PLANNING COMMISSION
STAFF REPORT- MINOR SUBDIVISION

DECEMBER 3, 2026
MS_2025-0002

PROJECT PLANNER CONTACT
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PROJECT SUMMARY

OWNER/APPLICANT:	Gary & Virginia Island PO Box 567 Boonville, CA 95415
AGENT:	SHN Consulting 335 South Main Street Willits, CA 95490
REQUEST:	Minor Subdivision of a 3.71± acre parcel into three (3) parcels. Parcel 1 would be 40,091 square feet (sq. ft.), Parcel 2 would be 42,680 sq. ft., and Parcel 3 would be 54,842 sq. ft. A shared easement is proposed connecting all three Parcels to State Route 128.
LOCATION:	In the town of Philo on the west side of State Route 128 (SR 128), 0.15± miles east of the intersection of SR 128 and Rays Road (CR131), located at 8750 Highway 128, Philo; APN: 046-060-57, -58, & -59.
TOTAL ACREAGE:	3.71± Acres
GENERAL PLAN:	Rural Community (RC) General Plan (Chapter 2 – Development Element)
ZONING:	Limited Industrial District 40,000 Square Feet Minimum (I1:40K) Mendocino County Code Title 20, Division I
CODE REFERENCE:	Minor Subdivision Mendocino County Code (MCC) Title 17, Article V
SUPERVISORIAL DISTRICT:	5 (Williams)
ENVIRONMENTAL DETERMINATION:	Negative Declaration
RECOMMENDATION:	By Resolution, the Planning Commission adopts the Negative Declaration and grants MS_2025-0002, based on the facts and finding and subject to the conditions of approval in the attached resolution.

PROJECT BACKGROUND & INFORMATION

PROJECT DESCRIPTION: The project proposes a Minor Subdivision of a 3.71± acre parcel into three (3) Parcels. Parcel 1 would be 40,091 sq. ft. in size, Parcel 2 would be 42,680 sq. ft. in size, and Parcel 3 would be 54,842 sq. ft. in size. A shared easement is proposed connecting all three Parcels to State Route 128. A Boundary Line Adjustment (B_2025-0013) was conditionally approved in August 2025 to increase the acreage of the subject parcel from 2.24± acres to 3.7± acres. The agent stated that the intended goal is to rezone the Parcels from Industrial to Rural Community to match its land use classification in the future.

The majority of the project site is paved and was formerly an industrial sawmill and a remanufacturing facility that contained several structures and stored hazardous materials. The subject property has a history of hazardous spills including several above ground storage tank (AST) diesel fuel leaks, the unauthorized discharge of antifreeze in 1999, and leaking underground storage tanks (LUSTs) in 1998. There were also several cases where fuels and hazardous materials were spilled into the Indian Creek tributary. However, the Regional Water Quality Control Board (RWQCB) and California Environmental Protection Agency (CalEPA) issued Cleanup and Abatement Orders that required monitoring wells to be installed at depths of 25 to 26 feet and other corrective actions. To date, all cleanup orders have been completed to the satisfaction of the regulatory agency.

Phase 1 of an Environmental Site Assessment (ESA) has been prepared by SHN Engineering on October 2023 to assess the property based on the storage of regulated or hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and Department of Toxic Substances Control (DTSC), Title 22 of the California Code of Regulations. SHN encountered evidence of past land uses on the subject property that caused the release of regulated or hazardous materials. However, these releases have been addressed to the satisfaction of the regulatory agency. SHN is recommending the preparation of a soil management contingency plan (Plan) which would be a construction-phase document that provides procedures for managing soil if ground disturbing work occurs in areas of former industrial activity.

SHN stated, “the Plan would not necessarily require additional investigation in advance of construction but would establish a protocol in the event suspect soils are encountered during future grading, trenching, utility work, building construction, pavement removal, or other soil-disturbing activities. The Plan would typically include procedures for identifying suspect soil conditions, such as staining, odor, debris, petroleum-like impacts, or other indications of potential contamination; stopping work in the affected area; notifying the appropriate environmental or project representative; implementing temporary stockpile, dust, erosion, and runoff controls; evaluating worker safety considerations; completing soil characterization if needed; and determining appropriate reuse, off-haul, or disposal procedures.”

SITE CHARACTERISTICS: The subject parcel is located in the town of Philo, on the west side of State Route 128 (SR 128), 0.15± miles east of the intersection of SR 128 and Rays Road (CR 131), located at 8750 Highway 128, Philo (APNs: 046-060-57, 58, 59). The parcel is developed with structures associated with the lumber mill, an employee housing structure, a septic system, a well, ancillary utilities, and an existing driveway approach from SR 128. A large portion of the parcel is paved. The application states that each proposed Parcel would contain an individual well. The parcel is mapped within a Moderate Fire Hazard zone and served by the Anderson Valley Community Services District. The existing employee housing unit was previously permitted as an office building. **Condition of Approval No. 31** requires final approval of a building permit for change of occupancy.

The subject parcel is relatively flat and is approximately 278 feet above mean sea level (amsl). The ESA indicates that the subject parcel is located 1,000 feet north of Indian Creek on an old river terrace and a seasonal unnamed tributary, a portion of which runs through a culvert, is sited less than 100 feet from the western boundary of the Parcel 3 and drains southward into Indian Creek. Stormwater flows westward toward the seasonal tributary.[1] Electric overhead power and communication lines are sited on the eastern property boundary. The Important Farmlands map indicates the subject parcel is Urban & Built Up Land.

Public Services:
Access: State Route 128 (SR 128)

[1] SHN Engineering. Phase 1 of an Environmental Site Assessment (ESA). October 2023.

Water District: None
Sewer District: None
Fire District: Anderson Valley Community Services District and CAL FIRE
School District: Anderson Valley Unified

RELATED APPLICATIONS: The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

Subject Parcel Projects:

- **CC_2016-0017:** Certificate of Compliance. Former APN: 046-060-44.
- **BU_2015-0862:** Reroof and pitch change to existing 1,325 sq. ft. office building.
- **B_2017-0039:** Reconfigure 4 CC recognized parcel into a more convenient configuration, including all the existing mill structures on a single parcel. Finaled March 6, 2018.
- **B_2025-0013:** Boundary Line Adjustment to reconfigure the boundaries between three existing Parcels. Parcel 1 (APN: 046-060-57) will decrease to 3.95± acres, Parcel 2 (Subject Parcel, APN: 046-060-58) will increase to 3.7± acres, and Parcel 3 (APN: 046-060-59) will decrease to 1.49± acres. Approved with Conditions. August 23, 2025.
- **BP_2025-0520:** Demolish a 3,000 square foot shade structure on APN:046-060-59. Issued September 22, 2025.

AGENCY COMMENTS: On August 22, 2025, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions are discussed in this staff report and contained in Conditions of Approval. A summary of the submitted agency comments are listed below.

TABLE 1: Referral Agency Responses

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comments
Division of Environmental Health – Ukiah	No Response
Building Inspection – Ukiah	No Response
Assessor's Office	No Response
Air Quality Management District	Comments
Mendocino County Farm Bureau	No Response
Northwest Information Center	Comments
Caltrans	Comments
CAL FIRE	No Response
California Department of Fish and Wildlife (CDFW)	No Response
Regional Water Quality Control Board	No Response
California Department of Toxic Substances	No Comment
US Natural Resources Conservation	No Response
County Addresser	No Response
Cloverdale Rancheria	No Response
Cahto Tribe	No Response
Potter Valley Tribe	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Anderson Valley Community Services District	Comments
Round Valley Tribe	No Response

Anderson Valley Community Services District (AVCSD) and Anderson Valley Fire Department (AVFD): On August 22, 2025, the following comments were made, "No objections for this project have been found for the minor subdivision as proposed by the applicant. AVFD will need to conduct a full plan review for California Fire Code compliance". CAL FIRE is the Authority Having Jurisdiction for wildfire at this location. The Authority Having Jurisdiction for California Fire Code compliance and the delivery of

emergency responses to this property is AVFD.

Mendocino County Air Quality Management District: On August 22, 2025, MCAQMD stated, "Prior to obtaining a permit for demolition of structures, a completed Asbestos Demolition/ Renovation Notification must be submitted to the AQMD for review."

Northwest Information Center (NWIC): On September 5, 2025, NWIC stated, "this office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area". NWIC recommends a field study by a qualified professional archaeologist is recommended prior to commencement of project activities.

Caltrans: "Sight distance appears to be adequate for the location of this driveway access to SR128". However, Caltrans recommends that the driveway be brought up to Caltrans current minimum standards as outlined in the Caltrans Highway Design Manual. Encroachment permit applications can be submitted to the Caltrans Permit office in Ukiah. In addition, Caltrans requires the secondary driveway that approaches the primary driveway and runs parallel to SR 128 from the north be discontinued in its entirety, thereby eliminating unnecessary turning movements near SR 128."

PROJECT ANALYSIS

GENERAL PLAN AND ZONING DISTRICT CONSISTENCY:

General Plan: The subject parcel is within the Rural Community (RC) land use classification. Per the Mendocino County General Plan Policy DE-11, the RC classification designates areas that are logical, planned centers for future growth. The RC classification is intended to…

> *…be applied to small, unincorporated towns and community centers (including areas in the Community Planning Areas) and to areas near City boundaries, which provide a variety of community and tourist-oriented goods and services but may not have well-defined or identifiable commercial or residential districts. This classification may also be appropriate around a central commercial or industrial nucleus.*
>
> *The Rural Community designation anticipates multiple land uses on any given lot, consistent with and supportive of a higher intensity of development in the community area core that will further define these town centers. Preference shall be given to those projects providing affordable housing, consistent with policies of the County's Housing Element, and infill development.*
>
> *Lower residential density and intensity of development is planned away from the town centers, near the peripheries of the Community Planning Areas, to ensure a transition to outlying resource lands and open space areas. New development shall only be permitted when provisions are made to construct or expand public service facilities, such as schools, recreation facilities, fire stations, water systems, sewer systems, storm drainage, and solid waste disposal facilities.*

Other General Plan Policies that apply to the project include the following:

Policy DE-92*: Allow flexible and innovative site and building design as a means of achieving General Plan, environmental, or housing objectives.*

Policy DE-94*: Promote infill, reuse, redevelopment, and brownfield redevelopment supported by existing or improved infrastructure.*

Policy DE-95*: Encourage restoration and reuse of buildings and spaces, especially those with community significance, over new construction.*

Policy DE-120: *New discretionary development will be required to demonstrate that basic infrastructure is available and has adequate capacity to serve the project (including fire flow capacity) without degrading the existing level of service standards.*

Policy RM-5: *Promote and encourage land-use activities that maintain or improve channel elevation and banks for rivers and streams in the county.*

Policy RM-17: *No division of land or Use Permit shall be approved without proof of an adequate (as defined by the County Environmental Health Division) potable water supply for each parcel being created or proposed for special use.*

Policy DE-68: *Require that new applications for discretionary projects state their energy, water, and waste stream requirements at the time of application. As part of the development application review, distribute this information to the service providers, and compare the capacity of existing and planned systems with the demand created by the proposed project.*

General uses within the RC land use classification include residential developments of varying densities, mobile home parks, commercial, tourist commercial, cottage industries, light industrial, public facilities, public assemblies, and utility installations. Considering the subject parcel is not located within a water or sewer district, the proposed parcels would be consistent with the 40,000 square feet (sq. ft.) minimum parcel size. The maximum dwelling density permits one single-family dwelling per 40,000 sq. ft. A Preliminary Leach Field Layout and Design Report, prepared by Carl Rittiman & Associates Inc., determined each proposed parcel would be suitable for leach field development. A 40-foot-wide driveway easement is proposed to serve all three parcels. The project site is located within the jurisdictional boundary of CAL FIRE and the Anderson Valley Fire District/ Anderson Valley Community Services District.

The subject parcel is located within the Anderson Valley Community Planning Area. SR 128 is a primary route from U.S. 101 to the central Mendocino Coast, which is a population center and major tourist destination. SR 128 is the main road to Anderson Valley and virtually the only route for travel between Anderson Valley's communities. With the closure of lumber mills on the Coast, SR 128 has become a major route for trucks hauling logs to mills in Ukiah and Cloverdale. It is the key transportation corridor for shipment of grapes, apples and wine originating in Anderson Valley. The community goals of the Anderson Valley Planning Area include expanding economic and housing opportunities in Anderson Valley consistent with the desired rural agrarian character of the valley, focus development and community services in and around the four existing communities – Yorkville, Boonville, Philo and Navarro in a manner compatible with physical features and natural resources, enhance the aesthetic appeal and economic viability of towns along the SR 128 corridor, and expand and diversify existing economic ventures.

Redevelopment of the formerly industrial and remanufacturing property would provide a public benefit by restoring a developed parcel for commercial or residential uses in the future. The proposed minor subdivision would allow for flexible innovative site and building design as a means of achieving General Plan, environmental, or housing objectives and promote infill of developed space. SHN Engineering recommends that a soil management contingency plan be prepared and implemented prior to ground disturbance in the developed areas. **Condition of Approval No. 19** requires the subdivider to design, install, and maintain a stormwater infiltration system along the southwestern property boundary of Parcel 3. The system shall manage runoff from all rain events. Its purpose is to prevent degradation of the Indian Creek tributary by controlling erosion, reducing pollutant loading, and preventing untreated or excess runoff from entering the tributary or migrating offsite. This area shall be indicated as a drainage easement on the Parcel Map. Additionally, the property consists of one septic system and an on-site domestic well that is located in the northwestern portion of the property which currently serves the after-the-fact employee housing unit on proposed Parcel 1. The application proposes to construct two additional wells that would serve the other two proposed parcels. Prior to issuance of the conditionally approved boundary line adjustment (B_2025-0013) and this minor subdivision, a building permit for the demolition of the existing shed would need to be finalized. The applicants aim to develop the proposed properties with residences or commercial structures in the future. As proposed, the project would comply with the intention of the Rural Community land use classification and policies of the General Plan.

Zoning Consistency: The subject parcel is within the Limited Industrial (I1) zoning district as defined in the Mendocino County Code (MCC) Chapter 20.096. The I1 district is intended…

> *"… to create and preserve areas where manufacturing and industrial uses which evidence no or very low nuisance characteristics may locate. Nonindustrial uses which support or are adjuncts to industrial uses and are compatible with such uses are permitted within the zone particularly administrative, sales and service uses."*

As stated previously, the subject and adjacent parcel was used as a sawmill and remanufacturing facility. The remanufacturing facility ceased operations in 2016. The minimum lot area for parcels not in a water or sewer district is 40,000 sq. ft. The proposed project would subdivide one 3.7± acre parcel into three parcels. Parcel 1 would be 40,091± sq. ft. (0.92± acres), Parcel 2 would be 42,680± sq. ft. (0.98± acres), and Parcel 3 would be 54,842 sq. ft. (1.26± acres). The surrounding parcels are zoned I1 and according to the setback requirements outlined in MCC Section 20.096.030, the subject Parcels would have to maintain a 10 foot front yard setback. MCC Section 20.096.035 establishes no minimum side or rear yard setbacks.

