



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482  
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR  
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April 25, 2022

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT NEGATIVE  
DECLARATION FOR PUBLIC REVIEW AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission, at their regular meeting to be held on Thursday, June 16, 2022, at 9:00 a.m., will conduct a public hearing on the following project and Draft Negative Declaration at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation in an effort to slow the spread of COVID-19 and pursuant to the recommendation of the Mendocino County Health Officer and the California Department of Industrial Relations. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

**CASE#:** MS\_2021-0003

**DATE FILED:** 6/18/2021

**OWNER APPLICANT:** BARBARA GENE WILLENS

**AGENT:** SAM POPE

**REQUEST:** Two lot minor subdivision of a 40.28± acre parcel to create one parcel of 20.14± acres (Lot 1) and one parcel of 20.14± acres (Lot 2).

**ENVIRONMENTAL DETERMINATION:** NEGATIVE DECLARATION

**LOCATION:** 5± miles northwest of the City of Willits, between Sherwood Road (CR 311) and Timberline Road (private), located at 29301 Timberline Rd, Willits; APN: 037-680-38.

**SUPERVISORIAL DISTRICT:** 3

**STAFF PLANNER:** TIA SAR

A copy of the Draft Negative Declaration, Staff Report and Notice will be available for public review 30 days prior to the hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California. The staff report, draft negative declaration, and notice will also be available on the Department of Planning and Building Services website at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

Your comments regarding the above project(s) and/or Draft Negative Declaration are invited. Written comments may be submitted by mail to the Department of Planning and Building Services Commission Staff, 860 North Bush Street, Ukiah, California. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) by June 1, 2022, or orally via telecomment in lieu of personal attendance. All public comment will be made immediately available to the Planning Commission, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

The Planning Commission's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal is the 10th day after the Planning Commission's decision. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling 707-234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services



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**PLANNING COMMISSION  
STAFF REPORT- MINOR SUBDIVISION**

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**JUNE 16, 2022  
MS\_2021-0003**

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**SUMMARY**

**OWNER/APPLICANT:** BARBARA GENE WILLENS  
29301 TIMBERLINE ROAD  
WILLITS, CA 95490

**AGENT:** SAM POPE  
1540 HARRAH DRIVE  
WILLITS, CA 95490

**REQUEST:** Two lot minor subdivision of a 40.28± acre parcel to create one parcel of 20.14± acres (Lot 1) and one parcel of 20.14± acres (Lot 2).

**LOCATION:** 5± miles northwest of the City of Willits, between Sherwood Road (CR 311) and Timberline Road (private), located at 29301 Timberline Rd, Willits, APN: 037-680-38.

**TOTAL ACREAGE:** 40.28± Acres

**GENERAL PLAN:** Remote Residential- 20 acre minimum (RMR20)

**ZONING:** Division I: Upland Residential, twenty acre minimum (UR20)

**SUPERVISORIAL DISTRICT:** 3 (Haschak)

**ENVIRONMENTAL DETERMINATION:** Negative Declaration

**RECOMMENDATION:** APPROVE WITH CONDITONS

**STAFF PLANNER:** TIA SAR

**BACKGROUND**

**PROJECT DESCRIPTION:** Minor Subdivision of a 40.28± acre parcel into two parcels of 20.14± and 20.14± acres in size. The intent of the subdivision is to create separate parcels for each of the existing single-family residences.

**SITE CHARACTERISTICS:** The subject parcel is located approximately 5 miles northwest of the City of Willits, on the east side of Timberline Road. There is a riverine along the northern property line and southeast corner of the property. The existing development on proposed Lot 1 includes a main dwelling, a shop, a carport, a pump house, a cabin (non-residential use, currently a storage building), a pond as well as a small orchard. Proposed Lot 2 is developed solely with a main residence. The current lot is served by two existing onsite wells and septic systems. The proposed project will provide each parcels with one of the existing well and septic system. Vegetation on the parcel is dense surrounding the location of the two dwellings. A Riverine flows roughly 700 feet northern and 500 feet southwest of the project parcel. The parcel is not in a flood zone. The soil type on the property consists of 110 Casabonne-Wholy loams soil.

**PUBLIC SERVICES:**

Access: Timberline Road (Private)  
Fire District: Brooktrails Community Service District  
Water District: Onsite Well  
Sewer District: Onsite Septic System

School District: Willits Unified School District

**SURROUNDING LAND USE AND ZONING:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	RMR (Remote Residential)	Upland Residential (UR)	30.16± Acres	Residential, Open Space
<b>EAST</b>	RMR (Remote Residential)	Upland Residential (UR)	24.71± Acres	Open Space
<b>SOUTH</b>	RMR (Remote Residential)	Upland Residential (UR)	31.42± Acres	Residential
<b>WEST</b>	RMR (Remote Residential)	Upland Residential (UR)	23.35± Acres	Residential

**AGENCY COMMENTS:** On August 10, 2021, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

<b>REFERRAL AGENCIES</b>	<b>COMMENT</b>
Brooktrails Fire District	No Comment
Archaeological Commission	Comment
Air Quality Management District	No Comment
Assessor's Office	No Response
Building Division, Ukiah	No Comment
State Clearing House	No response
Department of Transportation (DOT)	Comment
Environmental Health (EH)	Comment
Department of Forestry/CalFire-Land Use	No Response
Department Fish and Wildlife	No Response
RWQCB	No Response
Potter Valley Tribe	No Response
Sonoma State University	Comment
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Willits City Planning	No Response

**KEY ISSUES**

**1. General Plan & Zoning Consistency:** The subject parcel has a General Plan Land Use Designation of Remote Residential (RMR) as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Remote Residential classification (Policy DE-15) is intended to,

*“be applied to lands having constraints for commercial agriculture, timber production or grazing, which are well suited for small scale farming and low density agricultural/residential uses by the absence of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource land uses. The classification is also applied to some areas which might not otherwise qualify except for the fact that the land has been divided and substantial development has occurred.*

*General Uses: Residential uses, agricultural uses, cottage industries, residential clustering, public facilities, conservation and development of natural resources, and recreation utility installations.*

*Minimum Parcel Size: Twenty acres, or forty acres, as designated on the Land Use Map.*

*Maximum Dwelling Density: One dwelling per 20 acres or 40 acres as designated on the Land Use Map. County review and approval required for more than one dwelling per legally created parcel.”*

The existing parcel is developed with two existing single-family residences that are served by separate wells and septic systems. On September 22, 2021, our office received comments from Mendocino County Environmental Health, "need proof of water for both parcels." Later, the project was reviewed by Mendocino County Subdivision Committee on December 9, 2021, per the Subdivision Committee Recommended Condition, Environmental Health noted that, proof of water has been met and approved.

The lot is accessed by a private road (Timberline Road) and served by local public services for fire protection. The proposed subdivision intends to provide a separate parcel for each of the existing dwelling units; further development of the land would be limited due to a number of constraints including proximity to riverine and capacity of the existing well and septic system to accommodate additional residences. The project could result in some impacts due to potential future development of accessory dwelling units. It can therefore be found that the proposed subdivision is consistent with the 20 acre minimum parcel size and one dwelling per 20 acres in RMR General Plan Land Use Designation.

The proposed project is also consistent with the Upland Residential (UR) zoning district, as defined by the Mendocino County Code (MCC). MCC Section 20.056 defines Upland Residential as a district,

*"intended to create and enhance farming and low-density agricultural/residential uses. Typically the U-R District would be applied to nonprime production lands which have constraints to commercial agriculture, timber production or grazing but which are absent of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource lands."*

The required minimum lot size for UR Zoning District is 20 acres. The existing and future development shall not exceed the height limit of 35 feet above natural grade and consistent with the 50 feet minimum front, rear, and sides yard setbacks requirements for the UR Zoning District.

The proposed project is consistent with the UR zoning district as the subdivision would further define the project area as a residential neighborhood and provide separate parcels for each existing dwelling unit. As noted above, the two existing single-family residences are connected to existing wells and septic systems and served by the Brooktrails Fire District, as well as accessed by a private road (Timberline Road).

The only Commercial Use Type that is principally permitted in the UR zoning district is Animal Sales and Services-stables. All other commercial uses will require a discretionary permit to determine their consistency with the UR zoning district. Any development shall comply with Therefore, it can be found that the proposed subdivision is consistent with the UR zoning district.

A referral was sent out on August 10, 2021, PBS received an updated comment from CalFire, which requires the minor subdivision to comply with applicable provisions of the SRA/VHFHSZ Fire Safe Regulations.

**2. Division of Land Regulations:** The project was reviewed by the Mendocino County Subdivision Committee on December 9, 2021, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in MCC §17-48.5. The proposed project conflicts with the County Division of Land Regulations 17-52(F). The proposed subdivision depth is greater than three (3) times the average width of the lot (1:3 width to depth ratio). Both residences were developed on the same end of the property, the location of existing development limits the subdivision layout options available. There's a terrain at the back of the parcels that would make development there unrealistic.

