or contractor shall install permanent low symbolic fencing to prevent incidental encroachment into environmentally sensitive habitat areas and their buffers. The low symbolic fencing shall be made of a natural material or metal (avoid plastic). Due to the topography of the site, installing permanent low-symbolic fencing may not be feasible in all areas, but landowner or contractor shall install it in areas where the topography would allow for vehicle or construction encroachment.

FINDINGS: The proposed project would have **Less Than Significant with Mitigation Incorporated** on Mandatory Findings of Significance.