The projects agent stated that the ultimate goal for the proposed project is to rezone to Rural Community (RC), which would offer various residential, civic, and agricultural use types ministerially, and commercial use types subject to an Administrative Permit. As of September 2026, no rezone project has been submitted. The only residential use types permitted within the current zoning district include employee housing and day care facilities (if associated with employee housing). Single-family residences are not permitted within the current zoning district of I1. Commercial, civic, industrial, and agricultural use types are permitted within I1 zoning district. As a result of the minor subdivision project, industrial and manufacturing uses would be permitted. The minor subdivision would have no impact on the allowable use types within the I1 zoning district. Therefore, the proposed project would be consistent with the intentions of the I1 zoning district.

Division of Land Regulations: On August 23, 2025, Boundary Line Adjustment B_2025-0013 was tentatively approved, reconfiguring three existing parcels and increasing the subject parcel from 2.3± acres to 3.7± acres. The agent/applicant of these projects is seeking approval of the minor subdivision prior to finalizing the boundary line adjustment. According to Mendocino County Code (MCC) Section 17-20, a Minor Subdivision is defined as a subdivision creating no more than four (4) lots or parcels. The proposed minor subdivision would create three Parcels that connect via a private easement to State Route 128. MCC Sections 17-50 through 17-65 outline the general regulations and provisions set forth for all divisions of land, and the lots and parcels resulting therefrom. The Limited Industrial zoning district requires all parcels not within a water or sewer district to be 40,000 square feet. The proposed easement would be 0.6± acres and 40 feet wide. Proposed Parcel 1 would be 40,091± sq. ft. (0.92± acres), Parcel 2 would be 42,680± sq. ft. (0.98± acres), and Parcel 3 would be 54,842 sq. ft. (1.26± acres). Section 17-52(D) requires that the lot area shall be not less than forty thousand (40,000) square feet; and a lot width shall be not less than one hundred (100) feet except for residential lots on curved or cul-de-sac streets, which shall have a minimum width at the building line of one hundred (100) feet. As proposed, all proposed parcels would comply with the 40,000 sq. ft. and 100 feet width requirement. The landowner and agent stated that the proposed project is intended to residential and/or commercial developments in the future. Although the proposed easement would bisect all proposed parcels, the parcels could be developed with employee housing (or other residential structures subject to rezoning), or commercial and meet the provisions outlined in the Limited Industrial zoning district.

MCC Section 17.53 requires every subdivision and parcel division to be connected to a City, County, or State Maintained Street or highway. The 3 proposed Parcels would be connected to State Route 128 via an existing driveway approach located on Parcel 1. The existing driveway will be extended to serve all proposed Parcels via a dedicated easement, as indicated on the tentative map. **Condition of Approval No. 23** requires that all easements of record be shown on the Parcel Map.

Per MCC Section 17-48.5(A), the Subdivision Committee met on August 13, 2026, to discuss the project. The Committee voted unanimously to recommend conditional approval of the proposed subdivision to the Planning Commission. The Subdivision Committee's recommended conditions of approval have been incorporated into the attached resolution.

Noise: The subject parcel is within a Limited Industrial Zoning district. Permitted uses include Residential: employee housing, Civic, Commercial, Industrial, and Agricultural use types. The Mendocino County Right to Industry Ordinance seeks to reduce nuisance complaints by disclosing to existing and potential property owners the presence of "Industrial Land" located within three hundred (300) feet of their ownership, and supporting the right to industrial uses on these lands that may result in nuisances such as noise, dust, or odor. The Board of Supervisors of Mendocino County finds that it is in the public's interest to preserve and protect industrial land and operations within the County of Mendocino and to specifically protect these lands for exclusive industrial use. The use types that are subject to the Right to Industry Ordinance include manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and

products. Included are aggregate processing plants such as crushing, screening, washing and mixing plants.

Although the subject parcel is zoned within the Limited Industrial zoning district, agricultural uses are principally permitted and are subject to the Right to Farm Ordinance that finds that it is in the public interest to preserve and protect agricultural land and operations within the County of Mendocino and to specifically protect these lands for exclusive agricultural use. Civic use types and residential uses, specifically employee housing and day care facilities would be subject to the Mendocino County Noise Ordinance adopted on April 7, 2026. Noise generated from demolishing structures affected by the division of land would be temporary.

Cultural Resources: Applicable policies outlined in the General Plan's Development Element include:

> Policy DE-114: *Fully evaluate and protect historical, archaeological, and cultural resources through the development process, including resources of national, state, or local significance.*
>
> Policy DE-115: *Cultural resources evaluations (i.e., archaeological and historical investigations) shall be conducted at the County's determination for project applications, where it is determined that cultural resources may occur…*

The project was referred to the Northwest Information Center (NWIC), Cloverdale Rancheria, Cahto Tribe, Potter Valley Tribe, Redwood Valley Rancheria, Sherwood Valley Band of Pomo Indians, and Round Valley Tribe. NWIC stated their office had no record of any previous cultural resource studies prepared by a professional archaeologist or architectural historian and recommended a field study be performed by a qualified professional archaeologist prior to commencement of project activities. The applicants submitted an Archaeological Survey (Survey) prepared by Alta Archaeological Consulting on February 26, 2026, and the project was heard by the Archaeological Commission on May 13, 2026, for review. The Archaeological Commission accepted the Survey and advised the applicant to follow the recommendations outlined in the Survey which included (1) Unanticipated Discovery of Cultural Resources: if previously unidentified cultural resources are encountered during project implementation, avoid altering the materials and their stratigraphic context. A qualified professional archaeologist should be contacted to evaluate the situation. Project personnel should not collect cultural resources; (2) Encountering Native American Remains: As defined in 25 USC 32 3(d) of the Native American Graves Protection and Repatriation Act (NAGPRA), if human remains are encountered on federal lands, all work must stop in the immediate vicinity of the discovered remains, and efforts should be made to protect the find until further notice. The federal lead agency must be immediately contacted by phone and with written confirmation. Within three (3) days, the federal lead agency must certify receipt of communications, take steps to protect the remains, notify federally recognized tribes likely affiliated with the remains, and initiate consultation.

Sherwood Valley Band of Pomo Indians and Planning staff had a phone conversation regarding the project on June 2, 2026. Sherwood Valley Band of Pomo Indians stated they "have no further cultural input for this project and will not be requesting cultural monitoring. In the event of an inadvertent find, we are the *Most Likely Descendant* (MLD) of the area." No other comments were received.

Storm Drainage: Drainage easements shall be provided for all natural water-courses. Where a division of land causes an increase in and the unnatural concentration of surface waters onto adjacent private and public property the subdivider shall obtain an easement for drainage purposes across such property sufficient in width and improved in a manner adequate to handle the runoff of such surface water to a satisfactory point of disposal. If the owner of such adjacent private property agrees to accept such increased run-off and unnatural concentration of surface water and such agreement has been recorded the easement referred to herein shall not be necessary. **Condition of Approval No. 19** requires that the subdivider design, install, and maintain a stormwater infiltration system along the southwestern property boundary of Parcel 3. The system shall manage runoff from all rain events. Its purpose is to prevent degradation of the Indian Creek tributary by controlling erosion, reducing pollutant loading, and preventing untreated or excess runoff from entering the tributary or migrating offsite. This area shall be indicated as a drainage easement on the Parcel Map.

Transportation: The project was referred to Caltrans and the Mendocino County Department of Transportation (DOT). On August 22, 2025, DOT recommended that the applicant submit a Parcel Map

that shows all easements, including a 40 ft wide access easement. In addition, all utility lines, natural drainages, and water courses shall be considered and shown as easements on the Parcel Map. Caltrans noted that the sight distance appears to be adequate for the location of this driveway access to SR 128. However, Caltrans recommends that the driveway be brought up to Caltrans current minimum standards as outlined in the Caltrans Highway Design Manual. Encroachment permit applications can be submitted to the Caltrans Permit office in Ukiah. In addition, Caltrans requires the secondary driveway that approaches the primary driveway and runs parallel to SR 128 from the north be discontinued in its entirety, thereby eliminating unnecessary turning movements near SR 128. The comments provided by Caltrans and County DOT have been incorporated as Conditions of Approval.

Solid Waste and Hazardous Waste and Materials Management: Mendocino County's solid waste disposal system has shifted to a system of eight small volume transfer stations and two large volume transfer stations that receive waste for export. The two large volume transfer stations in Ukiah and Willits are privately owned and operated under agreements with the local government. The County owns and operates the small volume transfer stations at Albion, Boonville, Potter Valley, and the South Coast (Gualala). The nearest transfer station to the parcel is 6.5± miles southeast at the Boonville Transfer Station. Historically the parcel stored hazardous waste and materials for previous land uses. SHN Engineers prepared a Phase 1 Environmental Site Assessment and found evidence of past land uses that caused the release of regulated or hazardous materials. These releases have since been addressed to the satisfaction of the regulatory agency. SHN is recommending the preparation of a soil management contingency plan (Plan) which would be a construction-phase document that provides procedures for managing soil if ground disturbing work occurs in areas of former industrial activity. All future industrial solid waste, hazardous waste and materials would be disposed of at the appropriate transfer station.

Fire Protection: Policy DE-235: *Developments shall be approved only if sufficient firefighting resources, such as fire stations, equipment, personnel, hydrants, and water supplies, will be available to serve all phases of development and include ongoing operations and maintenance.*

Fire protection is provided by the Anderson Valley Community Services District (CSD), which operates a volunteer fire department that provides both fire protection and emergency response for medical incidents, rescue, and hazards within the District's boundaries and, through mutual aid agreements, to neighboring areas outside the District. CAL FIRE maintains a station in Boonville that is staffed for fire protection during the fire season, approximately six months of the year. The Mendocino County Fairgrounds serve as a base of operations during major emergencies. The project was referred to CAL FIRE and the Anderson Valley CSD. No comments were received from CAL FIRE. Anderson Valley CSD made no objections to this proposed minor subdivision project. The Authority Having Jurisdiction (AHJ) for California Fire Compliance (CFC) and emergency response is Anderson Valley CSD/Anderson Valley Fire District (AVFD). The AHJ for wildfires is CAL FIRE. AVFD will need to conduct a full plan review for CFC compliance when new development is proposed.

ENVIRONMENTAL DETERMINATION: Negative Declaration. An Initial Study for the proposed project was completed by staff in accordance with the California Environmental Quality Act (CEQA). Based on this initial evaluation, it was found the project would not produce any significant environmental impacts. A Phase 1 Environmental Site Assessment was prepared by SHN Engineering in October 2023, which recommends the preparation of a soil management contingency plan (Plan). The Plan would be a construction-phase document that provides procedures for managing soil if ground disturbing work occurs in areas of former industrial activity. As such, a Negative Declaration was prepared. With the inclusion of the Conditions of Approval and the implementation of the Soil Management Contingency Plan, the project would have a less than significant impact on the environment.

10/26/2026
DATE

SHELBY MILLER
PLANNER III

Appeal Period: 10 Days
Appeal Fee: $2,447.00

ATTACHMENTS:

A. Location Map
B. Aerial Maps
C. Topographical Map
D. Tentative Map
E. Adjacent Owner Map
F. Fire Hazards Map
G. Slope Map
H. Western Soils Map
I. Wetlands
J. Phase 1 Environmental Site Assessment (Online Only)

RESOLUTION AND CONDITIONS OF APPROVAL (EXHIBIT A):

NEGATIVE DECLARATION AND INITIAL STUDY AVAILABLE ONLINE AT:
https://www.mendocinocounty.gov/All-Departments/Planning-And-Building-Services/Public-Hearing-Bodies

INITIAL STUDY AND NEGATIVE DECLARATION

SCH: XXXXXX

FOR

GARY & VIRGINIA ISLAND MINOR SUBDIVISION AT 8750 HIGHWAY 128; APN: 046-060-57, -58, & 046-060-59

File No. MS_2025-0002

LEAD AGENCY:
County of Mendocino
Department of Planning & Building Services
860 North Bush Street, Ukiah, CA 95482
(707) 234-6650

PREPARED BY:
Shelby Miller, Planner III
Department of Planning & Building Services
860 North Bush Street, Ukiah, CA 95482
(707) 234-6650

September 1, 2026

TABLE OF CONTENTS

INTRODUCTION 1
PROJECT INFORMATION 1
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED 7
DETERMINATION 7
ENVIRONMENTAL CHECKLIST 8
5.1 AESTHETICS 8
5.2 AGRICULTURE AND FORESTRY RESOURCES 10
5.3 AIR QUALITY 12
5.4 BIOLOGICAL RESOURCES 16
5.5 CULTURAL RESOURCES 19
5.6 ENERGY 22
5.7 GEOLOGY AND SOILS 24
5.8 GREENHOUSE GAS EMISSIONS 27
5.9 HAZARDS AND HAZARDOUS MATERIALS 28
5.10 HYDROLOGY AND WATER QUALITY 32
5.11 LAND USE AND PLANNING 35
5.12 MINERAL RESOURCES 36
5.13 NOISE 37
5.14 POPULATION AND HOUSING 40
5.15 PUBLIC SERVICES 42
5.16 RECREATION 43
5.17 TRANSPORTATION 44
5.18 TRIBAL CULTURAL RESOURCES 46
5.19 UTILITIES AND SERVICE SYSTEMS 48
5.20 WILDFIRE 50
5.21 MANDATORY FINDINGS OF SIGNIFICANCE 52

FIGURES AND TABLES

FIGURE 1: Location Map 4

FIGURE 2: Aerial Imagery 5

FIGURE 3: Plot Plan 6

INTRODUCTION

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

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

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

"**Potentially Significant Impact**" means there is substantial evidence that an effect may be significant.
"**Potentially Significant Unless Mitigation Incorporated**" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.
"**Less Than Significant Impact"** means that the effect is less than significant, and no mitigation is necessary to reduce the impact to a lesser level.
"**No Impact"** means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

PROJECT INFORMATION

FILE NUMBER: MS_2025-0002

OWNER/APPLICANT: Gary & Virginia Island
PO Box 567
Boonville, CA 95415

AGENT: SHN Consulting
335 South Main Street
Willits, CA 95490

PROJECT LOCATION: In the town of Philo on the west side of State Route 128 (SR 128), 0.15± miles east of the intersection of SR 128 and Rays Road (CR131), located at 8750 Highway 128, Philo; APN: 046-060-57, -58, & -59.

TOTAL ACREAGE: 3.71± Acres

GENERAL PLAN: Rural Community (RC)

ZONING: Limited Industrial District – 40,000 Square Feet Minimum (I1:40K)

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 Minor Subdivision of a 3.71± acre parcel into three (3) parcels. Parcel 1 would be 40,091 square feet (sq. ft.), Parcel 2 would be 42,680 sq. ft., and Parcel 3 would be 54,842 sq. ft. A shared easement is proposed connecting all three Parcels to State Route 128. A Boundary Line Adjustment (B_2025-0013) was conditionally approved in August 2025 to increase the acreage of the subject parcel from 2.24± acres to 3.71± acres. The agent stated that the intended goal is to rezone the parcels from Industrial to Rural Community to match its land use classification in the future.