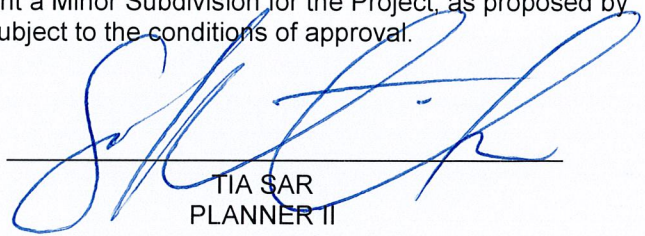
**3. Environmental Protection:** An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). There are no significant impacts to the environment identified which would result from the project, thus a Negative Declaration was prepared. It is noted in the Initial Study that the proposed subdivision could result in some impacts due to potential future development of accessory dwelling units; however these were considered to be less than significant impacts.

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**RECOMMENDATION**

By resolution, adopt a Negative Declaration and grant a Minor Subdivision for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

4/20/2022  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
TIA SAR  
PLANNER II

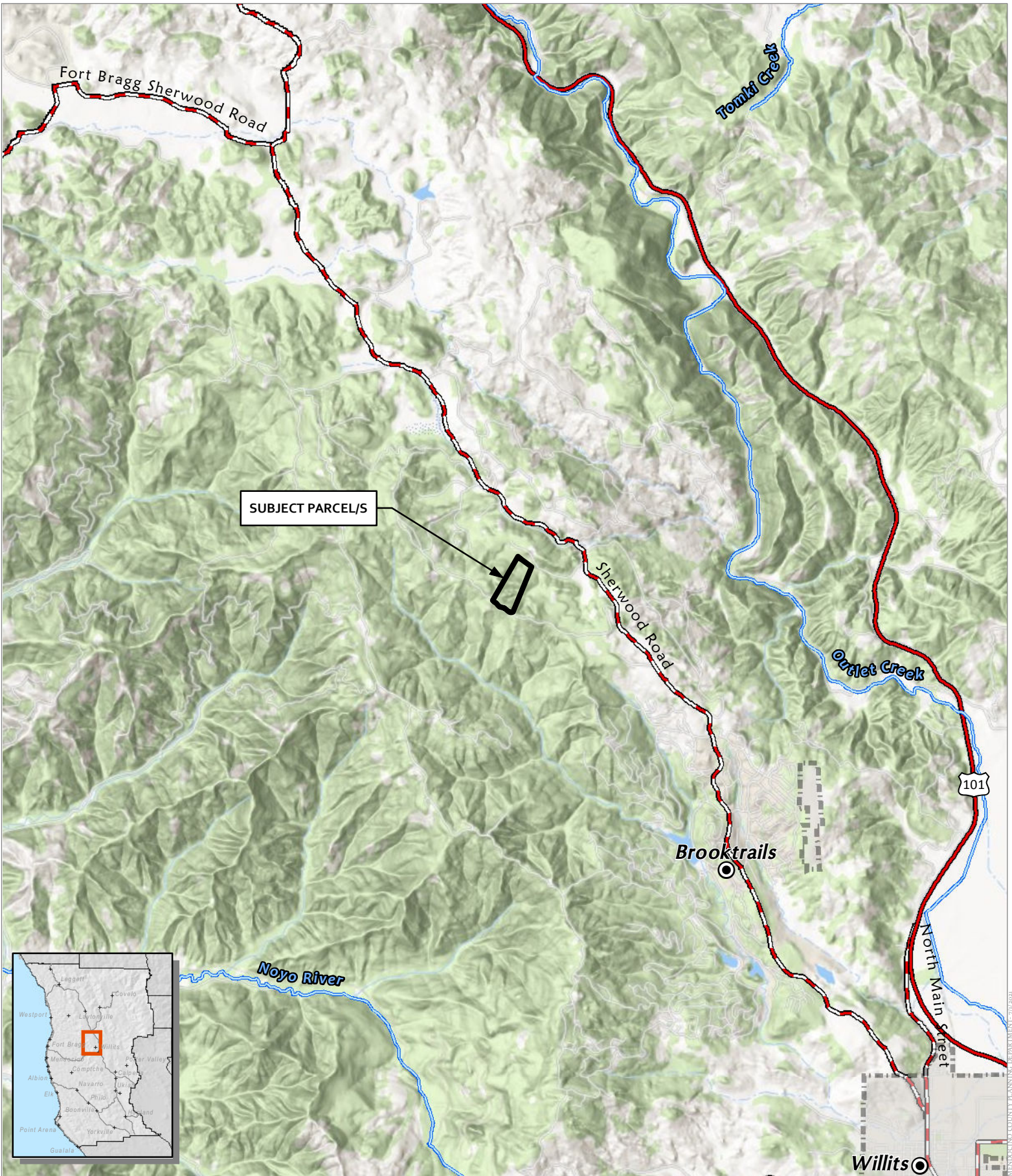
Appeal Period: 10 Days  
Appeal Fee: \$2,620

**ATTACHMENTS:**

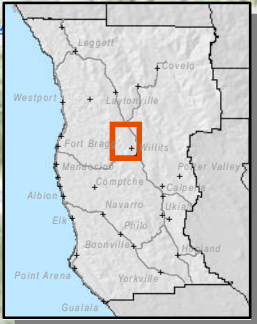
- |                                 |                                   |
|---------------------------------|-----------------------------------|
| A. Location Map                 | H. Fire Responsibility Areas      |
| B. Aerial Map (Vicinity)        | I. Wildland-Urban Interface Zones |
| C. Topographical Map            | J. Classified Wetlands            |
| D. Tentative Map                | K. Slope                          |
| E. Zoning Display Map           | L. Local Soils                    |
| F. General Plan Classifications | M. Farmland Classifications       |
| G. Adjacent Parcels             |                                   |

**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):**

**[NEGATIVE DECLARATION] Initial Study available online at: [www.mendocinocounty.org/pbs](http://www.mendocinocounty.org/pbs)**

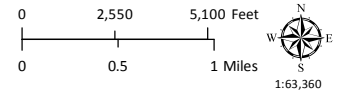


SUBJECT PARCEL/S



CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Wilens  
 AGENT: Sam Pope  
 ADDRESS: 29301 Timberline Road, Willits