The majority of the project site is paved and was formerly an industrial sawmill and a remanufacturing facility that contained several structures and stored hazardous materials. The subject property has a history of hazardous spills including several above ground storage tank (AST) diesel fuel leaks, the unauthorized discharge of antifreeze in 1999, and leaking underground storage tanks (LUSTs) in 1998. There were also several cases where fuels and hazardous materials were spilled into the Indian Creek tributary. However, the Regional Water Quality Control Board (RWQCB) and California Environmental Protection Agency (CalEPA) issued Cleanup and Abatement Orders that required monitoring wells be installed at depths of 25 to 26 feet and other corrective actions. To date, all cleanup orders have been completed to the satisfaction of the regulatory agency.

Phase 1 of an Environmental Site Assessment (ESA) has been prepared by SHN Consulting (SHN) on October 2023 due to assess the property based on current circumstances of regulated or hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and Department of Toxic Substances Control (DTSC) Title 22 of the California Code of Regulations. SHN encountered evidence of past land uses on the subject property that caused the release of regulated or hazardous materials. However, these releases have been addressed to the satisfaction of the regulatory agency. SHN is recommending the preparation of a soil management contingency plan prior to soil disturbance on the subject property.

A soil management contingency plan (Plan) would be a construction-phase document that provides procedures for managing soil if ground-disturbing work occurs in areas of former industrial activity. The plan would not necessarily require additional investigation in advance of construction but would establish a protocol in the event suspect soils are encountered during future grading, trenching, utility work, building construction, pavement removal, or other soil-disturbing activities. The Plan would typically include procedures for identifying suspect soil conditions, such as staining, odor, debris, petroleum-like impacts, or other indications of potential contamination; stopping work in the affected area; notifying the appropriate environmental or project representative; implementing temporary stockpile, dust, erosion, and runoff controls; evaluating worker safety considerations; completing soil characterization, if needed; and determining appropriate reuse, off-haul, or disposal procedures.

The parcel is developed with an after-the-fact employee housing unit, a septic system, a well, and ancillary utilities. The application states that each proposed parcel would contain an individual well. The parcel is mapped within a Moderate Fire Hazard zone and served by the Anderson Valley Community Services District. The existing employee housing unit was previously permitted as an office building. Condition of Approval No. 31 requires a building permit for the change of occupancy.

The subject parcel is relatively flat and is approximately 278 feet above mean sea level (amsl). The ESA indicates that the subject parcel is located 1,000 feet north of Indian Creek on an old river terrace and a seasonal unnamed tributary, a portion of which runs through a culvert, is sited less than 100 feet from the western boundary of the Parcel 3 (indicated as Lot 3 on the Tentative Map), and drains southward into Indian Creek. Stormwater flows westward toward the seasonal tributary.[1] Electric overhead power and communication lines are sited on the eastern property boundary. The Important Farmlands map indicates the subject parcel is Urban & Built Up Land.

SURROUNDING LAND USES AND SETTING: The parcel to the west is zoned Rural Residential and is approximately 16.6 acres in size and contains a residential use. Parcels to the north are zoned General Commercial and range between 0.5± and 7± acres in size. Parcels to the east are zoned Industrial.

[1] SHN Engineering. Phase 1 of an Environmental Site Assessment (ESA).

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

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §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, Cahto Tribe, Potter Valley Tribe, Redwood Valley Rancheria, Round Valley Tribe, and Sherwood Valley Band of Pomo Indians.

PROJECT PLOT PLAN: See Page 6 of this document.

FIGURE 1: LOCATION MAP



CASE: MS 2025-0002
OWNER: ISLAND, Gary & Virgina
APN: 046-060-58
APLCT: Gary & Virgina Island
AGENT: SHN Consulting
ADDRESS: 8750 Hwy 128, Philo

Major Towns & Places
Highways
Major Roads

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

LOCATION

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

FIGURE 2: AERIAL IMAGERY



CASE: MS 2025-0002
OWNER: ISLAND, Gary & Virgina
APN: 046-060-58
APLCT: Gary & Virgina Island
AGENT: SHN Consulting
ADDRESS: 8750 Hwy 128, Philo

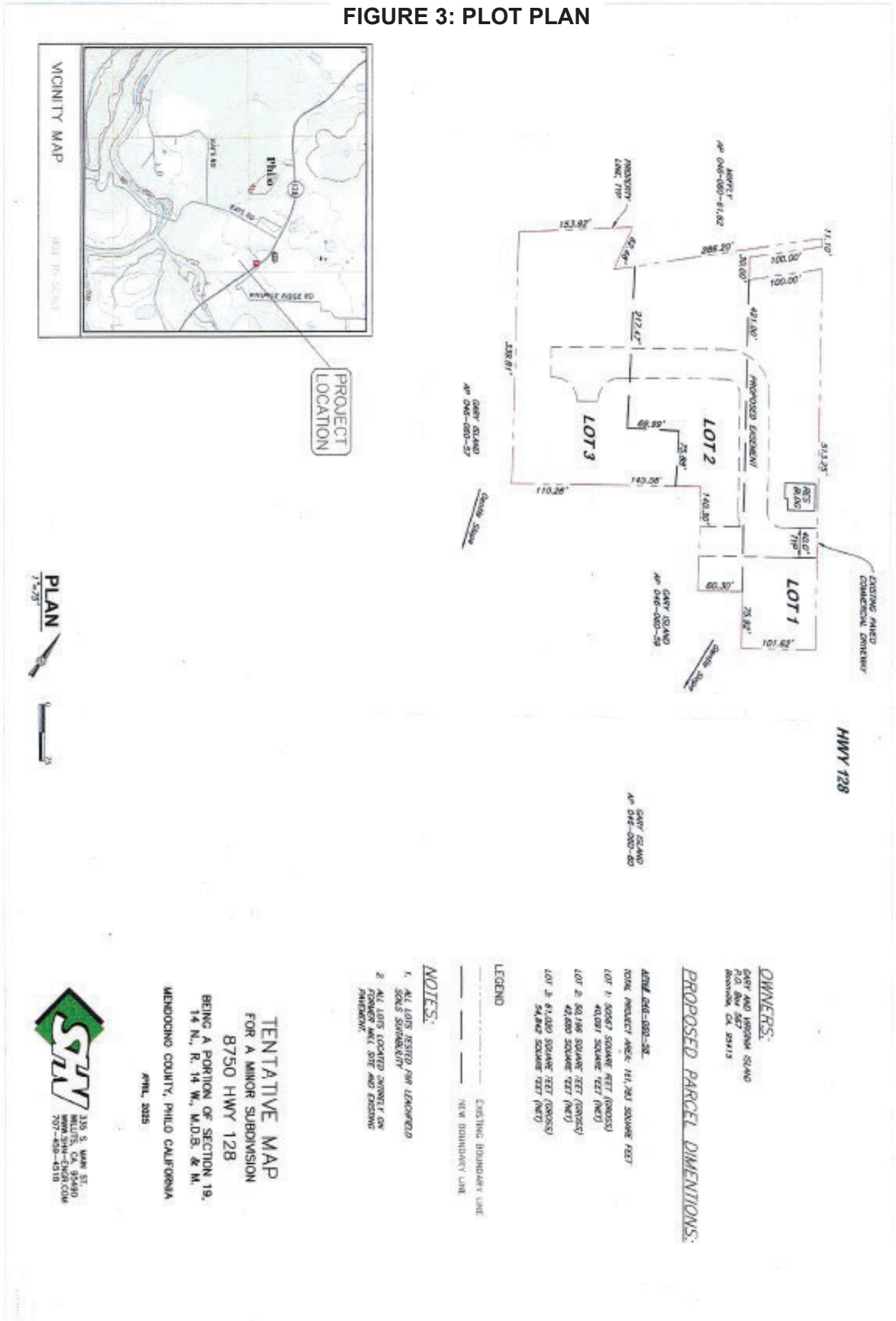
Major Towns & Places
Highways (2017)
Public Roads
Private Roads
Driveways/Unnamed Roads

0 270 540 Feet
0 0.05 0.1 Miles
1:6,000

AERIAL IMAGERY

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

FIGURE 3: PLOT PLAN



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture / Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhous 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.

Shelby Miller — Signature

10/26/2026 — Date

SHELBY MILLER — Printed Name

PLANNER III — Title

5.1 AESTHETICS

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

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.[2] 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*.[3] 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".[4]

No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.[5] Additionally, the County has two roadway segments designated as "heritage corridors" by California Public Resources Code Section 5077.5.[6] The North Coast Heritage Corridor includes the entire segment of SR 1 in the County, as well as the segment of U.S. Highway 101 from the junction with SR 1 in

[2] Resource Management Element of the Mendocino County General Plan dated August 2009
[3] California Code, Streets and Highways Code, SHC § 260 (2025).
[4] California Code, Streets and Highways Code, CA SCH §263.1 to 263.8 (2023).
[5] 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
[6] California Public Resources Code §5077.5. (January 1, 2025).

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. Census[7], there are three "Urban Areas" in Mendocino County: Ukiah, Willits, and Fort Bragg. Some of these Urban Areas extend into the unincorporated portions of the County. The Census provides shapefiles for use in visualizing these Urban Areas.

The Resource Management and Development Elements of the Mendocino County General Plan provide policies and goals to govern scenic quality within the County. Mendocino County General Plan Community - Specific Policies[8] 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.*
- Policy RM-137: *The County shall seek to protect the qualities of the nighttime sky and reduce energy use by requiring that outdoor nighttime lighting is directed downward, kept within property boundaries, and reduced both in intensity and direction to the level necessary for safety and convenience.*
    - Action Item RM-137.1: *Amend the County's Codes to incorporate standards for outdoor nighttime lighting that implement Policy RM-137.*
    - Action Item RM-137.2: *Encourage the use of motion sensors for indoor and outdoor lighting to reduce energy use.*

DISCUSSION: WOULD THE PROJECT…

a) Have a substantial adverse effect on a scenic vista?

No Impact: The subject parcel is accessed via State Route 128 which is listed as eligible to be included in the State Scenic Highway System. The project site is developed with a storage building consisting of commercial lumber, an office building, a septic system, several wells, and ancillary utilities. The owners have stated that they would remove the storage building upon approval of the minor subdivision. Indirect physical changes may occur because the proposed subdivision would create new legal parcels which could be developed further. Future development of commercial, industrial, or residential structures would not impact any viewshed. As proposed, the project would have no 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?

[7] US Census Bureau Urban and Rural Guidance. 2020. https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html
[8] Mendocino County General Plan Chapter 6: Community - Specific Policies. August 2009. https://www.mendocinocounty.gov/home/showpublisheddocument/5236/636242320402030000

No Impact: No removal or alterations of trees, rock outcroppings, or historic buildings would occur. In addition, the project site is not located within a state scenic highway. Therefore, no impact would occur.

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?

No Impact: The project site is visible from State Route 128 and has been used as a lumber company and sawmill since 1939. Logging is a prominent industry in the Philo community. The removal of these storage structures would have no impact on the quality of public views of the site and its surroundings. The project, as proposed, would not substantially degrade the existing visual character of the site or its surroundings.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than a Significant Impact: Indirect and/or cumulative impacts may occur if future development on newly created lots would create a new source of substantial light or glare, such as through the installation of exterior lighting that shines beyond the boundaries of the newly created lots or is directed towards the sky. Policy RM-137 of the Resource Management Element of the General Plan requires that outdoor nighttime lighting is directed downward, kept within property boundaries, and reduced both in intensity and direction to the level necessary for safety and convenience. **Condition of Approval No. 2** requires that the following note be placed on the Parcel Map that states, "*All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed".* Though the details of future development is unknown, 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?	☐	☐	☐	☒

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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-e) **No Impact:** The subject parcel is zoned as Limited Industrial (I-1) and has been used as a commercial lumber and sawmill since 1939. The parcel is not located on Prime Farmland, Unique Farmland or Farmland of Statewide Importance nor is it under a Williamson Act contract. The project includes a minor subdivision to create three legal parcels. The

Important Farmlands map indicates the subject parcel is mapped Urban & Built Up Land. Therefore, the project would not result in the loss of forest land, or the conversion of farmland or forest land. Therefore, no impact would occur.

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 (PM_{10}), 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, PM_{10}, $PM_{2.5}$, carbon monoxide (CO), nitrogen dioxide (NO_x), and sulfur dioxide (SO_2).[9] 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.[10] The County achieved attainment in 2021.[11] The Hydrogen Sulfide (H_2S) and Visibility Reducing Particles designations remain unclassified in Mendocino County.

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

[9] U.S. Environmental Protection Agency (2023). *Nonattainment Areas for Criteria Pollutants (Green Book)*. Retrieved from https://www.epa.gov/green-book.
[10] 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.
[11] California Air Resources Board (2022). *2021 Amendments to Area Designations for State Ambient Air Quality Standards*. Retrieved from https://ww2.arb.ca.gov/rulemaking.

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

MCAQMD Rule 1-430 requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

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

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

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

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

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

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

7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel-powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to $PM_{2.5}$. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

MCAQMD Rule 1-270 – Emissions Data and Sampling Access states *The Air Pollution Control Officer or his or her authorized representative may, upon reasonable written notice, require the owner or operator of any article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate, reduce or control the issuance of air contaminants, to do any of the following:*

a. Provide the Air Quality Management District with descriptions of basic equipment, control equipment and rates of emissions.
b. Provide other additional information, including process and production data, techniques and flow diagrams.
c. Provide sampling platforms, sampling ports, and means of access to sampling locations.
d. Provide and maintain sampling and monitoring apparatus to measure emissions or air contaminants when the Air Pollution Control Officer or his or her authorized representative has determined that such apparatus is available and should be installed.

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.[12]

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

Mendocino County General Plan Policies RM-37, RM-38, and RM-49 relate to Air Quality.[13] 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.

DISCUSSION:

a) **Less Than a Significant Impact:**

Pollutant	MCAQMD's Operational Threshold		Operational CalEEmod	
	Indirect Average Daily Emissions (lb/day)	Stationary Maximum Annual Emissions (tpy)	Average Daily (Max) (lb/day)	Annual (tpy)
ROG	180	40	6.3	1.1
NOx	42	40	5.1	0.93
PM_{10}	82	15	2.69	0.5
$PM_{2.5}$	54	10	0.8	0.15
Fugitive Dust	Same as above	Same as above	N/A	N/A
Local CO	125 tpy	125	26	4.8

The subject parcel has been used as a timber products processing facility since 1939 and has stored hazardous chemicals and waste onsite. The project does not propose any development however, construction and operation of permitted uses shall be analyzed. In efforts to analyze the operation of proposed limited industrial uses such as custom manufacturing, general industrial, and light industrial uses, Staff evaluated the project with the California Emissions Estimator Model (CalEEMod) and noted that Parcel 1 and Parcel 2 could have a 30,000 sq. ft. structure and Parcel 3 could have a 50,000 sq. ft. structure. According to the CalEEMod Summary Report, the Average Daily Maximum and Annual pollutant emissions would not exceed the Mendocino County Air Quality Management District's Adopted Air Quality CEQA Thresholds of Significance if future development would implement a soil management contingency plan, meet the required 10 foot front yard setback, and comply with the Rules and Regulations of the Mendocino County Air Quality Management District, including Rule 1-400, Rule 1-430, Rule 1-270, and Rule 1-280. Principally permitted uses that would emit air

[12] Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from https://www.co.mendocino.ca.us/aqmd/.
[13] County of Mendocino (2009). *General Plan*. Retrieved from https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan.

contaminants equal to or in excess of the threshold for a major source of regulated air pollutants of a major source of hazardous air pollutants are subject to MCAQMD Rule 1-494 and the Federal New Source Performance Standards that require all the equipment to be best available control technology for the emissions. The MCAQMD is responsible for permitting many different types of equipment that would fall into the category of the permitted residential, commercial, and civic use types would have a less than significant impact on air quality. The minor subdivision would create three legal parcels of approximately one-acre each. The landowners' purpose of the minor subdivision is to rezone in the future to match the General Plan classification of Rural Community which permits residential and commercial use types.

The project was referred to the Mendocino County Air Quality Management District (MCAQMD). On August 22, 2025, MCAQMD stated, "prior to obtaining a permit for demolition of structures, a completed Asbestos Demolition/ Renovation Notification must be submitted to the Air Quality Management District for review". On August 28, 2025, the landowners submitted the Asbestos Notification Form for Demolition and Renovation (Notification No. 25-094) for the removal and disposal of an approximately 3,000 sq. ft. shade structure. The project would not conflict with or obstruct implementation of the applicable air quality plan. The parcel is not sited on Naturally Occurring Asbestos or Serpentine soils. Therefore, the proposed project would have a less than significant impact.

b) **Less Than a Significant Impact:** The project site is within the jurisdiction of the MCAQMD, which has been in attainment since 2021.[14] The Hydrogen Sulfide (H_2S) and Visibility Reducing Particles designations remain unclassified in Mendocino County. The minor subdivision project does not propose any development at this time. Upon approval of this project, a shed would need to be demolished, and **Condition of Approval No. 5** has been incorporated into the staff report to require the notification to the Mendocino County Air Quality Management District for asbestos clearance. The project site is approximately 75% paved at this time. However, the project aims to implement a soil management contingency plan. All future development would also be required to comply with the California Building Code which requires new buildings to adopt energy efficient building standards and has required stricter ventilation measures to reduce particulate matter and toxic emissions. With the incorporation of Best Management Practices, and compliance with the Rules and Regulations of the MCAQMD and California Building Code compliance, the project would have a less than significant impact.

c) **Less Than a Significant Impact:** The California Air Resources Board (CARB) has identified the following persons – classified as "sensitive receptors" – who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases.[15] Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.[16] The project site was previously used as an industrial sawmill. The project does not propose any development nor any new stationary toxic air containment sources (e.g., boilers or diesel generators). There are several sensitive receptors nearby including one residence located 400± feet to the northwest (APN:046-060-51) and one residence located 450± feet to the west (APN:046-060-52). These APNs would not be directly adjacent but would be within 500 feet of the project site. As stated previously, the Mendocino County Air Quality Management District is responsible for permitting many different types of equipment for General Industrial or custom manufacturing uses. The MCAQMD would need to assess the proposal to determine if the emissions would be significant and would require a District permit to ensure compliance with the Adopted Air Quality CEQA Thresholds of Significance. Therefore, a less than significant impact would occur.

d) **Less Than a Significant Impact:** The Bay Area Air Quality Management District's CEQA Air Quality Guidelines dated 2017 identify land uses associated with odor complaints to include, but are not limited to, wastewater treatment plants, landfills, confined animal facilities,

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

[15] California Air Resources Board. Sensitive Receptors Assessment. Retrieved from https://ww2.arb.ca.gov/capp/cst/rdi/sensitive-receptor-assessment

[16] California Health & Safety Code § 42705.5(5) (2025)

composting stations, food manufacturing plants, refineries, and chemical plants.[17] The project does not propose any new facilities. The landowners aim to rezone these parcels in the future to match the General Plan Classification of Rural Community which permits Residential, Civic, and Agricultural uses by right. Therefore, a less than significant impact is anticipated.

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,

[17] Bay Area Air Quality Management District. CEQA Guidelines Thresholds of Significance. May 2017. https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf

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.

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 a Significant Impact:** Approximately 75% of the project site is paved and has been developed since 1939. The minor subdivision project would create three legal parcels from one legal parcel that was conditionally adjusted by Boundary Line Adjustment (B_2025-0013). An unnamed tributary from Indian Creek flows north to south to the west of the subject parcel. Stormwater flows westward toward the seasonal tributary.[18] Project materials include an Environmental Site Assessment Phase 1 prepared by SHN Engineering that recommends the preparation of a soil management contingency plan prior to ground disturbance. In 1983, a diesel aboveground storage tank released approximately 2,000 gallons of fuel. SHN Consulting

[18] SHN Engineering. Phase 1 of an Environmental Site Assessment (ESA).

found evidence that most of the fuel flowed into the unnamed tributary. Several other fuel leaks occurred on site, and it is likely that most of the spilled fuel flowed into the tributary. The Regional Water Quality Control Board has issued Abatement Orders and have since been closed. To prevent future encroachment on the unnamed tributary, a Condition of Approval shall be incorporated to require that a note be placed on the Parcel Map requiring that "all future development be sited at least 100 feet from the top of bank of the unnamed tributary to protect the riparian habitat". Therefore, a less than significant impact is anticipated.

c) **No Impact:** The project site does not contain any wetlands. However, an unnamed tributary that drains into Indian Creek flows along the western boundary. No direct or indirect impacts would occur because there are no wetlands identified on the property or within the immediate vicinity. Therefore, no impact is anticipated.

e) **No Impact:** The project site has been developed since 1939 with sawmill related structures and is currently paved. The structures would be demolished as a result of the project. The minor subdivision project would not propose any new development at this time. However, the landowners aim to rezone the parcels in the future to Rural Community which permits residential, civic, and agricultural use types. The project would not 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. No impact would occur.

f) **No Impact:** The project would not conflict with local policies because vegetation removal or physical development is not proposed. Potential future development is speculative at this time. The landowners aim to rezone to Rural Community in the future. However, there is no Rezone application submitted at this time.

g) **No Impact:** The project site is not within the vicinity of any conservation plan area.

MITIGATION MEASURES: None.

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

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
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.[19] 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:

[19] 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

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

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

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

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

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

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

Archaeological resources are governed by MCC §22.12.090, which echoes state law regarding discovery of artifacts and states, in part, *It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archeological site without complying with the provisions of this section*. MCC Section 22.12.090 governs discovery and treatment of archeological resources, while Section 22.12.100 speaks directly to the discovery of human remains and codifies the procedures by which said discovery shall be handled. Pursuant to CCR §15064.5, *If an archaeological resource is neither a unique archaeological 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 September 5, 2025, NWIC stated, "this office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area". NWIC recommends a field study by a qualified professional archaeologist is recommended prior to commencement of project activities. An Archaeological Report prepared by Alta Archaeological Consulting identified the project area as and directly adjacent to the "now-defunct Philo Lumber Company Mill. The mill was in operation from 1939 to 1996". In addition, Alta Archaeological Consulting determined that there were no cultural, historical, or archaeological resources identified on the project site. The project was heard by the Archaeological Commission on May 13, 2026, in which the Commission accepted the survey and requested that the applicant follow the Report's recommendations. Alta Archaeological Consulting recommended (1) If previously unidentified cultural resources are encountered during project implementation, avoid altering the materials and their stratigraphic context. A qualified professional archaeologist should be contacted to evaluate the situation. Project personnel should not collect cultural resources.

Resources associated with Native peoples include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies; and (2) As defined in 25 USC 32 3(d) of the Native American Graves Protection and Repatriation Act (NAGPRA), if human remains are encountered on federal lands, all work must stop in the immediate vicinity of the discovered remains, and efforts should be made to protect the find until further notice. The federal lead agency must be immediately contacted by phone and with written confirmation. Within three (3) days, the federal lead agency must certify receipt of communications, take steps to protect the remains, notify federally recognized tribes likely affiliated with the remains, and initiate consultation. As defined in California Health and Safety Code Section 7050.5, if human remains are encountered, all work must stop in the immediate vicinity of the discovered remains, and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, per PRC 5097.98, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains are provided. Considering these recommendations are State regulations, no mitigation measures are included. **Condition of Approval No. 7** requires a note be added to the Parcel Map to comply with the recommendations outlined in the Alta Archaeological Report prepared by their Registered Professional Archaeologist Seamus Reed.

The project was referred to Cloverdale Rancheria, Cahto Tribe, Potter Valley Tribe, Redwood Valley Rancheria, Round Valley Tribe, and Sherwood Band of Pomo Indians. No comments were received. Additionally, Alta Archaeological Consulting notified Tribal Historic Preservation Officer's (THPO) or the appropriate representative of each tribal group associated with the Project area and solicited input in accordance with Assembly Bill 52. Noyo River Indian Community responded and stated that Noyo River will consult if Hopland Band does not. In addition, Sherwood Valley Band of Pomo Indians provided no input at this time but would like to be kept informed as project moves forward. Therefore, no impact is anticipated.

c) **No Impact:** The Archaeological Report prepared by Alta Archaeological Consulting determined the project would not disturb any human remains including those interred outside

of dedicated ceremonies. All projects within Mendocino County shall comply with Mendocino County Code Chapter 22.12 – Archaeological Resources.

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."*[20]

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

Project factors that may influence energy impacts include the following:

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

[20] California Air Resources Board (2022). *2022 Scoping Plan for Achieving Carbon Neutrality*. Retrieved from https://ww2.arb.ca.gov.

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.[21] 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).

Policy RM-57: Require the incorporation of strategies for renewable energy and energy conservation into development planning, design, and operation, such as:

- Subdivision, lot orientation and building design for optimal heating, cooling and cogeneration opportunities, including passive solar heating.
- Increasing the amount of tree cover to provide shade during the hot summer months.
- Facilities and operations that accommodate the use of alternative and renewable energy transportation modes.
- Action Item RM-57.1: Create a timetable for all future structures to meet specific renewable energy standards to gain approval and permits.
- Action Item RM-57.2: Determine a feasible transition to renewable energy use by all future development projects. (This work may be combined with the responsibilities of a Green Building Task Force.)

DISCUSSION:

a-b) **Less Than a Significant Impact:** The proposed project consists of a minor subdivision of one legal parcel within the Limited Industrial Zoning District into three parcels for the purposes of future commercial and/ or residential. It can be assumed that future physical development and build out of the three parcels will occur. Future development could consume energy via various heavy equipment, machines, trucks, and worker traffic. Despite the landowner's stated purpose of future residential and/or commercial development, the proposed lots are zoned Limited Industrial and would permit General Industrial uses, Custom Manufacturing, mini warehouses, and other Commercial uses by right. Future industrial uses may cause long-term energy consumption from electricity and propane gas consumption, energy used for water conveyance, and vehicle operations to and from the project site, etc.

The County of Mendocino's Resource Element includes policies and actions to help reduce the overall consumption of electricity and natural gas by new development; for example, Policy RM-56 states the County requires the incorporation of energy conservation and renewable energy sources for public, residential, educational, institutional, and industrial facilities and uses. Combining the County's policies and actions with the increasingly stringent state and federal regulations on engine efficiency in conjunction with local, state, and federal regulations limiting engine idling times and recycling of construction debris, would further reduce the amount of transportation fuel demand during future construction. Therefore, the proposed project would result in a less than significant impact during project operation. As such, the project would not result in a potential significant impact due to wasteful, inefficient, unnecessary consumption of energy resources during project construction or operation. Additionally, the Proposed Project would not conflict with applicable state or local plans for renewable energy because it would be required to conform to current federal, state, and local energy conservation standards. Therefore, the Proposed Project will have a less than significant impact.

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

MITIGATION MEASURES: None.

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

5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
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.[22] Landslides in Mendocino County have been a major part of the natural erosion process for tens of thousands of years. The rainy wet winters and relatively dry summers, the mountainous terrain, and commonly weak bedrock conditions all contribute to the development of landslides.

Seismic shaking can also be a triggering mechanism. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to land sliding and erosion. 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 cause 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 cause 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:** The project site is located approximately 13 miles east of the San Adreas Fault and 15.5± miles west of the Maacama Fault. The project consists of a minor subdivision to create three legal parcels. No physical development is proposed as part of the project. The California Geological Survey (CGS)– Earthquake Zones Application (EQ ZAPP) indicates the subject parcel, and adjacent parcels are not located within an Earthquake Fault Zone. The EQ ZAPP indicates the parcel has not been evaluated by CGS for liquefaction hazards or seismic landslide hazards. The subject parcel is relatively flat. Future development would be required

[22] 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.

to comply with the California Building Code. The project would not directly or indirectly cause potential substantial adverse effects including the risk of loss, injury, or death regarding earthquakes, liquefaction, or landslides. No impact is anticipated.

b) **Less Than a Significant Impact:** The parcel is relatively flat and has been paved previously. The project site is sited on Talmage gravelly loam, 0 to 2 percent slopes and Pinole loam, 2 to 9 percent slopes. The minor subdivision would not result in substantial soil erosion or the loss of topsoil. However, future ground disturbance, whether or not the project is approved, requires the preparation and implementation of a soil management contingency plan on areas of former industrial activity. Approximately 75 percent of the project site is currently paved. The proposed minor subdivision would require additional wells to supply all three parcels with water. The soil management contingency plan implementation may result in loss of topsoil due to contamination from previous land use. Pavement would only be removed where necessary for a future improvement, utility work, septic work, grading, building construction, or other approved construction activity. If pavement removal exposes or disturbs underlying soil in an area of former industrial activity, then the soil management procedures would apply to that work area. However, the implementation would result in positive impacts. Therefore, a less than significant impact on the environment is anticipated.

c) **No Impact:** According to the U.S Geological Study mapping, the project site is not associated with landsliding, lateral spreading, subsidence, liquefaction or collapse. Future development would be required to comply with the most recent California Building Code regulations and would be subject to a Building Permit. Therefore, no impact is anticipated.

d) **No Impact:** The Soil Survey of Mendocino County indicates Talmage gravelly loam soil is very deep, somewhat excessively drained soil on river terraces. “Surface runoff is very slow, and the hazard of water erosion is slight if the surface is left bare. Some areas are subject to very brief periods of rare flooding from December through April. This unit is used for homesite development, hay production, or pasture.”[23] The FEMA Flood map does not indicate the parcel is subject to flooding. The Soil Survey of Mendocino County indicates that the Pinole loam soil type is very deep, well-drained soil located on river terraces. As part of the preliminary leach field layout and design letter, the professional soil scientist, Carl Rittiman & Associates, LLC. (CRA) stated that in general terms, deep, well drained soils were observed on each of the proposed parcels during soil profiling. Considering the soil types on the parcel are well draining, the project would not be located on expansive soil and would not create substantial direct or indirect risks to life or property. Therefore, no impact is anticipated.

e) **No Impact:** The applicants submitted a preliminary leach field layout and design to the Division of Environmental Health prepared by Carl Rittiman & Associates, Inc. (CRA), which stated that the parcels are sited on well-drained soils that can support the use of septic tanks. Parcel 1 contains an existing septic system that serves an existing structure. If a single-family residence is proposed in the future, a separate primary leach field would be required, and the future replacement area would need to be sized to accommodate future bedrooms. Future leach field development on proposed Parcels 2 and 3 would be sized to accommodate both parcels.[24] In addition, CRA stated that “the soil profiling conducted thus far has indicated that much of the parcel contains deep, well drained soil conditions, and it is anticipated that similar soil conditions will be encountered. The additional soil profiling will be conducted once the final parcel configurations and development plans are determined. The project was referred to the Division of Environmental Health for comments.

f) **No Impact:** No known paleontological resources or unique geologic features are known or expected to occur on the site. No direct physical changes to the environment would occur. No paleontological resources were identified as a result of the archaeological survey conducted for the project.