- Major Towns & Places
- Major Roads
- City Limits
- Highways

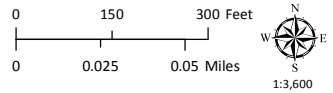


LOCATION MAP

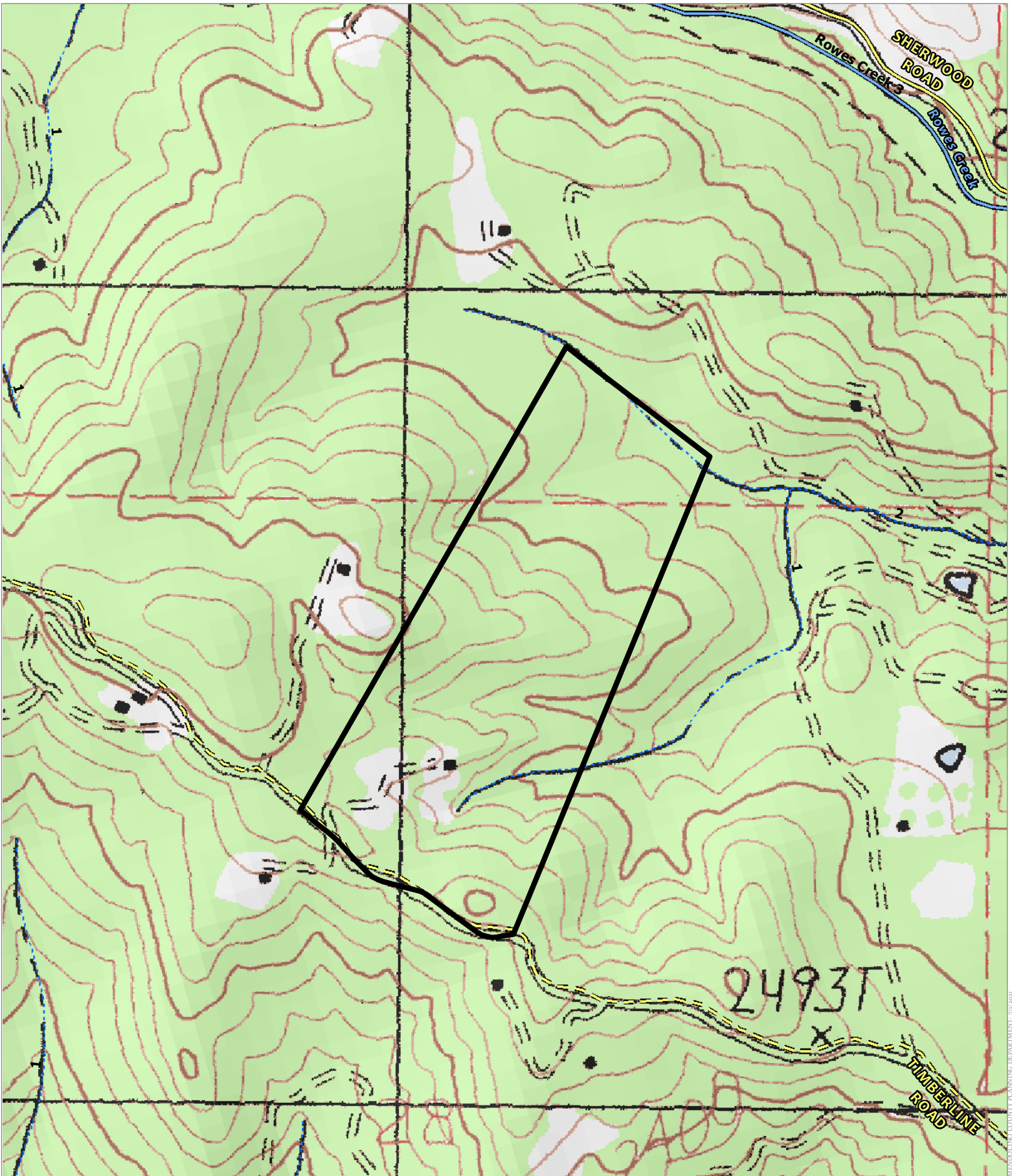


CASE: MS 2021-0003  
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== Private Roads

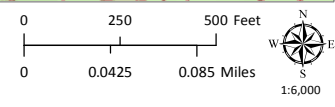


AERIAL IMAGERY



CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Willens  
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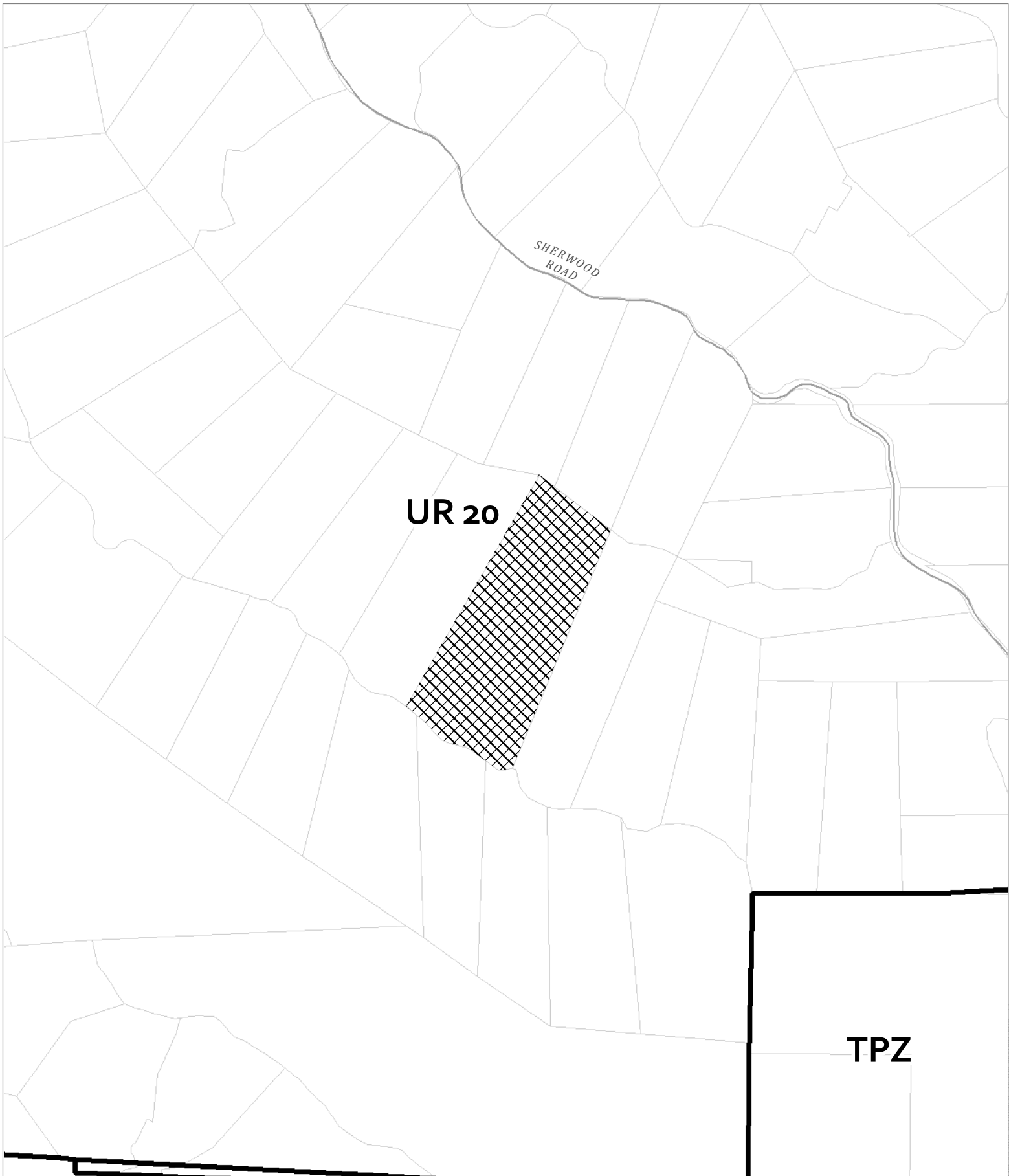
-  Named Rivers
-  Public Roads
-  Private Roads



TOPOGRAPHIC MAP  
 CONTOUR INTERVAL IS 40 FEET


MENDOCINO COUNTY PLANNING DEPARTMENT 7/10/2021

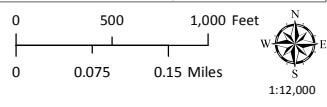




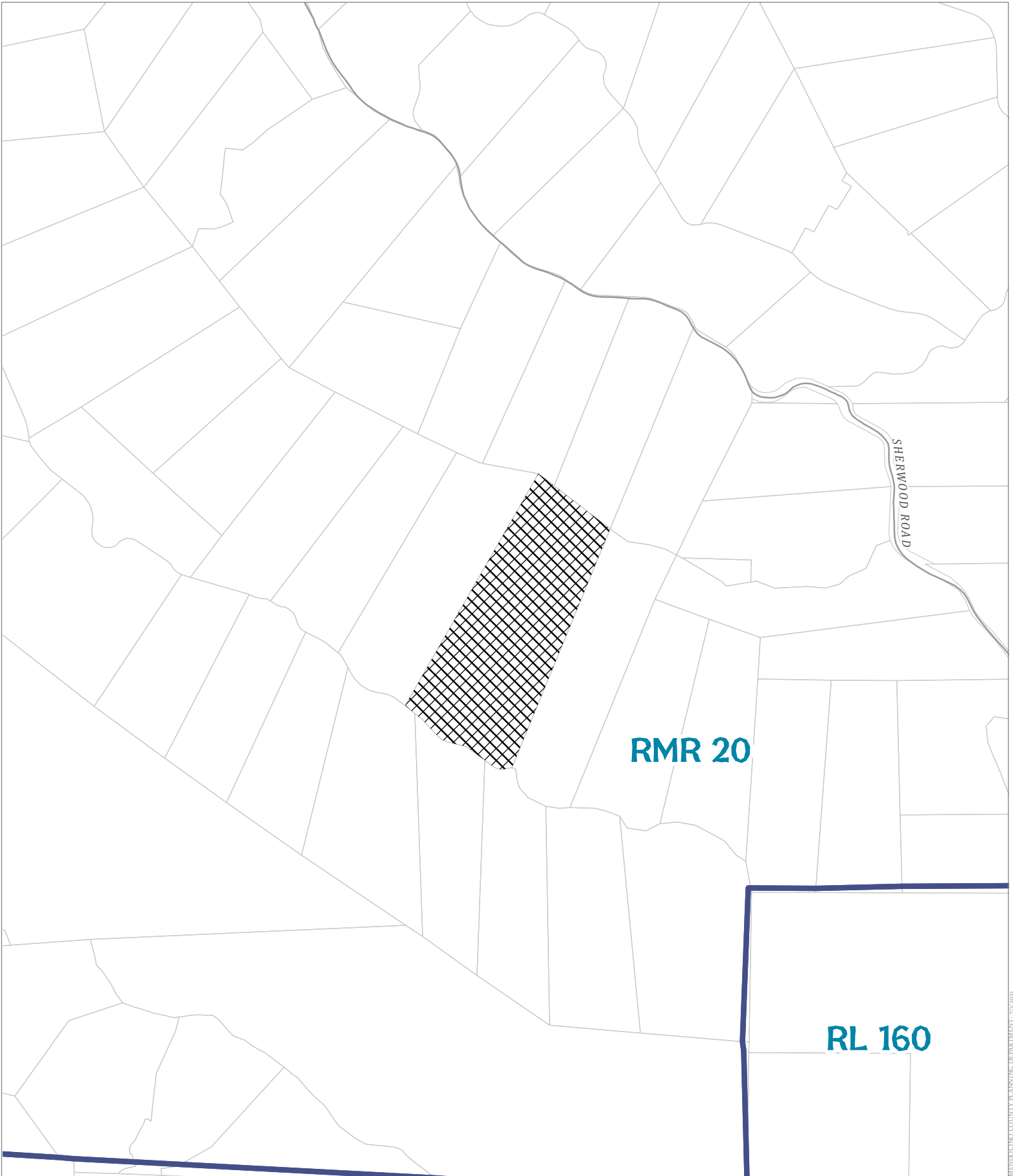
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/1/2024