[23] Carl Rittiman, Thor Thorson, and Natural Resources Conservation Service. USDA Soil Survey of Mendocino County, California, Western Part. Accessed September 20, 2026.
[24] Carl Rittiman & Associates, LLC. 8750 Hwy 128, Philo – Preliminary leach field layout and design. April 29, 2025.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Geology and Soils.

5.8 GREENHOUSE GAS EMISSIONS

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

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.[25]

MCAQMD has not adopted a construction related emissions threshold. For projects other than stationary sources, the operational threshold is 1,100 Metric Tons of CO_2e per year or 4.5 Metric Tons of CO_2e per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO_2e per year. The California Emissions Estimator Model (CalEEMod) is a tool that can be used to quantify ozone precursors, criteria pollutants, and greenhouse gas emissions from construction and operation of development in California. The model is published by the California Air Pollution Control Officers Association. MCAQMD and Mendocino County have not adopted any plans specifically aimed at reducing GHG emissions. However, General Plan Policy RM-50 and associated action items address GHG emissions: California Climate Policies related to GHG emissions include but are not limited to Senate Bill (SB) Numbers 32, 100, 350, 375, 743, 604, and 1383 and Assembly Bill (AB) Numbers 32 and 1493.

AB 32, the California Global Warming Solutions Act of 2006, requires California to set the stage for its transition to a sustainable, low-carbon future by requiring in law a sharp reduction of greenhouse gas (GHG) emissions. AB 32 includes the major GHGs and groups of GHGs that are being emitted into the atmosphere. These gases include: Carbon dioxide (CO_2), Methane (CH4), Nitrous oxide (N_2O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), Sulfur hexafluoride (SF_6), and Nitrogen trifluoride* (NF_3). AB 32 requires CARB to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. CARB's 2022 Scoping Plan Update provides a framework for achieving California's 2030 GHG target and carbon neutrality.[26]

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

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

[26] 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.

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.

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) is a State of California public right-to-know law requiring local air quality management and air pollution control districts to collect information about the location, type, and quantity of toxic air contaminants (TACs) emitted into the air.

DISCUSSION:

a) **Less Than a Significant Impact:** The proposed project would create three legal parcels from one legal parcel that is zoned Limited Industrial (I-1), As proposed, the project has the potential to generate greenhouse gas emissions during construction and operation of permitted uses, when developed. The project does not propose any physical development as part of this Project. However, the landowner anticipates demolishing a storage structure that conflicts with the land division. As stated previously, the project was referred to the Mendocino County Air Quality Management District. On August 22, 2025, MCAQMD stated, "prior to obtaining a permit for the demolition of structures, a completed Asbestos Demolition/Renovation Notification must be submitted to the AQMD for review" **(Condition of Approval No. 5)**. No direct impacts would occur. The landowner has stated that their aim is to rezone the parcels to Rural Community for residential or commercial uses. In order to capture all future uses, Staff prepared a CalEEMod Summary Report (Appendix A) that modeled a potentially buildable area for each parcel accounting for setbacks, parking requirements, and parcel configuration with the consideration of a soil management contingency plan to remediate potentially contaminated soils on the site. The CalEEMod Summary Report concluded that the project would not exceed the Mendocino County Air Quality Management District's Greenhouse Gas thresholds. Therefore, a less than significant impact would occur.

b) **Less Than a Significant Impact:** The Mendocino County Air Quality Management District (MCAQMD) has not adopted a Greenhouse Gas or Risk Reduction Plan to support a CEQA determination. No direct impacts are anticipated. The project does not propose any development at this time. All Rules and Regulations of the MCAQMD shall be adhered to. In addition, all future developments would be required to adhere to the California Building Code including, but not limited to, the State Energy Code and Fire Code. MCAQMD's indirect and permitting rules allow 125 TPY of CO. According to the CalEEMod Summary Report, the project would not exceed CO or other GHG thresholds. A less than significant impact is anticipated.

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?	☐	☐	☒	☐

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

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".[27]

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

[27] MCOES – Plans and Publications, 2019.

Hazardous Waste Management Plan proposed a number of hazardous waste programs and set forth criteria to guide the siting of new offsite hazardous waste facilities. However, to date, no facilities have been cited in the County. The County Division of Environmental Health assumes responsibility for administering hazardous waste generation and treatment regulations. Solid Waste and Hazardous Waste and Materials Management Policy DE-203 states: *All development projects shall include plans and facilities to store and manage solid waste and hazardous materials and wastes in a safe and environmentally sound manner.*

The Airport Land Use Compatibility Plan sets forth the criteria and policies which the Mendocino County Land Use Commission will use in assessing the compatibility between the public use airports in the County and proposed land use development in the areas surrounding them. The aviation system is composed of airports, privately owned aircraft of various types, privately operated aircraft service facilities, and publicly and privately operated airport service facilities. Most aircraft are privately owned, small single or twin-engine planes flown primarily for personal business.

To better address wildfire and evacuation concerns, Mendocino Council of Governments recently completed a Fire Vulnerability Assessment (FVA) for Mendocino County which assists in identifying areas of fire vulnerability and evacuation concerns.[28] 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 proposes a minor subdivision of three lots. As a result of the project, the landowners would demolish the existing structures on site aside from the employee housing structure. The project does not propose any physical development. However, permitted uses within the Limited Industrial (I-1) zoning district may involve the routine transport, use, or disposal of hazardous materials and it is possible that improper handling or storage could result in minor spills or drips of hazardous materials such as oil, fuel, or paint during or after construction. To address this possibility, the project is required to comply

[28] 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

with all applicable hazardous materials handling and storage requirements and would use qualified contractors for construction. During operations, the storage, use, and disposal of hazardous materials would be associated with household hazardous materials such as cleaners, paint, and landscape maintenance chemicals. Hazardous materials similar to those used during construction could also be used periodically as part of operation, maintenance, and repair of the utilities infrastructure and facilities.

All use, store, transport hazardous materials associated with the property and future land uses shall adhere to applicable local, state, and federal regulations, including those enforced by Cal/OSHA and State Department of Toxic Substance Control (DTSC) requirements and manufacturer's instructions. Consequently, impacts would be less than significant.

b) **Less Than a Significant Impact:** The project site was historically used as a sawmill and remanufacturing facility. The Environmental Site Assessment's records show that hazardous materials have leaked from storage sites on the property. However, all spills have been satisfied with the applicable regulatory agency. Future soil disturbance would require a soil management contingency plan to be prepared prior to development. As stated previously, the property and future land uses would be required to use, store, transport hazardous materials in accordance with local, State, and Federal regulations, including Cal/OSHA and State Department of Toxic Substance Control (DTSC) requirements and manufacturer's instructions. As proposed, impacts would be less than significant.

c) **Less Than a Significant Impact:** The project site is a half mile northwest of the nearest school, Boont Tribe Community School located at 8300 State Route 128, Philo. The project was referred to the Mendocino County Air Quality Management District and their response was, "prior to obtaining a permit for demolition of structures, a completed Asbestos Demolition/ Renovation Notification must be submitted to the AQMD for review". Demolishing the existing structures could emit hazardous emissions temporarily. Although the landowner has stated they intend to rezone the parcels in the future to match the General Plan classification of Rural Community for residential or commercial development. At this time, there is no rezone application submitted. Permitted uses within the designated Limited Industrial zoning district include employee housing, civic use types, commercial use types, industrial use types: custom manufacturing and general industrial, and agricultural use types. The construction of any use type would be temporary and be required to comply with the California Building Code. Operation of any use type would have a minimal impact as the project is not located within one-quarter mile of an existing school. A less than significant impact is anticipated.

d) **Less Than a Significant Impact:** The subject property was previously used as a sawmill and remanufacturing facility. The Phase 1 Environmental Site Assessment prepared by SHN Engineering stated, "a log pond was observed in historical photos and was filled in". On October 16, 1983, there was an unauthorized release of approximately 2,000 gallons of fuel from the diesel aboveground storage tank (AST) in an unknown location, and a Cleanup and Abatement Order No. 83-130 was issued for the facility by the Regional Water Quality Control Board (RWQCB). SHN stated, "conversations with several employees of the sawmill suggested that most for the fuel ran onto the surface of the unpaved log storage area toward a small unnamed stream along the western edge of the site. Contaminated soil was removed from the stream bed soon after the spill occurred. The area around the diesel AST, as well as the log storage area where the spill occurred was paved with asphalt". The project site is listed on the State Water Resources Control Board GeoTracker for Leaking Underground Storage Tank (LUST) Cleanup Sites (RB Case #1TMC396), however, the case has been closed as of January 14, 1999. Several other hazardous waste or materials discharge violations were reported to the RWQCB and were remediated to the satisfaction of the RWQCB.

As of June 2026, the project site is not listed on the Cortese List, or on the Hazardous Waste Tracking System (DTSC). The action taken included removing the LUST and sampling the groundwater, and remediation to the satisfaction of the State Water Resources Control Board. The Environmental Site Assessment recommends a soil management contingency plan to be prepared prior to ground disturbance on the property, which has been added as a condition of

approval on the staff report. With the inclusion of a soil management contingency plan, a less than significant impact is anticipated.

e) **No Impact:** The project site is not located within an Airport Zone, as the nearest airport is 6± miles southeast at the Boonville Airport. No impact would occur.

f) **No Impact:** Direct impacts would not occur. Indirect future development is unlikely to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan because the project has direct access to a publicly-maintained road. Setback requirements and proposed easements would prevent the construction of a structure that would impair the ability to move through the lot in the event of an emergency.

g) **No Impact:** Prior to the issuance of the Minor Subdivision approval, the landowners would demolish all structures that conflict with the boundary lines. No direct impacts would occur as the parcels would be mostly vacant with the exception of the employee housing structure. The project was referred to the Anderson Valley Community Services District (AVCSD) and CAL FIRE. The AVCSD stated, "no objections for this project have been found for the minor subdivision as proposed by the applicant. Anderson Valley Fire District (AVFD) will need to conduct a full plan review for California Fire Code (CFC) compliance. The Authority Having Jurisdiction (AHJ) for CFC and delivery of emergency response for this property is the AVCSD/ Fire Department. CAL FIRE is the AHJ for wildfires in this location." The project, as proposed, would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires. No impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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."[29] 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).

[29] Mendocino County Code Chapter 16.30

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

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

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

DISCUSSION:

a) **Less Than a Significant Impact:** The project site has a history of violating water quality regulations from previous land uses including the sawmill and remanufacturing facilities. SHN noted that stormwater has historically flowed toward the unnamed tributary. The landowners intend on subdividing the parcel into three parcels for either residential or commercial use types. The landowners may also rezone the parcels in the future to match the Rural Community land use classification. Upon approval of this project, the landowners would demolish structures that would conflict with the new boundary lines. Prior to demolition of the structures, Best Management Practices shall be implemented to the maximum extent practicable to prevent and reduce pollutants from entering the tributary. Considering the Indian Creek tributary has been disturbed by previous land uses, staff determined that a note be placed on the parcel map that states "all future development be sited at least 100 feet from the top of bank of the unnamed tributary to protect the riparian habitat". To prevent untreated stormwater from entering the tributary, conditions of approval will require the implementation of Best Management Practices and water efficiency practices. With the inclusion of the conditions of approval, the project would have a less than significant impact on water quality.

b) **Less Than a Significant Impact:** The project site is not located within a water district and would rely on groundwater. Prior to the final approval of the minor subdivision project, the landowners would have to install a water well on two of the three proposed parcels. The landowners intend on rezoning the parcels in the future for residential or commercial uses. According to the CALGreen Code and the California Plumbing Code, newly constructed residential and commercial buildings are subject to strict fixture flow limits. Nonresidential structures are subject to strict fixture flow limits if structure is 50,000 sq. ft. or greater. However, with the inclusion of parking, easement, and setback requirements, none of the proposed projects would be able to support a 50,000 sq. ft. structure. New development and retrofitted landscape water efficiency standards are governed by the Model Water Efficient Landscape Ordinance (MWELO) in Chapters 4 and 5 of the CALGreen Code. Considering the parcel sizes, configuration, parking and setback requirements, future development is anticipated to have a less than significant impact on groundwater supply and groundwater recharge.

c) **Less Than a Significant Impact:** The subject property is relatively flat and not mapped within a flood zone. The minor subdivision project would not directly impact existing drainage of the site or area. However, the Limited Industrial zoning district permits several use types including employee housing, commercial, industrial, civic and agricultural use types. A condition of approval has been incorporated to the Staff Report to require a note be placed on the parcel map that states "all future development be sited at least 100 feet from the top of bank of the unnamed tributary to protect the riparian habitat". The agent stated that historically untreated stormwater has flowed into the tributary. Mendocino County Ordinance No. 4313, Stormwater

Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system (off-site).

In accordance with MCC Section 16.30.040(A), any person engaged in activities or operations, or owning facilities or property anywhere in the County which will or may result in pollutants entering storm drainage systems, or waters of the U.S. shall implement BMPs to the maximum extent practicable to prevent and reduce the pollutants. Additionally, owners or operators of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the storm drainage system or waters of the U.S. Condition of Approval No. 19 requires the subdivider design, install, and maintain a stormwater infiltration system along the southwestern property boundary of Parcel 3. The system shall manage runoff from all rain events. Its purpose is to prevent degradation of the Indian Creek tributary by controlling erosion, reducing pollutant loading, and preventing untreated or excess runoff from entering the tributary or migrating offsite. This area shall be indicated as a drainage easement on the Parcel Map. As such, the project would have a less than significant impact.

d) **No Impact:** The project site is not mapped within a flood hazard zone, a tsunami zone, or a seiche zone. No impact would occur.

e) **No Impact:** The project site is located in the Anderson Valley Groundwater Basin. According to the California Department of Water, this Groundwater Basin does not contain a groundwater management plan. The Sustainable Groundwater Management Plan Prioritization Dashboard indicates the priority for this basin has been set to very low as a result of conditions being met, including no documented impacts and the total groundwater use in this Basin is less than 2,000 Acre Feet.[30] The project would not impact the North Coast Basin Plan adopted in June 2025. Therefore, no impact is anticipated.

MITIGATION MEASURES: None.

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

5.11 LAND USE AND PLANNING

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

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 involves a three-parcel subdivision on a developed parcel that previously consisted of a sawmill and remanufacturing facility. The project would not physically divide an established community. Therefore, no impact would occur.

[30] California Sustainable Groundwater Management Basin Prioritization Dashboard. https://gis.water.ca.gov/app/bp-dashboard/final/. Accessed on July 2, 2026.

b) **No Impact:** The General Plan, Division of Land Regulations, and Zoning Ordinance contain policies and regulations aimed at avoiding or mitigating environmental impacts. Considering the property was previously a sawmill and remanufacturing facility and the landowner aims to rezone for housing or commercial uses in the future, the project would comply with the policies and regulations of the General Plan including Policy DE-92 which aims *to allow flexible and innovative site and building design as a means of achieving General Plan, environmental, or housing objectives.* The project site is equipped with an existing driveway via State Route 128. A condition of approval has been incorporated to place a note on the parcel map that states "all future development be sited at least 100 feet from the top of bank of the unnamed tributary to protect the riparian habitat". The proposed project would not 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 impact. As proposed, no impact is anticipated.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

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

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

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

DISCUSSION: WOULD THE PROJECT…

a) **No Impact:** No direct impacts would occur. The site does not contain any known mineral resources of value.

b) **No Impact:** No locally important mineral resources are known to occur on the project site. No direct impacts would occur.

MITIGATION MEASURES: None.

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

5.13 NOISE

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

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

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

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

adversely affect what people are doing on the land. For example, a residential use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise sensitive.

Per Mendocino County General Plan Policy DE-98, *homes or noise-sensitive land uses are to be developed only in places where existing and projected noise levels would meet the exterior noise guidelines and standards outlined in Policies DE-100 and DE-101*. Per Policy DE-99, *no new use regulated by the County shall be permitted to generate noise that would cause the ambient noise on any adjacent parcel to exceed the "completely compatible" 24-hour guidelines shown in Policy DE-101 or the 30-minute noise standards in Policy DE-100. Noise mitigation must achieve these standards for any decision that would cause a violation of the standards. These decisions could include roadway construction projects, public park construction, General Plan amendments, changes of zone, conditional use permits, or site plan review approval.* Per General Plan Action Item DE-99.2, *acoustical studies are required for (1) significant new noise generators, (2) new noise-sensitive uses in noise-impacted areas or near noise generators, or (3) new uses which are proposed to be developed in areas which do not meet the "completely compatible" exterior noise guidelines contained in Policy DE-100 or Policy DE-101.* Policy DE-100 establishes the following Exterior Noise Level Standards (levels not to be exceeded more than 30 minutes in any hour), where "dBA" are A-weighted decibels:

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

Policy DE-100 also specifies the following:

- Where existing ambient noise levels exceed these standards, the ambient noise level shall be the highest allowable noise level measured in dBA Leq (30 minutes), where "Leq" is equivalent continuous sound level.

- The noise levels specified above shall be lowered by 5 dB for simple tonal noises (such as humming sounds), noises consisting primarily of speech or music, or for recurring impulsive noises (such as pile drivers, punch presses, and similar machinery).

- The County may impose exterior noise standards which are less restrictive than those specified above, provided that:

    - The noise impact on the residential or other noise-sensitive use is addressed in an environmental analysis,

    - A finding is made by the approving body stating the reasons for accepting a higher exterior noise standard, and

    - Interior noise standards will comply with those identified in Policy DE-103.

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

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

Policy DE-101 also establishes the following:

- These guidelines apply to land designated by this General Plan for these uses. Residential, retail, or public parks that have been developed on land designated for other uses shall be subject to the exterior noise guidelines for the land on which they are located.

- Non-residential uses located on residentially designated land shall be subject to the exterior noise guidelines for residential lands.

- All uses on Commercial lands, including non-commercial uses, shall be subject to commercial land standards. Land use designations not listed above do not have exterior noise compatibility standards. Land use designations with no exterior noise compatibility standard include office and industrial.

- Standards for public schools are set and enforced by the State of California and are not regulated by the County.

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

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

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

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

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

Ground vibration can be annoying to people and has the potential to damage structures, including structural and cosmetic architectural damage. Ground vibration also has the potential to disrupt the operation of vibration-sensitive equipment, such as microscopes, MRI machines, and precision milling equipment. Vibration amplitudes (PPV) of various construction equipment can be calculated using methods described in the California Department of Transportation’s (Caltrans’) 2020 *Transportation and Construction Vibration Guidance Manual*.[31] 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.

[31] 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.

DISCUSSION:

a) **No Impact:** The primary goal of the noise ordinance is to protect people from the adverse effects of exposure to excessive noise and to achieve an environment in which people and land uses function without impairment from noise. The existing noise environment for the project area is characterized by vehicular noise and industrial uses noise. If the landowners continue the industrial uses, operational noise generated by the project would be similar to other industrial uses in the surrounding area, consisting primarily of onsite mechanical equipment and vehicle noise from employees, route delivery trucks/vans, and semi-trucks mostly occurring during daytime hours (delivery route truck drivers may start pre-dawn). The nearest residential structure is approximately 400 feet west of the project site. However, the Limited Industrial (I-1) zoning district is exempt from the Mendocino County's Noise Ordinance that was adopted on April 7, 2026, per the Right to Industry Ordinance outlined in MCC Section 6.35.020. Thus, no impact is anticipated.

b) **Less Than a Significant Impact:** Certain noise levels and vibrations are detrimental to public health, welfare, safety, and quality of life, and are contrary to the public interest. The project does not propose any physical development as part of the application. Demolition of structures conflicting with the proposed boundary lines would occur and would not generate excessive ground borne vibration or noise levels. However, future construction could result in vibration due to grading and compacting. Typically, site preparation activities are the primary noise source from construction. Excessive groundborne vibration and noise levels from future operation of permitted land uses would not exceed current or previous uses. A less than significant impact is anticipated.

c) **No Impact:** The project is not in the vicinity of a private airstrip, public airport, or airport land use plan.

MITIGATION MEASURES: None.

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

5.14 POPULATION AND HOUSING

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

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) **Less Than a Significant Impact:** The project site is zoned within the Limited Industrial District which permits Employee Housing and Day Care Facility (only if associated with Employee Housing) residential use types. Future employee housing dwellings are subject to California Health and Safety Code sections 17000 through 17062.5. There is no dwelling density maximum detailed in the Limited Industrial District. The landowners aim to rezone the parcels in the future to match their Rural Community (RC) land use classification for residential or commercial uses. The RC land classification designates areas that are logical, planned centers for future growth. The Rural Community classification is intended to be applied to small, unincorporated towns and community centers (including areas in the Community Planning Areas) and to areas near City boundaries, which provide a variety of community and tourist-oriented goods and services but may not have well-defined or identifiable commercial or residential districts. This classification may also be appropriate around a central commercial or industrial nucleus.

The RC designation anticipates multiple land uses on any given lot, consistent with and supportive of a higher intensity of development in the community area core that will further define these town centers. Preference shall be given to those projects providing affordable housing, consistent with policies of the County's Housing Element, and infill development. Lower residential density and intensity of development is planned away from the town centers, near the peripheries of the Community Planning Areas, to ensure a transition to outlying resource lands and open space areas. New development shall only be permitted when provisions are made to construct or expand public service facilities, such as schools, recreation facilities, fire stations, water systems, sewer systems, storm drainage, and solid waste disposal facilities.

The project proposes a driveway easement to support the three proposed parcels. Each parcel would be developed with an onsite well for water supply and capacity for a septic system. Employee housing would be compatible with the intentions of the General Plan land use classification and zoning district. Although the project may induce residential development, it would be located in land use designation that it's intended for future growth. Therefore, the project would have a less than significant impact.

b) **No Impact:** The project site is located on a developed parcel for industrial use types. The project proposal does not include any residential development currently. The project would not displace substantial numbers of existing housing necessitating the constructing of replacement housing elsewhere. No impact would occur.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Population and Housing.

5.15 PUBLIC SERVICES

WOULD THE PROJECT result in substantial adverse Physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?	☐	☐	☐	☒
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.[32] 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) The project would not increase the number of residents or employees such that governmental services and/or facilities will have to be expanded. The project would involve the subdivision of three 1± acre parcels with the goal of rezoning the parcel in the future to Rural Community.

i. **No Impact**: Fire protection services would be provided by the Anderson Valley Fire District for compliance with the California Fire Code and delivery of emergency response. CAL FIRE has the Authority Having Jurisdiction for wildfires in this location. The project was referred to the Anderson Valley Community Services District and Fire Department in which no objections to the project have been found. The Anderson Valley Fire Department would need to conduct a full plan review for future development for compliance with the California Fire Code. No new facilities or extension of services would be required.

ii. **No Impact:** The nearest police station is the Ukiah Sheriff's Department located 28± miles northeast of the project site. Future development may include residential use types that would induce minimal population growth. No impact is anticipated.

iii. **No Impact:** The project site is located within the Anderson Valley Unified School District. Minimal residential development may occur. Substantial population growth is not anticipated. Rezoning for higher density development

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

in the future would require CEQA evaluation. The project would not require the provision of new school facilities.

iv. **No Impact:** The project site is 0.2± miles from Indian Creek County Park and 3.6± miles from Hendy Woods State Park. The minor subdivision resulting in three legal parcels could result in increase housing supply. However, no impact is anticipated on park facilities.

v. **No Impact:** The project would not increase residents or employees such that governmental services and/or facilities will have to be expanded. The project would not result in the need for new or physically altered public services and would not substantially affect service ratios, response times, or other performance objectives for any of the public services.

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.[33] 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).[34]

DISCUSSION:

a) **No Impact:** The project site is 0.2± miles from Indian Creek County Park and 3.6± miles from Hendy Woods State Park. Both parks are maintained by local and state agencies. The project result in three legal parcels that would support employee housing, commercial use types, agricultural use types, and industrial uses. The proposed project does not anticipate increasing the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility. No impact would occur.

b) **No Impact:** No recreational facilities are proposed as part of the Project. The Project would not require the construction or expansion of recreational facilities because it would not require the provision of new park facilities.

[33] Mendocino County Parks Division of General Services. Parks. https://www.mendocinocounty.gov/departments/general-services/parks.
[34] County of Mendocino. General Plan Coastal Element. 1985. Revised 2021. https://www.mendocinocounty.gov/home/showpublisheddocument/65985/638587122803630000.

MITIGATION MEASURES: None.

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

5.17 TRANSPORTATION

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

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)[35] 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

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

used in conjunction with average trip lengths to assist in determining whether projects exceed the screening threshold.

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

DISCUSSION:

a) **Less Than a Significant Impact:** The proposed parcels are accessed via an existing driveway on State Route 128. The project was referred to Caltrans and the Mendocino County Department of Transportation (DOT) on August 22, 2025. All of the DOT and Caltrans recommendations have been incorporated as Conditions of Approval in the staff report and resolution. DOT stated that (1) the shared access easement shall be 40 feet in width from a publicly maintained road to each parcel being created. Documentation of access easements shall be provided to the DOT for review prior to final approval; (2) if a parcel map is filed, all easements of record shall be shown on the parcel map. All utility lines shall be shown as easements with widths as shown of record or a minimum of ten feet whichever is greater; (3) This subdivision is located on or near a State Highway. For approach and dedications along and to the State Highway, DOT defers to the recommendations of Caltrans; (4) a 40 foot radius turnaround shall be constructed within a 50 foot radius easement at terminus of access easement to the satisfaction of the DOT; (5) If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the DOT when such improvements have been completed. Prior to the filing of the parcel map, required road improvements must be inspected and approved by the Department of Transportation; and (6) All natural drainage and water courses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. If a Parcel Map is filed, such easements shall be shown on the final parcel map. As of July 2026, no responses from Caltrans were received. The proposed easement would be 40 feet in width and the tentative map indicates a turnaround area on Parcel 3. Caltrans requires the applicant to submit an Encroachment Permit to their office to ensure the existing driveway complies with the Caltrans Highway Design Manual. With the inclusion of the Conditions of Approval recommended by Caltrans and County DOT, the project would have a less than significant impact.

b) **Less Than a Significant Impact:** Considering no development is proposed, no direct impacts would occur. Indirect impacts may result from potential construction of residential dwellings, commercial or industrial structures. According to the MCOG Travel Demand Forecasting Model, one single-family residence is expected to generate 6.91 daily vehicle trips and one multi-family residence is expected to generate 4.25 daily vehicle trips.[36] Considering employee housing is not defined by housing accommodation type, both single-family and multi-family are included in this analysis. Since the parcel is zoned Limited Industrial, commercial and light industrial uses should also be considered. An average of 9 to 17.20 trips is expected per day per job for commercial use types and 1.2 trips are expected per day and per job for industrial uses. The project would result in three legal parcels; therefore, each daily trip should be multiplied by at least three. According to the OPR Technical Advisory, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant impact on transportation.

c) **No Impact:** The project site is accessed by an existing driveway on State Route 128. The three legal parcels would share an easement via the existing driveway. The portion of SR128

[36] Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*. https://mendocinocog.specialdistrict.org/files/f49cda98a/2010+MCOG+Travel+Model-Devt+Report.pdf

where the driveway is sited is relatively straight and does not contain any sharp curves or dangerous intersections. No impact would occur.

d) **No Impact:** No direct impacts would occur because new development is not proposed. The existing driveway approach from SR128 aids with emergency access. With the added conditions recommended by DOT (outlined in subsection a), the project would have no 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. dissertation[37] and 1984 regional synthesis.[38] 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) **No Impact.**

i. **No Impact:** The project was referred to the Northwest Information Center (NWIC) and was heard by the Archaeological Commission. NWIC stated their office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area. The applicants provided an Archaeological Survey prepared by Alta Archaeological Consulting LLC (ALTA). The Archaeological Commission accepted the survey and recommended the applicant follow the survey recommendations Although the property has been used as a sawmill and remanufacturing facility since 1939, the property, as it stands now, contains a modern addition to the mill, making it illegible for historic importance.[39] The project site has not been listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in PRC §5020.1(k). ALTA stated the project area falls within the ancestral territory of both the Northern and Central Pomo peoples. Anderson Valley likely represented a significant conveyance and trading pathway for these two groups and many others. ALTA inquired with the Sacred Lands file for information on cultural significance. In a response dated January 26, 2026, the Native American Heritage Commission indicated that a search of the Sacred Lands File returned a negative result.

ii. **No Impact:** The project was referred to the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, Potter Valley Tribe, Round Valley Tribe and Cahto Tribe on August 22, 2026. On January 26, 2026, ALTA sent outreach letters to Tribal Historic Preservation Officers (THPOs) or appropriate representatives of each tribal group associated with the project area. A representative for Noyo River Indian Community and Sherwood Valley Band of Pomo Indians

[37] Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California,* UC Davis
[38] Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology
[39] Alta Archaeological Consulting LLC. Archaeological Survey Report.

stated they would be interested in receiving project updates and would be willing to consult in the event that the Hopland Band did not agree to consult themselves. On June 2, 2026, County staff consulted with the THPO of Sherwood Valley Band of Pomo Indians and provided additional information about the archaeological survey's determinations. Sherwood Valley Band of Pomo Indians stated they have no further cultural input for this project and will not be requesting cultural monitoring. In the event of an inadvertent finding, Sherwood Valley Band of Pomo Indians is a *Most Likely Descendent (MLD)* of the area. As of July 2, 2026, no other comments were received. ALTAs survey recommendations were added as conditions of approval in the staff report. Consequently, the project would have no impact.