CASE: MS 2021-0003  
OWNER: WILLENS, Barbara  
APN: 037-680-38  
APLCT: Barbara Wilens  
AGENT: Sam Pope  
ADDRESS: 29301 Timberline Road, Willits

 Zoning Districts  
 Public Roads

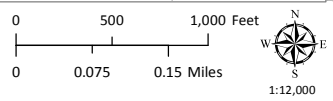


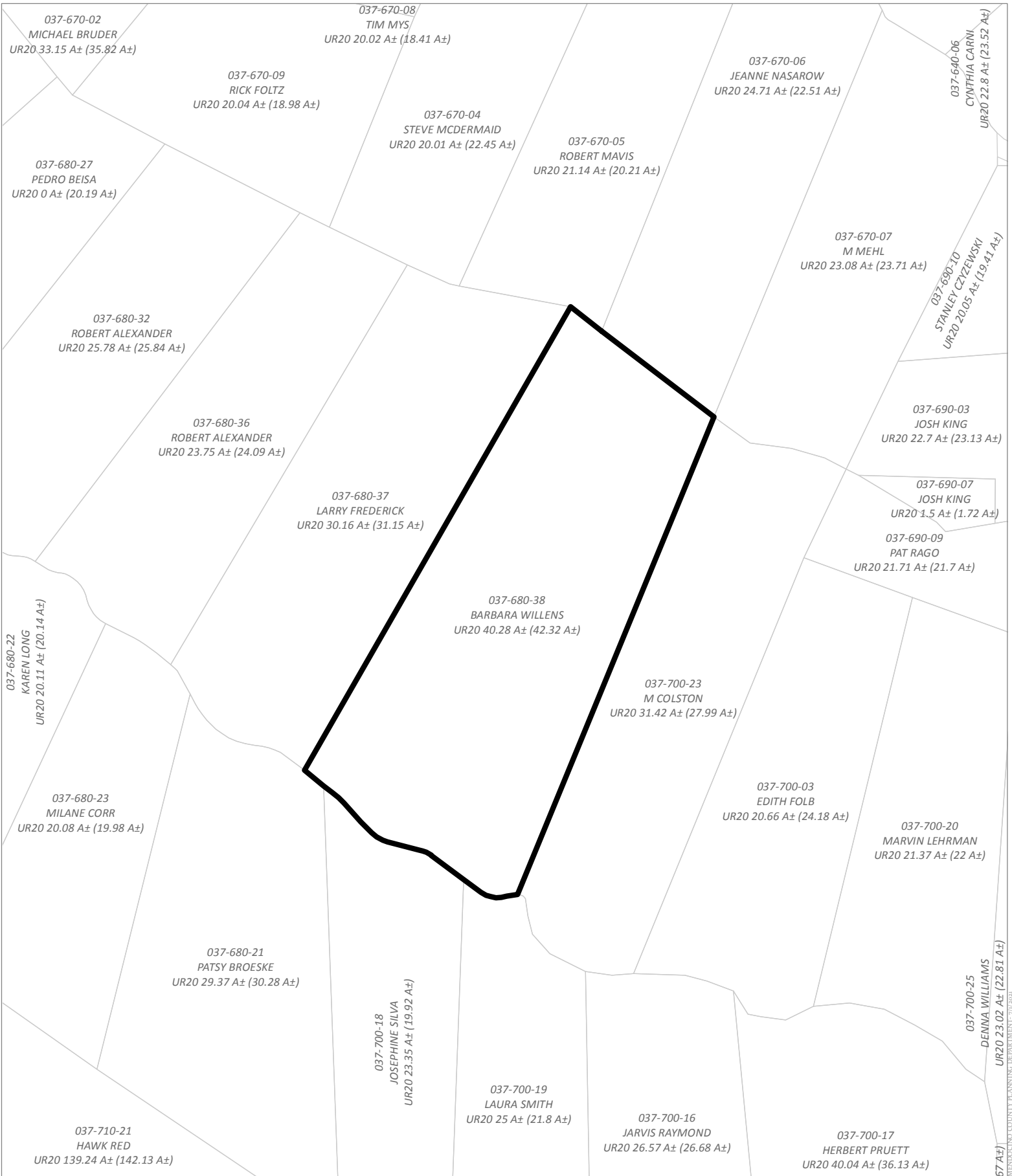
ZONING DISPLAY MAP



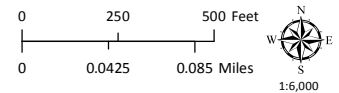
CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Wilens  
 AGENT: Sam Pope  
 ADDRESS: 29301 Timberline Road, Willits

 General Plan Classes  
 Public Roads

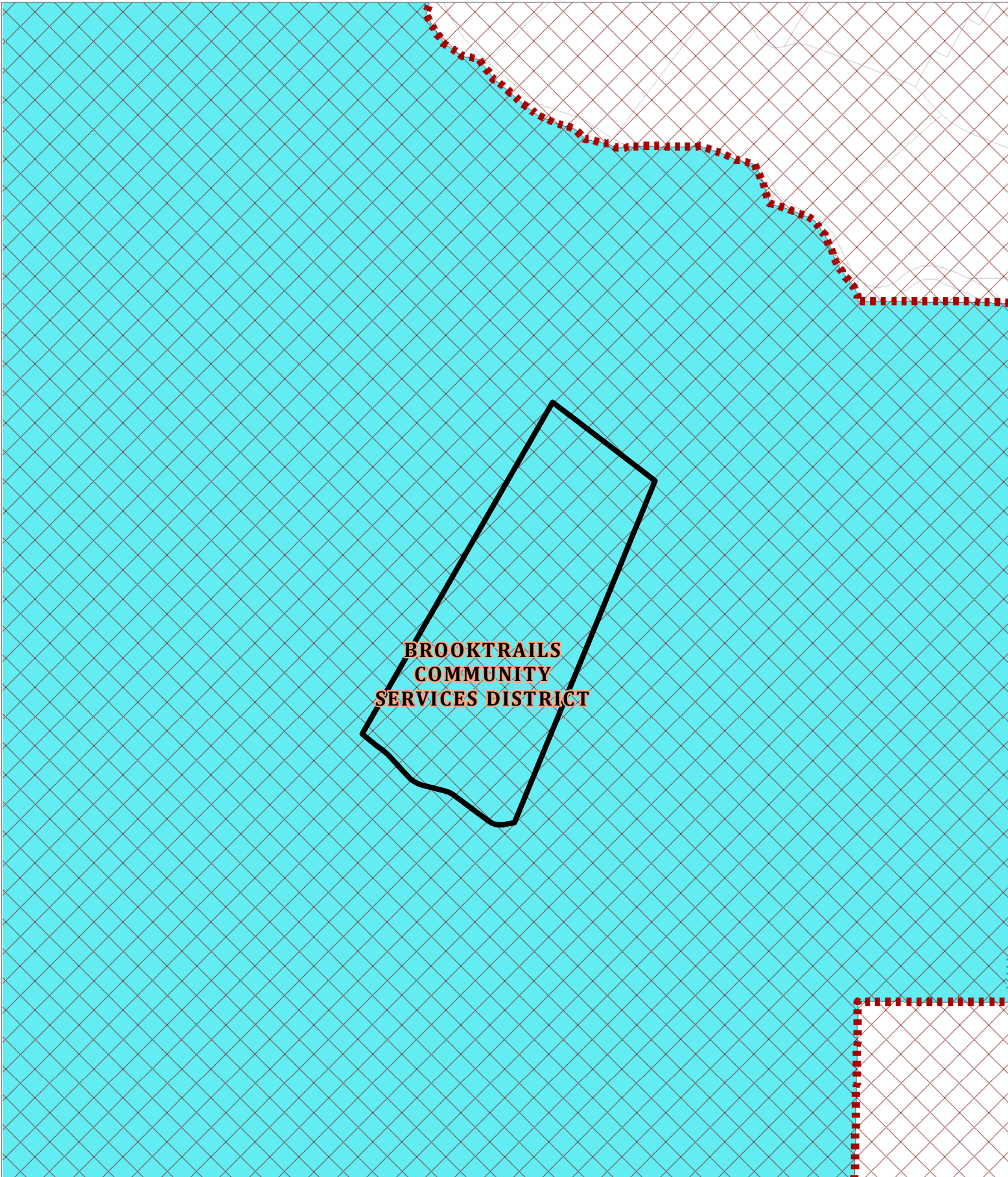




CASE: MS 2021-0003  
 OWNER: **WILLENS, Barbara**  
 APN: 037-680-38  
 APLCT: **Barbara Willens**  
 AGENT: **Sam Pope**  
 ADDRESS: 29301 Timberline Road, Willits