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:

a) **No Impact:** The project site would rely on groundwater and private wells for water supply and would not require construction of new or expanded water facilities. The proposed parcels would be served by onsite septic systems for wastewater. Electricity utility services exist on the subject parcel. There are no natural gas services or telecommunication facilities. The conditions of approval include implementing Best Management Practices for stormwater drainage to prevent pollution into the nearby tributary to Indian Creek. Future developments would be required to comply with the California Building Code for energy and water efficiency. The project would not cause significant effects. With the conditions of approval, the project would have no impact.

b) **No Impact:** Proposed Parcel 1 contains an onsite well that supplies sufficient water quantity. Prior to final approval of this project, the applicants will be required to install a well on proposed Parcel 2 and Parcel 3 to demonstrate adequate water supply. According to the Navarro River Watershed Hydrology Model Development dated February 26, 2024, the Anderson Valley Groundwater Basin has 9 public supply wells and 225 total wells with no documented groundwater level declines.[40] With the installation of water wells on Parcel 2 and 3, the project would have sufficient water supply year-round. No impact is anticipated.

c) **Less Than a Significant Impact:** The proposed parcels would be served by on-site septic systems. Parcel 1 is currently supplied with a septic system. Prior to developments requiring plumbing, a septic system would need to be installed. According to the Soil Survey of Mendocino County, Western Part, the majority of the project site is situated on Talmage gravelly loam and a small portion is sited on Pinole loam soil types. Pinole loam soil is best suited for agriculture development. The Talmage gravelly loam soil unit is used for homesite development, hay production, or pasture. If subject to flooding, this unit is unsuitable for homesite development. However, the project site is not subject to flooding and is suitable for homesite development. The Soil Survey of Mendocino County Western Part states, "the main limitation is the poor filtering capacity in the substratum. The poor filtering capacity can result in failure of septic tank absorption fields. Alternative systems may be needed, such as those that increase separation distances from ground water. Buildings should not be located near natural drainageways." A condition of approval was incorporated to place a note on the final map stating that all future development be located greater than 100 feet from the Indian Creek tributary. Alternative wastewater systems include mound systems for residential wastewater treatment and disposal. According to the California State Water Resources Control Board Guidelines for Mound Systems, "these systems, while more expensive than a conventional onsite wastewater system, enable onsite disposal in areas previously identified as unacceptable for onsite disposal due to shallow groundwater, bedrock, or areas with tight soils".[41]

d) **Less Than a Significant Impact:** In Mendocino County, solid waste management has undergone a significant transformation from waste disposal in landfills supplemented by transfer stations to a focus on transfer stations and waste stream diversion. The project site is located 6.5± miles northwest of the Solid Waste Boonville Transfer Station, located at 18851 Mountain View Rd, Boonville. The Mendocino Solid Waste Management Authority (MSWMA),

[40] Paradigm Environmental. Work Plan: Navarro River Watershed Hydrology Model Development. https://www.waterboards.ca.gov/waterrights/water_issues/programs/supply-and-demand/docs/navarro-river-workplan-2024.pdf. Accessed on July 2, 2026.
[41] California State Water Resources Control Board Guidelines for Mound Systems. https://www.waterboards.ca.gov/publications_forms/publications/general/docs/guidelines-mound-systems-1980.pdf. Accessed July 2, 2026.

a Joint Powers Agency formed in 1990 by the County and cities of Ukiah, Willits, and Fort Bragg, identifies transfer stations, recycling processing facilities, and composting facilities necessary to implement each jurisdiction's waste diversion goals. Mendocino County has adopted a Hazardous Waste Management Plan to guide future decisions by the County and the incorporated cities about hazardous waste management. Policies in the Development Element of the 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 several hazardous waste programs and set forth criteria to guide the siting of new offsite hazardous waste facilities. However, to date, no facilities have been cited in the county. In 1997, the County Division of Environmental Health assumed responsibility for administering hazardous waste generation and treatment regulations. The project does not propose any development at this time. However, demolition materials of the structures conflicting with new boundary lines would be disposed of at the Boonville Transfer station. The project would not 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. A less than significant impact is anticipated.

e) **Less Than a Significant Impact:** The project would comply with all policies, ordinances, and regulations related to solid waste diversion, including composting and recycling. The project would not impair the attainment of solid waste reduction or diversion goals.

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, particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies".[42]

[42] County of Mendocino – Plans and Publications, 2019.

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

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

DISCUSSION:

a) **No Impact:** The project site is within a Wildland Urban Interface area. The project was referred to the Anderson Valley Community Services District (CSD) on August 22, 2025. Anderson Valley CSD made no objections for this project as proposed. Anderson Valley Fire Department (AVFD) would need to conduct a full plan review for future development to be in compliance with the California Fire Code (CFC). The Authority Having Jurisdiction for delivery of emergency response and CFC is the Anderson Valley CSD/ AVFD. The Authority Having Jurisdiction for wildfires is CAL FIRE. No response was received from CAL FIRE. The project would not impair an adopted emergency response plan or emergency evacuation plan.

b) **No Impact:** The project site is relatively flat with soft slopes towards a tributary to Indian Creek. The project does not propose any new development. New development would be required to comply with the California Building Code and California Fire Code standards. Thus, no impact would occur.

c) **No Impact:** The project would not be required to install or maintain associated infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities. The project involves a minor subdivision resulting in three parcels. No development is proposed. All future development would be required to comply with the California Building Code and California Fire Code standards.

d) **Less Than a Significant Impact:** The project involves a subdivision resulting in three parcels. The parcel is relatively flat and is not subject to landsliding, flooding, or post-fire slope instability. Considering stormwater runoff has impacted an unnamed tributary historically that is located adjacent to the parcel, the owners shall install Best Management Practices prior to future ground disturbance. With the inclusion of Best Management Practices for stormwater drainage, the project would have a less than significant impact.

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: WOULD THE PROJECT…

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?

No Impact: The proposed minor subdivision would not substantially degrade the quality of the environment including reducing habitat for fish or wildlife species. The project site historically supported a remanufacturing facility and sawmill, with operations resulting in site disturbances. Condition of Approval No. 19 requires the subdivider to design, install and maintain a stormwater infiltration system along the southwestern property boundary of Parcel 3 to prevent degradation of the Indian Creek tributary by controlling erosion and preventing untreated or excessive runoff from entering the tributary or migrating offsite. Although the property has operated as a remanufacturing facility and sawmill since 1939, the project would not eliminate important examples of the major periods of California history or prehistory. No impact is anticipated.

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).

No Impact: As noted previously, future ground disturbance within disturbed areas of former industrial uses would require the implementation of a soil management contingency plan. In efforts to analyze the operation of future permitted uses, Staff evaluated the project with the California Emissions Estimator Model (CalEEMod) and noted that Parcel 1 and Parcel 2 could have a 30,000 sq. ft. structure and Parcel 3 could have a 50,000 sq. ft. structure. According to the CalEEMod Summary Report (Appendix A), the Average Daily Maximum and Annual pollutant emissions would not exceed the Mendocino County Air Quality Management District's Adopted Air Quality CEQA Thresholds of Significance if future development would implement a soil management contingency plan, meet the required 10 foot front yard setback, and comply with the Rules and Regulations of the Mendocino County Air Quality Management District, including Rule 1-400, Rule 1-430, Rule 1-270, and Rule 1-280. With the incorporation of the Conditions of Approval and compliance with County regulations outlined in this Initial Study, the project would not have cumulatively considerable impacts.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

No Impact: The proposed project would not change the permitted use types within the Limited Industrial zoning district. The difference in environmental effects between build-out of one parcel (subject parcel) and build-out of three parcels (proposed project) is minimal. As stated in the Air Quality and Greenhouse Gas sections of this Initial Study, the Average Daily Maximum and Annual pollutant emissions would not exceed the Mendocino County Air Quality Management District's Adopted Air Quality CEQA Thresholds of Significance if future development would implement a soil management contingency plan, meet the required 10 foot front yard setback, and comply with the Rules and Regulations of the Mendocino County Air Quality Management District, including Rule 1-400, Rule 1-430, Rule 1-270, and Rule 1-280. No changes are proposed in terms of land use and permitted uses; therefore, no impact is anticipated.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Mandatory Findings of Significance.

MS_2025-0002 Summary Report

Table of Contents

1. Basic Project Information
   1.1. Basic Project Information
   1.2. Land Use Types
   1.3. User-Selected Emission Reduction Measures by Emissions Sector
2. Emissions Summary
   2.3. Operations Emissions Compared Against Thresholds
6. Climate Risk Detailed Report
   6.2. Initial Climate Risk Scores
   6.3. Adjusted Climate Risk Scores
7. Health and Equity Details
   7.3. Overall Health & Equity Scores
   7.5. Evaluation Scorecard

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	MS_2025-0002
Operational Year	2027
Lead Agency	County of Mendocino
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	1.70000
Precipitation (days)	61.4000
Location	8750 CA-128, Philo, CA 95466, USA
County	Mendocino
City	Unincorporated
Air District	Mendocino County AQMD
Air Basin	North Coast
TAZ	258
EDFZ	2
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.46

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
General Light Industry	30.0000	1000sqft	0.68871	30,000.0	0.00000	—	—	—
General Light Industry	30.0000	1000sqft	0.68871	30,000.0	0.00000	—	—	—
General Light Industry	50.0000	1000sqft	1.14784	50,000.0	0.00000	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.3. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	7.36994	6.94592	5.29392	30.8945	0.06469	0.16992	6,278.78	6,278.95	0.16420	628.335	628.499	122.255	8,014.74	8,137.00	12.8364	0.43353	50.2448	8,637.34
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	6.55778	6.18649	5.75085	27.1154	0.06335	0.16145	6,278.78	6,278.94	0.15780	628.335	628.493	122.255	7,888.41	8,010.67	12.8605	0.45603	29.1939	8,497.27

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	6.62956	6.26027	5.10100	26.3009	0.05867	0.15958	2.53482	2.69440	0.15525	0.65423	0.80948	122.255	7,406.53	7,528.78	12.8239	0.41553	37.1092	8,010.32
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.20989	1.14250	0.93093	4.79991	0.01071	0.02912	0.46260	0.49173	0.02833	0.11940	0.14773	20.2408	1,226.24	1,246.48	2.12314	0.06880	6.14386	1,326.20

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	2	0	0	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	5	0	0	N/A
Flooding	0	0	0	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5

representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	2	1	1	3
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	5	1	1	4
Flooding	1	1	1	2
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	17.0000
Healthy Places Index Score for Project Location (b)	43.0000
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

Mendocino County
Air Quality
Management District

Adopted Air Quality CEQA thresholds of Significance – June 2, 2010

POLLUTANT	CONSTRUCTION RELATED	OPERATIONAL RELATED	
Criteria Polutants and Precursors (Regional)	Average Daily Emissions (lb/day)	Indirect Average Daily Emissions (lb/day)	Stationary Maximum Annual Emissions (tpy)
ROG	54 (Bay Area AQMD)	180	40
NOx	54 (Bay Area AQMD)	42	40
PM_{10}	82	82	15
$PM_{2.5}$	54	54	10
Fugitive Dust - $PM_{10}/PM_{2.5}$	Best Management Practices	Same as Above	
Local CO	None	125 tpy	
GHG's Projects other than Stationary Sources	None	1,100 Metric Tons of CO_2e/yr OR 4.6 Metric Tons CO_2e/SP/yr (residents + employees)	
GHG's Stationary Sources	None	10,000 MT/yr	
Risk & Hazards – New Source	Same as Operational Thresholds	Increased cancer risk >10 in a million Increased non-cancer risk >1.0 Hazard Index *(Chronic or Acute)* Ambient $PM_{2.5}$ increase >3.0 $\mu g/m^3$ annual average Zone of Influence: 1,000-foot radius from fence line of source or receptor	
Risk & Hazards – New Receptor (Individual Project)	Same as Operational Thresholds	Increased cancer risk >10 in a million Increased non-cancer risk >1.0 Hazard Index *(Chronic or Acute)* Ambient $PM_{2.5}$ increase >3.0 $\mu g/m^3$ annual average Zone of Influence: 1,000-foot radius from fence line of source or receptor	

Air District policy is that adopted thresholds apply to projects for which a Notice of Preparation Is published, or environmental analysis begins, on or after the applicable effective date. The adopted CEQA thresholds – except for the risk and hazards thresholds for new receptors – are effective June 2, 2010. The risk and hazards threshold for new receptors are effective January 1, 2011.

The District recommends that for construction projects that are less than one year duration, Lead Agencies should annualize impacts over the scope of actual days that peak impacts are to occur, rather than the full year.

CO= carbon monoxide; CO_2e= carbon dioxide equivalent; GHGs= greenhouse gases; lb/day= pounds per day; MT= metric tons; NOx= oxides of nitrogen; $PM_{2.5}$= fine particulate matter with aerodynamic resistance diameter of 2.5 microns or less; PM_{10}= respirable particulate matter with aerodynamic resistance diameter of 10 microns or less; PPM= parts per million; ROG= reactive organic gases; SP= service population; tpy= Tons per year; yr= year

Mendocino County
Air Quality
Management District

Adopted Air Quality CEQA thresholds of Significance – June 2, 2010

POLLUTANT	CONSTRUCTION RELATED	OPERATIONAL RELATED
Risk & Hazards – New Source (Cumulative Thresholds)	Same as Operational Thresholds	Cancer > 100 in million (from all local sources) Non-Cancer >10.0 Hazard Index (cronic) (from all local sources) $PM_{2.5}$ >0.8 µg/m^3 annual average (from all sources) Zone of Influence: 1,000-foot radius from fence line of source or receptor
Risk & Hazards – New Receptor (Cumulative Thresholds)	Same as Operational Thresholds	Cancer > 100 in million (from all local sources) Non-Cancer >10.0 Hazard Index (cronic) (from all local sources) $PM_{2.5}$ >0.8 µg/m^3 annual average (from all sources) Zone of Influence: 1,000-foot radius from fence line of source or receptor
Accidental Release of Acutely Hazardous Air Pollutants	None	Storage or use of acutely hazardous materials located near receptors or receptors located near stored or used acutely hazardous materials considered significant
Odors	None	District determination
Plan Level		
Criteria Pollutants & precursors	None	1. Consistency with current Air Quality Plan control measures 2. Projected VMT or vehicle Trip increase is ≤ projected population increase
GHG's	None	Compliance with Qualified Greenhouse Gas Reduction Strategy *(or similar criteria included in General Plan)* OR 6.6 MT Co2e/SP/yr *(Residents + employees)*
Risks & Hazards	None	Overlay zones around existing and planned sources of TACs
Odors	None	Identify locations of odor sources in general plan
Accidental Release of Acutely Hazardous Air Pollutants	None	None
Regional Plans (Transportation & Air Quality Plans)		
GHG's, Criteria Air Pollutants and Precursors, and Toxic Air Contaminants	None	No net increase in emissions

CO= carbon monoxide; CO_2e= carbon dioxide equivalent; GHGs= greenhouse gases; lb/day= pounds per day; MT= metric tons; NOx= oxides of nitrogen; $PM_{2.5}$= fine particulate matter with aerodynamic resistance diameter of 2.5 microns or less; PM_{10}= respirable particulate matter with aerodynamic resistance diameter of 10 microns or less; PPM= parts per million; ROG= reactive organic gases; SP= service population; tpy= Tons per year; yr= year

Resolution Number _____

County of Mendocino
Ukiah, California

DECEMBER 3, 2026

MS_2025-0002 – GARY & VIRGINIA ISLAND

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND GRANTING A MINOR SUBDIVISION OF A 3.7± ACRE PARCEL INTO THREE (3) PARCELS. PARCEL 1 WOULD BE 40,091 SQUARE FEET (SQ. FT.), PARCEL 2 WOULD BE 42,680 SQ. FT., AND PARCEL 3 WOULD BE 54,842 SQ. FT.