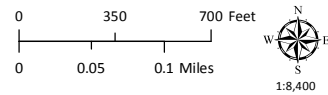
ADJACENT PARCELS



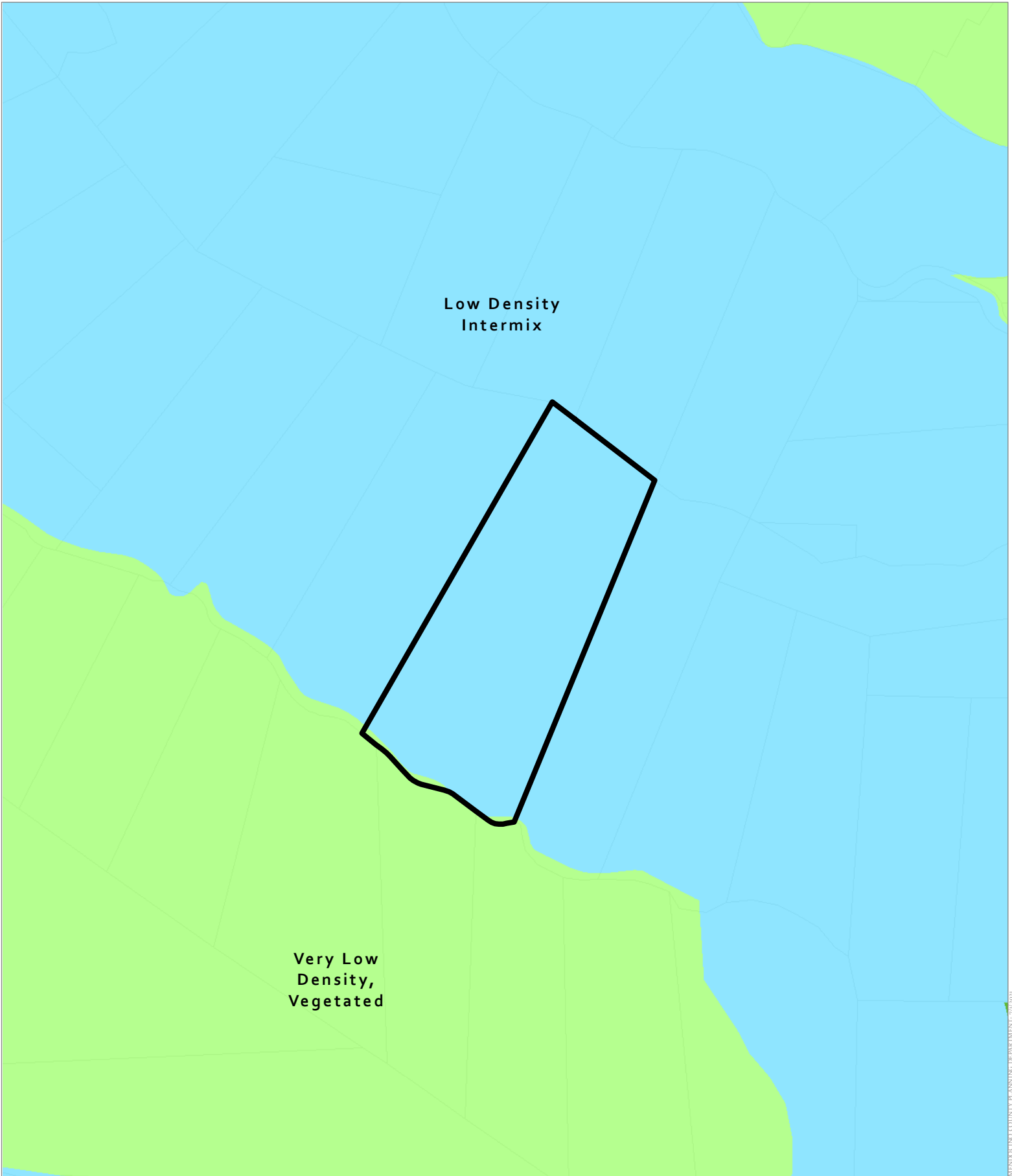
**BROOKTRAILS  
COMMUNITY  
SERVICES DISTRICT**

CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Wilens  
 AGENT: Sam Pope  
 ADDRESS: 29301 Timberline Road, Willits

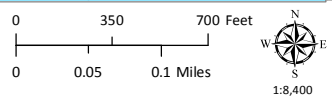
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts

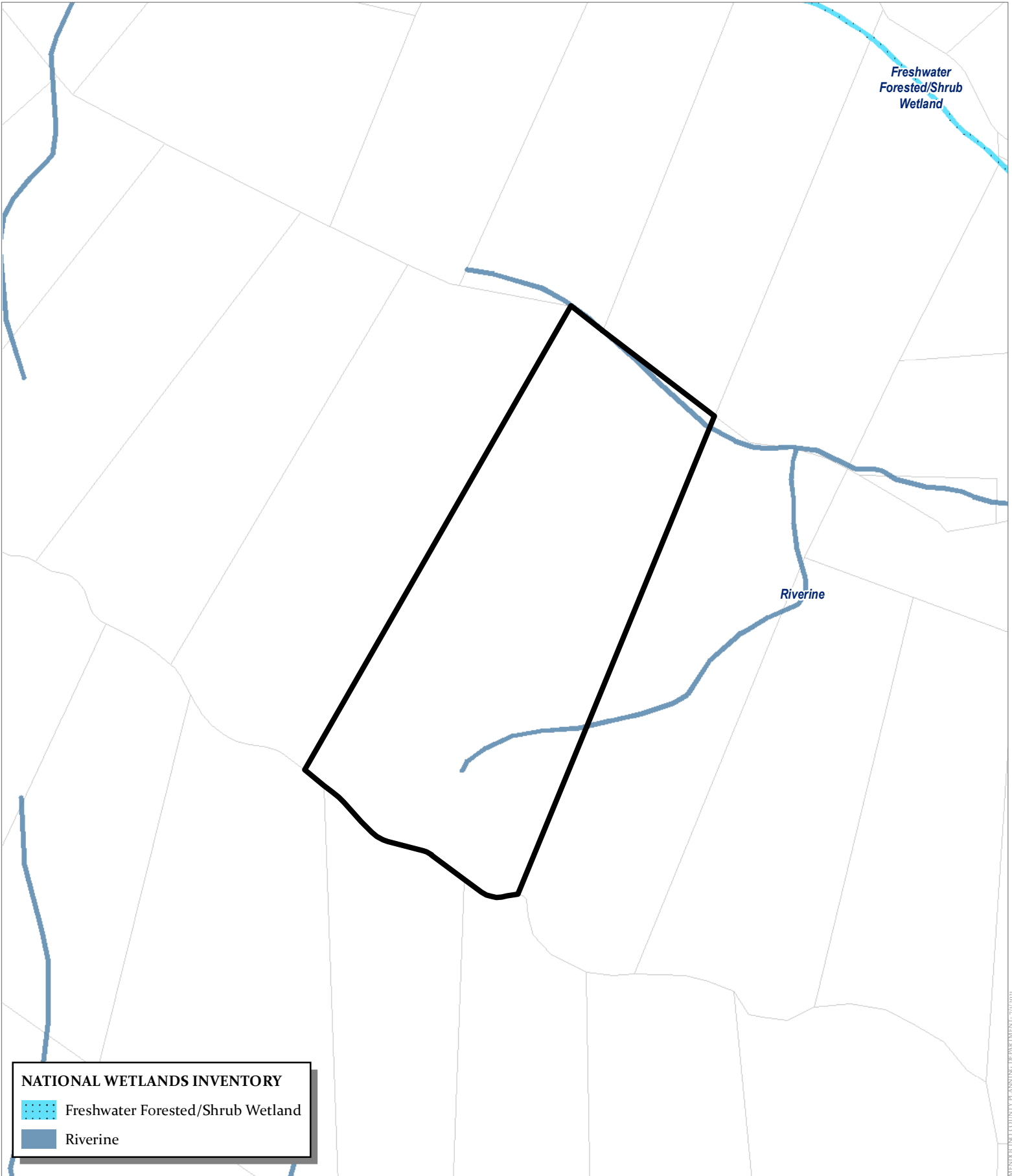


**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA



CASE: MS 2021-0003  
OWNER: WILLENS, Barbara  
APN: 037-680-38  
APLCT: Barbara Wilens  
AGENT: Sam Pope  
ADDRESS: 29301 Timberline Road, Willits





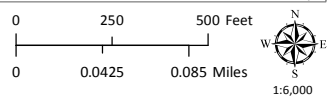
Freshwater Forested/Shrub Wetland

Riverine

**NATIONAL WETLANDS INVENTORY**

- Freshwater Forested/Shrub Wetland
- Riverine

CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Willens  
 AGENT: Sam Pope  
 ADDRESS: 29301 Timberline Road, Willits

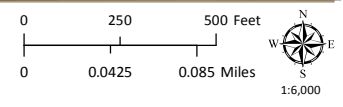
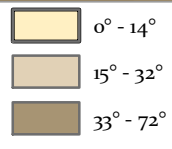


MENDOCINO COUNTY PLANNING DEPARTMENT - 7/1/2024

**WETLANDS**



CASE: MS 2021-0003  
OWNER: WILLENS, Barbara  
APN: 037-680-38  
APLCT: Barbara Wilens  
AGENT: Sam Pope  
ADDRESS: 29301 Timberline Road, Willits



ESTIMATED SLOPE

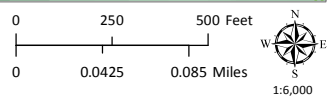
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/16/2021



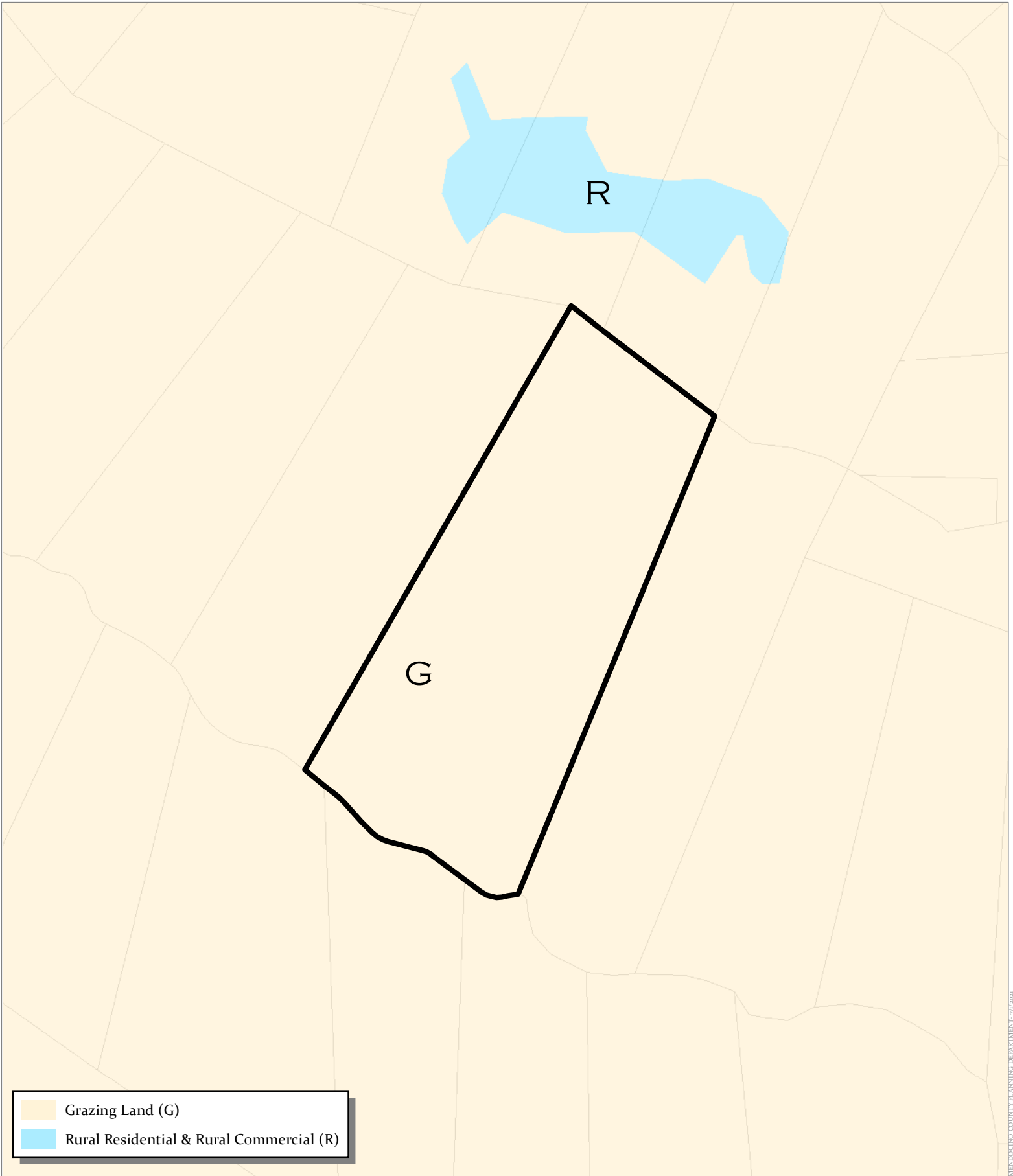
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/1/2024

CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Wilens  
 AGENT: Sam Pope  
 ADDRESS: 29301 Timberline Road, Willits

 Naturally Occurring Asbestos

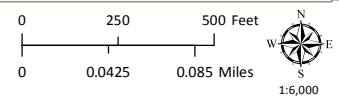


EASTERN SOIL CLASSES



- Grazing Land (G)
- Rural Residential & Rural Commercial (R)

CASE: MS 2021-0003  
 OWNER: WILLENS, Barbara  
 APN: 037-680-38  
 APLCT: Barbara Willens  
 AGENT: Sam Pope  
 ADDRESS: 29301 Timberline Road, Willits



FARMLAND CLASSIFICATIONS

***PUBLIC DRAFT  
INITIAL STUDY and ENVIRONMENTAL CHECKLIST***

***FOR  
BARBARA WILLENS, TRUSTEE  
MINOR SUBDIVISION AT 29301 TIMBERLAND ROAD, WILLITS, CA 95490***

**March 4, 2022**

**Lead Agency:  
County of Mendocino**

**Lead Agency Contact:**  
Tia Sar, Planner II  
Mendocino County Planning and Building Services  
860 North Bush Street, Ukiah, CA 95482  
(707) 234-6650

**Section I Description Of Project/Project Summary****DATE:** 3/4/2022**CASE#:** MS\_2021-0002**DATE FILED:** 6/8/2021**OWNER/APPLICANT:** BARBARA GENE WILLENS**AGENT:** SAM POPE**REQUEST:** Two lot minor subdivision of a 40.28± acre parcel to create one parcel of 20.14± acres (Lot 1) and one parcel of 20.14± acres (Lot 2).**ENVIRONMENTAL DETERMINATION:** Negative Declaration**LOCATION:** 5± miles northwest of the City of Willits, between Sherwood Road (CR 311) and Timberline Road (private), located at 29301 Timberline Rd, Willits; APN: 037-680-38.**STAFF PLANNER:** TIA SAR**Section II Project Description****INTRODUCTION:** Minor Subdivision of a 40.28± acre parcel into two parcels of 20.14± and 20.14± acres in size. The intent of the subdivision is to create separate parcels for each of the existing single-family residences.**SETTING AND LOCATION:** The subject parcel is located approximately 5 miles northwest of the City of Willits, on the east side of Timberline Road. There is a riverine along the northern property line and inside the southeast corner of the property. The existing development on proposed Lot 1 includes a main dwelling, a shop, a carport, a pump house, a cabin (non-residential use, currently a storage building), a pond as well as a small orchard. Proposed Lot 2 is developed solely with a main residence. The current lot is served by two existing onsite wells and septic systems. The proposed project will provide each parcels with one of the existing well and septic system. Vegetation on the parcel is dense surrounding the location of the two dwellings. A Riverine flows roughly 700 feet northern and 500 feet southwest of the project parcel. The lot is not in a flood zone. The soil type on the property consists of 110 Casabonne-Wholy loams soil.**BASELINE CONDITIONS:** Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline set of physical characteristics. For this project, the baseline conditions include all existing development and the current parcel configuration. The parcel is located on the east side of private road, Timberline Road, which is ultimately accessed from county road Sherwood Road (CR 311), and is surrounded by developed upland residential zoned parcels.**Section III Environmental Checklist.**

*"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).*

*Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.*

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

An explanation for all checklist responses is included, and all answers take into account 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.

**INITIAL STUDY/ENVIRONMENTAL REVIEW:** This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

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

Thresholds of Significance: The project would have a significant effect on aesthetics if it would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited

to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of public views of the site and its surroundings (if the project is in a non-urbanized area) or conflict with applicable zoning and other regulations governing scenic quality (if the project is in an urbanized area); or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Discussion: A scenic vista is defined as a location that offers a high quality, harmonious, and visually interesting view. One roadway in Mendocino County, State Route (SR) 128, was officially added to the eligibility list of State Scenic Highways by California State Assembly Bill 998 on July 12, 2019. According to CalTrans, SR 1 and SR 20 are “eligible” for designation as scenic highways, but have not been officially designated as such.