WHEREAS, the applicant, Gary & Virginia Island, filed an application for a Minor Subdivision with the Mendocino County Department of Planning and Building Services to divide an existing 3.71± acre parcel into three (3) parcels. Parcel 1 would be 40,091 square feet (sq. ft.), Parcel 2 would be 42,680 sq. ft., and Parcel 3 would be 54,842 sq. ft. A shared easement is proposed connecting all three Parcels to State Route 128, in the town of Philo, on the west side of State Route 128 (SR 128), 0.15± miles east of the intersection of SR 128 and Rays Road (CR 131), located at 8750 Highway 128, Philo (APN 046-060-57, 58, 59); General Plan Rural Community (RC); Zoning Limited Industrial 40,000 Square Feet Minimum (I1:40K); Supervisorial District 5; (the "Project"); and

WHEREAS, a NEGATIVE DECLARATION was prepared for the Project and noticed and made available for agency and public review on November 1, 2026, in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on December 3, 2026, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

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

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

1. **General Plan Findings.** The subject property is within the Rural Community (RC) 40,000 square feet (sq. ft.) minimum land use classification and is sited outside of the boundaries of a water or sewer district. Each of the proposed parcels would meet the minimum parcel size of 40,000 sq. ft. of the RC land use classification. The project site was formerly an industrial sawmill and remanufacturing facility. Proposed Parcel 1 contains an after-the-fact employee housing structure. Proposed Parcel 2 and 3 contain a large lumber storage shed and upon approval of this minor subdivision, the owners plan to remove said shed. Additionally, the subject parcel is sited within the Anderson Valley Community Planning Area. The community goals of the Anderson Valley Planning Area include expanding economic and housing opportunities in Anderson Valley consistent with the desired rural agrarian character of the valley, focus development and community services in and around the four existing communities – Yorkville, Boonville, Philo and Navarro in a manner compatible with physical features and natural resources, enhance the aesthetic appeal and economic viability of towns along the SR 128 corridor, and expand and diversify existing economic ventures. Redevelopment of the formerly industrial and remanufacturing property would provide a public benefit by restoring a developed parcel. The proposed minor subdivision would allow for flexible innovative site and building design as a

means of achieving General Plan, environmental, or housing objectives and promote infill of developed space. As proposed, the proposed minor subdivision complies with the intentions of the Rural Community land use classification, and the policies and goals of the General Plan.

2. **Zoning Consistency.** The subject parcel is located within the Limited Industrial zoning district, with a minimum lot size of 40,000 square feet (I1:40K). Each proposed Parcel will be at least 40,000 square feet and will conform to the minimum lot size. The only residential use types permitted within the current zoning district include employee housing and day care facilities (if associated with employee housing). Single-family residences are not permitted within the current zoning district of I1. Commercial, civic, industrial, and agricultural use types are permitted within I1 zoning district. The surrounding parcels are also zoned I1 and according to the setback requirements outlined in MCC Section 20.096.030, the subject Parcels would have to maintain a 10 foot front yard setback. MCC Section 20.096.035 establishes no minimum side or rear yard setbacks. As proposed, the minor subdivision would conform to the land use, minimum lot sizes, and dimensions of the I1 zoning district. In addition, the proposed minor subdivision would have no impact on the allowable use types within the I1 zoning district. Therefore, the proposed project would be consistent with the intentions of the I1 zoning district.

3. **Division of Land Regulations.** The Mendocino County Subdivision Committee met on August 13, 2026, to discuss this project, and voted unanimously to recommend conditional approval to the Planning Commission. The Subdivision Committee's recommendations have been incorporated as Conditions of Approval. The proposed subdivision is consistent with the general regulations and provisions for subdivisions because:

    a. Each proposed parcel would be sited outside of a water or sewer district and would be a minimum of 40,000 sq. ft. in size.

    b. The width of the proposed parcels would be no less than 100 feet.

    c. Each new parcel would not have a depth greater than three (3) times the average width of the lot.

    d. The side lot lines, so far as possible, would be at right angles to the center line of State Route 128. The proposed driveway easement would bisect all three proposed parcels.

    e. The proposed Parcels would not be divided by a City or County boundary line. As the project site is located within the community of Philo.

    f. The after-the-fact employee housing unit would comply with the minimum front, rear, and side yard setbacks and building height limitations. A Condition of Approval has been incorporated to require that the building setback lines be indicated on the Parcel map as required by the County Zoning Code.

    g. Each proposed Parcel would connect to State Route 128. Since the subject property is developed, a driveway approach exists. A Condition of Approval has been incorporated that requires the owners apply for an encroachment permit from Caltrans to comply with the Caltrans Highway Design Manual. The existing driveway will be extended to serve all proposed Parcels via a dedicated easement, as indicated on the tentative map. Condition of Approval No. 23 requires that all easements of record be shown on the Parcel Map. A Preliminary Leach Field Layout and Design has been prepared for the proposed Parcels. Each proposed Parcel would be capable of supporting a septic system. A Site Evaluation Report is required for Parcels 2 and 3. Parcel 1 contains a well and septic system.

4. Environmental Determination. Negative Declaration. An Initial Study for the proposed project was completed by staff in accordance with the California Environmental Quality Act (CEQA). Based on this initial evaluation, it was found the project would not produce any significant environmental impacts. A Phase 1 Environmental Site Assessment was prepared by SHN Engineering in

October 2023, which recommends the preparation of a soil management contingency plan (Plan). The Plan would be a construction-phase document that provides procedures for managing soil if ground disturbing work occurs in areas of former industrial activity. As such, a Negative Declaration was prepared. With the inclusion of the Conditions of Approval and the implementation of the Soil Management Contingency Plan, the project would have a less than significant impact on the environment.

5. Per MCC Section 17-48.5(A), the Subdivision Committee met on August 13, 2026, to discuss the project. The Committee voted unanimously to recommend conditional approval of the proposed subdivision to the Planning Commission. The Subdivision Committee's recommended conditions of approval have been incorporated into the attached resolution.

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

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

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

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

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

ATTEST: ADRIENNE THOMPSON
Secretary to the Planning Commission

By:_____

BY: IGNACIO GONZALEZ
Interim Chief Planner

CLIFFORD PAULIN, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL

DECEMBER 3, 2026

MS_2025-0002 – GARY & VIRGINIA ISLAND

APPROVED PROJECT DESCRIPTION: Minor Subdivision of a 3.71± acre parcel into three (3) Parcels. The subject parcel is conditionally adjusted by a boundary line adjustment (B_2025-0013). Parcel 1 would be 40,091 square feet (sq. ft.), Parcel 2 would be 42,680 sq. ft., and Parcel 3 would be 54,842 sq. ft. A shared easement is proposed connecting all three Parcels to State Route 128.

CONDITIONS OF APPROVAL:

ALL CONDITIONS OF APPROVAL MUST BE MET PRIOR TO EXPIRATION OF TWENTY-FOUR (24) MONTHS FROM THE DATE OF APPROVAL, UNLESS RENEWED PURSUANT TO THE MENDOCINO COUNTY CODE.

1. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of **$3,093.75** OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within five (5) days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has "*no effect*" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to ensure timely compliance with this condition.**

Aesthetics.

2. The following note shall be placed on the Parcel Map:

   All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.

Air Quality.

3. The following notation shall appear on the Parcel Map:

   Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval.

4. The following notation shall appear on the Parcel Map:

   The access road, driveway and interior circulation routes shall be maintained in such a manner as to ensure minimum dust generation subject to Air Quality Management District Regulation 1 Rule 430. All grading must comply with Air Quality Management District Regulations Rule 430. Any rock material, including natural rock from the property, used for surfacing must comply with Air quality Management District regulations regarding asbestos content.

5. Prior to obtaining a permit for demolition of structures, a completed Asbestos Demolition/ Renovation Notification must be submitted to the Air Quality Management District for review and approval.

Cultural Resources.

6. The following notation shall appear on the Parcel Map:

   In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

7. The following notation shall appear on the Parcel Map:

   Those recommendations outlined in the Archaeological Report dated February 26, 2026, prepared by Seamus Reed, Registered Professional Archaeologist shall be complied with. In the event that additional archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

8. In the event of an inadvertent discovery, Sherwood Valley Band of Pomo Indians are the *Most Likely Descendant (MLD)* of the area.

Fire Safety.

9. The subdivider shall comply with those recommendations of the Anderson Valley Fire District (letter dated 8/22/2025) or other alternatives as acceptable to the Fire District. Written verification shall be submitted by the Anderson Valley Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.

Geology & Soils.

10. The following notation shall appear on the Parcel Map:

    Prior to the issuance of building permits, a soils report and engineered foundation may be required by the Planning and Building Services Department.

11. The subdivider shall **acknowledge in writing** to the Department of Planning and Building Services that all grading activities and site preparation, at a minimum, shall adhere to the following “Best Management Practices”. The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.

    a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.

    b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.

    c. All concentrated water flows shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.

    d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.

    e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to

sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.

f. All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.

g. Pursuant to the California Building Code and Mendocino County Building Regulations, a grading permit will be required unless exempted by the Building Official.

Hydrology & Water Quality.

12. The applicant shall provide the Division of Environmental Health adequate advance written notice (minimum of 15 days) of the date and time any field soil testing procedures for any proposed on-site sewage systems to allow the Division of Environmental Health staff to be present for soil testing.

13. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM #42.04) for Parcels 2 and 3, completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM #26.09).

14. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM #42.04) for a replacement system for the existing structure(s) located on Parcels 1, 2, and 3, completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM #26.09).

15. The applicant shall submit to the Division of Environmental Health an acceptable site development plan at a scale of not more than 1 inch = 50 feet showing all adjacent parcels on one sheet completed by a qualified individual showing the location and dimensions of the initial sewage disposal system(s), 100% replacement area(s), acceptable setback distances to water wells and other pertinent setback distances which may impact project site development.

16. The applicant shall submit to the Division of Environmental Health the results of a 1200-gallon Proof of Water Test – Inland Areas per current requirements (DEH FORM #26.05) completed by a qualified individual of a water source located on Parcels 1, 2, and 3 of the subdivision demonstrating an adequate water supply in compliance with the Division of Environmental Health's Land Division Requirements.

17. The applicant shall submit to the Division of Environmental Health an acceptable standard mineral analysis performed by a certified public health laboratory from an identified source on the subdivision. Compounds to be tested for, at a minimum are: Calcium, Iron (total), Magnesium, Manganese (total), Potassium, Sodium, Bicarbonate, Carbonate, corrosivity (pH), alkalinity (total), total dissolved solids, turbidity, Chloride, Fluoride, Nitrate, Sulfate, Calcium hardness, Magnesium hardness and total hardness.

18. The applicant shall either:

    (1) Submit to the Division of Environmental Health a letter from the district(s) or agency(s) stating that water and/or sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each Parcel in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 & 17.56); OR

(2) Submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered improvement plans for the future installation of services (and main extensions, where required) for each Parcel and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII.

19. To protect the Indian Creek tributary from degradation, the subdivider shall design, install, and maintain a stormwater infiltration system along the southwestern property boundary of Parcel 3. The system shall manage runoff from all rain events. Its purpose is to prevent degradation of the Indian Creek tributary by controlling erosion, reducing pollutant loading, and preventing untreated or excess runoff from entering the tributary or migrating offsite. This area shall be indicated as a drainage easement on the Parcel Map.

Land Use & Planning.

20. Building/Development Setbacks indicating Front/Rear/Side to all property boundaries (existing and proposed) and roadway easements shall be designated on the Parcel Map per MCC Section 17-85(I).

21. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the Parcel Map, the subdivider must (1) obtain a certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid; AND (2) pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

Transportation.

22. There shall be provided an access easement of 40 feet in width from a publicly maintained road to each parcel being created. Documentation of access easement(s) shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.

    Note: Per County of Mendocino Road and Development Standards, the minimum easement width for private minor subdivision roads shall be sixty (60) feet, except where the road does not have the potential to serve more than four parcels, in which case the minimum easement width shall be forty (40) feet.

23. All easements of record shall be shown on the Parcel Map. All utility lines shall be shown as easements with widths as shown of record or a minimum of ten (10) feet, whichever is greater.

24. All natural drainage and water courses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. Such easements shall be shown on the final parcel map.

25. This subdivision is located on or near a State Highway. For dedications along the State Highway, Mendocino County Department of Transportation defers to the recommendations of California Department of Transportation (Caltrans).

26. The applicant shall apply for an encroachment permit to ensure the driveway approach complies with the Current Minimum Standards outlined in the Caltrans Topic 205 Highway Design Manual, Section 510 of the Encroachment Permits Manual & Appendix J – Road Connections and Driveways.

27. The applicant shall demolish or discontinue the secondary driveway that approaches the primary driveway and runs parallel to State Route 128 from the north in its entirety, thereby eliminating unnecessary turning movements near State Route 128.

28. Turnaround Requirements. A 40-foot radius turnaround shall be constructed within a 50-foot radius easement at terminus of access easement to the satisfaction of the Mendocino County Department of Transportation.

29. Turnaround Requirements. Where topography precludes the use of a cul-de-sac design, and if approved in writing by the applicable fire protection service provider(s), in lieu of the turnaround described above, subdivider shall construct a "Hammerhead-T" turnaround within a forty (40) foot wide by eighty (80) foot long easement at the terminus of the access easement. Turnaround shall be constructed with eight (8) inch minimum rock base, twenty (20) feet wide and sixty (60) feet long, with twenty (20) foot radius surfacing returns.

Special Conditions.

30. Prior to recordation of the Parcel Map, the applicant or owner shall obtain and finalize a building permit for change of occupancy for the after-the-fact conversion of the office into an employee housing unit.

31. When all conditions of approval have been satisfied, the applicant shall submit the completed Parcel Map and the Recording Fees to the Planning and Building Services Department for review, approval, and recordation.