State Route 1 is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, is part of the National Highway System, a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. State Route 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a “scenic highway”, meaning that there are substantial sections of highway passing through a “memorable landscape” with no “visual intrusions.”

Additionally, the County has two roadway segments designated as “heritage corridors” by California Public Resources Code Section 5077.5. The North Coast Heritage Corridor includes the entire segment of SR 1 in the county, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It includes the entire segment of SR 20 within the county and the segment of US 101 from the SR 20 junction north of Calpella to the SR 20 highway exit south of Willits. Mendocino County's General Plan Resource Management Goal RM-14's (Visual Character) objective is: *Protection of the visual quality of the county's natural and rural landscapes, scenic resources, and areas of significant natural beauty.* The project location is not adjacent to a designated heritage corridor nor a State Scenic Highway.

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. Mendocino County's General Plan Resource Management Goal RM-15's (Dark Sky) objective is: *Protection of the qualities of the county's nighttime sky and reduced energy use.*

- a-d) **No Impact:** The proposed subdivision is not located in a designated scenic area, nor can a scenic vista be observed at or from the site. The parcel is located on a Private Road (Timberline Road), which is ultimately accessed from Sherwood Road (CR 311). US Highway 101 is the nearest major highway to the subject parcel, located approximately one mile northeast. The parcel is not visible from the portion of US 101 that is designated as “heritage corridor.” As the subject parcel is already developed, the proposed subdivision would not result in any significant impacts to the visual resources of the surrounding area. Approving the subdivision would allow for the potential future construction of additional accessory dwelling units on each new parcel; however, no impact is anticipated as the neighborhood is already residential and any such development would be aligned with its existing character. Any new development would require that external light sources be downcast and shielded to prevent light pollution from effecting neighboring parcels, as well as Dark Sky policies.

## MITIGATION MEASURES

None.

**FINDINGS**

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

<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter “farmland”), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; 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)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

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

The Williamson Act (officially the California Land Conservation Act of 1965) is a California law that provides relief of property tax 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 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.

- a) **No Impact:** The subject parcel has one designation by the FMMP: Grazing Land (G). The proposed subdivision is not located on any farmland and would not result in the loss of any Prime or Unique Farmland, as designated by the State.
- b) **No Impact:** The proposed subdivision is not located on any lands designated as “agricultural,” nor is the subject parcel under a Williamson Act Contract.
- c - d) **No Impact:** The proposed subdivision is not adjacent to any parcel designated as Timber Production Zoning (TPZ) or Forest Lands (FL), nor are there any timber or forest resources identified as being located near the subject parcel.
- e) **No Impact:** The proposed subdivision entails the creation of two parcels, each with its own existing residence. The subject parcel is currently within the Upland Residential (UR) Zoning District, it would not impact any agriculturally viable lands. The subject parcel is not located adjacent to or near any land designated for its forest or timber resources.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

III. <b>AIR QUALITY</b> . Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; 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; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

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

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

- 1) All visibly-dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust. In December, 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM2.5. All stationary and portable diesel engines over 50 horse power need a permit through the MCAQMD.

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

- a - d) **No Impact:** The proposed subdivision would not impact Air Quality as the project will simply be creating separate parcels for each existing residence. There is potential, in the future, for the construction of accessory dwelling units and other structures, but all such development must be adherent to the air quality standards set forth by the Mendocino County Air Quality Management District. As currently proposed, the subdivision would not create any emissions, odors, or pollutants that would impact the surrounding properties.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Air Quality.

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on biological resources if it would 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; 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; 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; 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; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Discussion: Mendocino County's Biology and Ecology Resources Policy RM-28 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.*

The California Natural Diversity Database (CNDDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, other agencies, and conservation organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes, and provide baseline data helpful in recovering endangered species and for research projects. Currently, the CNDDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened to Threatened to Endangered.

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

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

Mendocino County currently has one active Habitat Conservation Plan (HCP) with the California Department of Fish and Wildlife which provides protections for the Point Arena Mountain Beaver. The Fisher Family HCP (Permit #TE170629-0) covers 24 acres of coastal scrub and was adopted December 3, 2007 for a period of 50 years. The Fisher Family HCP applies to parcel APN 027-211-02 located at 43400 Hathaway Crossing, Point Arena. Additionally, since 2003, the Mendocino Redwood Company (MRC) has managed the County's only Natural Community Conservation Plan which covers all lands owned by the MRC to preserve regionally important habitat.

- a - f) **No Impact:** The proposed subdivision does not include the construction of any new buildings or infrastructure that would impede the movement of fish or wildlife. Furthermore, the proposed subdivision would not result in any development that would impact important habitat for plants or animals, including wetlands or riparian areas. A review of the California Natural Diversity Database concluded that the subject parcel is not associated with any rare plant or animal. There is a riverine to the north and southeast property line. The existing development is far away from the riparian area. On August 10, 2021 a referral was sent to California Department of Fish and Wildlife (CDFW), our office receive no response.

#### MITIGATION MEASURES

None.

**FINDINGS**

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

V. <b>CULTURAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

Discussion: Archeological resources are governed by MCC Sec. 22.12.090, which echoes state law regarding discovery of artifacts and states, in part, *“It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, an archaeological site without complying with the provisions of this section”*. MCC Section 22.12.090 governs discovery and treatment of archeological resources, while Section 22.12.100 speaks directly to the discovery of human remains and codifies the procedures by which said discovery shall be handled. Pursuant to California Code of Regulations, Title 14, Chapter 3, Sub Section 15064.5(c)(4), *“If an archeological resource is neither a unique archeological nor an historic resource, the effects of the project on those resources shall not be considered a significant effect on the environment.”*

a - c) **No Impact:** The proposed project was referred to the Archaeological Commission and the Northwest Information Center (NWIC) at Sonoma State University on August 10, 2021. The former agency responded with a request to schedule for a hearing with the Commission, depending on the response from the NWIC. The latter agency provided comment on August 24, 2021, recommending a survey be conducted for the project due to the age of previous surveys. On November 10, 2021, the project was heard by the Archaeological Commission who determined that a survey was not required and that the Discovery Clause would suffice as a Condition of Approval.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

Thresholds of Significance: The project would have a significant effect on energy if it would 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.

Discussion: On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

Permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The 2019 Building Energy Efficiency Standards are designed to reduce wasteful, uneconomic, inefficient or unnecessary consumption of energy, and enhance outdoor and indoor environmental quality. It is estimated that single-family homes built with the 2019 standards will use about 7 percent less energy due to energy efficiency measures versus those built under the 2016 standards (CEC, 2018).

a – b) **No Impact:** The proposed subdivision does not entail the construction of any new buildings and simply creates separate parcels for each existing residence. Any future development, including the construction of accessory dwelling units, would be required to be energy efficient under the California Building Code.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Energy.

VII. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on geology and soils if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; 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; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; 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 wastewater; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Discussion: Of the five known faults, the Maacama Fault is the closest active fault to the subject parcel, located approximately 1.3 miles east of the project location.

The Maacama Fault extends from northern Sonoma County to north of Laytonville in Mendocino County. Historically, the Maacama Fault has generated only a few moderate earthquakes. However, an abundance of micro-earthquakes (less than magnitude 3) are clearly associated with the fault. A magnitude 5.6 earthquake was reported to have occurred in the Ukiah area in 1869. Surface fault creep, very slow movements across known fault locations, has been documented along the Maacama Fault at locations east of Willits and Ukiah.

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

a - f) **No Impact** The proposed subdivision is not exposed to any major geological concerns such as ground shaking, ground failure, landslides, or soil erosion. While the proposed project is roughly 1.3 miles from the Maacama Fault, the project is not in an area prone to any issues such as a landslide or soil liquefaction.

The Mendocino General Plan, per 4.6 Geology, Soils, and Mineral Resources; Potentially Liquefiable Soil Areas Map, this proposed site is not identify in area prone to any landslides or soil liquifaction. Furthermore, the subject parcel is not located on soils that would be considered unstable or expansive, per the *Soils Map Attachment*. The project does not propose installation of a septic system or alternative waste water disposal systems as it is connected to an existing system.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Geology and Soils.

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

Thresholds of Significance: The project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Discussion: Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission, which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs, and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those, which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO<sub>2</sub>e (CO<sub>2</sub> equivalent) of operation emission on an annual basis. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures.

- a) **Less Than Significant Impact:** While the proposed subdivision itself would not result in any additional greenhouse gas emissions, the project does allow for the future development of accessory dwelling units and thus could indirectly result in new emissions from construction and additional residential vehicular activities. However, most of these activities would be temporary and would not contribute a substantial amount of greenhouse gas emissions.
- b) **No Impact:** Although Action Item RM-50.2 in Chapter 4 of the Mendocino County General Plan (2009) requires the County to "create a greenhouse gas reduction plan for the unincorporated areas of the county that sets specific reduction strategies and targets to meet", such a plan has not yet been drafted or adopted by the County. Since there are no adopted local plans for reducing GHG emissions, no impact would occur.

**MITIGATION MEASURES**

None.

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

<b>IX. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on hazards and hazardous materials if it were to 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; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if 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; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Discussion: California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous

waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (Health and Safety Code section (Health & Saf. Code sec) 25501 (m)).

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

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

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

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

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

- a - g) **No Impact:** The proposed subdivision would not involve the use of any hazardous materials or substances and simply seeks to create separate parcels for two existing residences. The subject parcel has not been identified as a site for hazardous waste, nor is the site associated with the emission of hazardous pollutants. The project was referred to the Division of Environmental Health, which includes the Hazardous Materials unit, and comments were received back requiring proof of water for both parcel but no concern for the subdivision in relation to hazardous material storage or use was provided. Willits Municipal Airport is 2.92 miles from the subject site. The proposed subdivision does not propose to change the physical characteristics nor is it located within a two-mile vicinity of any airstrip or airport.

#### MITIGATION MEASURES

None.

**FINDINGS**

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

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

Thresholds of Significance: The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; 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 result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Discussion: Regulatory agencies include the state and regional water quality control boards; State Water Resources Control Board (SWRCB) and the North Coast Regional Quality Control Board (NCRWQCB). The State Water Resources Control Board is responsible for implementing water quality standards in California. Water Code Section 13050(d) states: *Waste includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.* Typical activities and uses that affect

water quality include, but are not limited to, discharge of process wastewater from factories, confined animal facilities, construction sites, sewage treatment facilities, and material handling areas which drain into storm drains.

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

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

- a - e) **No Impact:** The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The project was referred to the Division of Environmental Health, who requested proof of water for both parcels. The applicant submitted the water test to Environmental Health and no further proof of water is required at this time. The subject parcel is not located within a flood plain, the proposed subdivision is not expected to result in any impacts to groundwater quality or the release of pollutions into a water course. Willits Creek is located roughly 3,000 feet west of the subject parcel and thus cannot be directly impacted by the subdivision.

The intent of the subdivision is to create two separate parcels, one for each existing residence, thus water supply is already being provided. Future development is limited due to the 20 acre minimum parcel size and allowable uses (see below) per Mendocino County Upland Residential (UR) Zoning regulations, it is therefore not anticipated that any such development would impact ground-, storm-, or waste-water infrastructure. All aspects of water runoff, groundwater supply and quality, and any other water-based concern will remain unaffected by the proposed subdivision. For all other future development it would trigger a discretionary permit that would be subject to CEQA review.

Sec.20.056.010 - Upland Residential Principally Permitted Uses:

(A) *Residential* Use Types (See Chapter 20.016).  
Family *residential*—single-family.

(B) Civic Use Types (See Chapter 20.020).  
Cemetery;  
Community recreation;

Essential services;  
Fire and police protection services;  
Minor impact utilities.

(C) Commercial Use Types (See Chapter 20.024).  
Animal sales and services—stables.

(D) Agricultural Use Types (See Chapter 20.032).  
Animal raising—general agriculture;  
Forest production and processing—limited;  
Horticulture;  
Packing and processing—limited;  
Row and field crops;  
Tree crops.

(E) Accessory uses as provided in Chapter 20.164.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

XI. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on land use and planning if it would physically divide an established community or cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Discussion: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, with regards to land use, as well as a number of more locally derived specific plans, such as the Gualala Town Plan, or Ukiah Valley Area Plan. The proposed Project is not within a specific plan. The project was also referred to a number of agencies with jurisdiction over the project.

a) **No Impact:** The proposed subdivision entails the division of the subject parcel into two separate properties each with their own existing residence. The subdivision depth is greater than three (3) times the average width of the lot (1:3 width to depth ratio). Both residences was developed on the same end of the property, the location of existing development limits the subdivision layout options available. There’s a terrain at the back of the parcels that would make development there unrealistic. The width to depth requirement is not adopted for the “purpose of avoiding or mitigating an environmental effect”. This requirement relates to the lot and block configuration design desired to see in the County. The subdivision would adhere to all requirements of the Division of Lands Regulations, Title 17 of the Mendocino County Code. While existing within a rural neighborhood north of the City of Willits, the proposed subdivision itself would not divide the established community, nor would it conflict with any land use plan, policy, or regulation that would result in environmental impacts.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

Thresholds of Significance: The project would have a significant effect on mineral resources if it would 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 or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Discussion: The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to 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 State policy for the reclamation of mined lands and the conservation of mineral resources.

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

a -b) **No Impact:** The subject parcel is not identified as a site with known mineral resources by the General Plan, Zoning Code, or any other land use plan. Therefore, there is no expected loss to such resources due to the proposed subdivision.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on noise if it would result in the 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; or generation of excessive groundborne vibration or groundborne noise levels; or expose people residing or working in the project area to excessive noise levels (for a project located within the vicinity of a private airstrip or an airport or an airport land use plan, or where such as plan has not been adopted, within two miles of a public airport or public use airport).

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

a-c) **No Impact:** The proposed subdivision itself would not result in any noise or creation of additional noise. The subdivision proposes to divide the subject parcel into two new lots that would each have an existing residence. However, there is the potential for new sources of ambient noise in the future should accessory dwelling units be constructed, but the noise levels are expected to be standard for such development and adhere to County standards. Similarly some ground borne vibrations would occur from additional residences, but would also be considered standard for the parcel and surrounding neighborhood. The subject parcel is not located within a two-mile vicinity of any airstrip or airport. Willits Municipal Airport is 2.92 miles from the subject site

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

Thresholds of Significance: The project would have a significant effect on population and housing if it would 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); or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

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

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

- a) **No Impact:** The proposed subdivision would not itself induce unforeseen population growth as the project entails the division of a single parcel into two lots each with existing residences. Future development could include additional housing in the form of accessory dwelling units, but substantial growth is not expected as such development would be limited to one additional unit per parcel, as well as a junior accessory dwelling unit attached to the existing residences.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

<b>XV. PUBLIC SERVICES.</b> 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 Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 fire protection, police protection, schools, parks, or other public facilities.

Discussion: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations

in the Mendocino County Operational Area. The subject parcel is serviced by the Willits Unified School District, Adventist Health Howard Memorial Hospital (Willits), and the Brooktrails Fire District.

a-e) **No Impact:** The proposed subdivision will not involve any physical development or changes to the subject parcel with the exception of road improvements required by the Mendocino County Department of Transportation. The proposed subdivision would create separate parcels for the two existing residences which are already provided public services; all existing public services would remain unchanged.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

Thresholds of Significance: The project would have a significant effect on recreation if it would 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, or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Discussion: The County of Mendocino is host to a variety of State parks, reserves, other State protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The closest State protected area to the proposed project is Montgomery Woods State Natural Reserve, located approximately 13 miles south of the subject parcel.

a -b) **No Impact:** The proposed subdivision could increase the use of regional parks and recreational facilities should accessory dwelling units be constructed in the future. However, such development would be limited to one unit per parcel which would not substantially increase use of recreational facilities. The proposed project does not include the development of any recreation infrastructure.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant effect on transportation if it would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

**Discussion:** The State Route 101 Corridor Study Update provides traffic volume data for State Highway 101. The subject property is located on Timberline Road, which is ultimately accessed from county road Sherwood Road (CR 311). As the subject parcel is already developed, the proposed subdivision would not result in any significant impacts to Transportation. The nearest data breakpoint in the study is located approximately 5.2 miles southeast of the property at the intersection of Sherwood Road/Main Street and Highway 101. The existing level of service at peak hour conditions at this location is Level of Service B. Since the site is currently developed, there will be no increase in traffic to and from the site under both construction and operation of the project.

It is expected that construction onsite would result in a slight increase in traffic to and from the site, as construction workers arrive and leave the site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the site. Once construction is complete, these workers would no longer be required at the site.

The development proposed on-site is not expected to significantly impact the capacity of the street system, level of service standards established by the County, or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as a substantial increase in traffic trips or use of alternative transportation facilities is not anticipated. A less than significant impact would occur. Future development on-site is not expected to significantly impact the capacity of the street system, level of service standards established by the County, or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as a substantial increase in traffic trips or use of alternative transportation facilities is not anticipated.

a - d) **No Impact:** The proposed subdivision would not conflict with any plan, ordinance, or policy regarding transportation as no physical aspects of the subject parcel are intended to change. The project was referred to the Mendocino County Department of Transportation (MCDOT) from whom comments were received providing recommended Conditions of Approval. The Subdivision Committee reviewed the subdivision at their December 9, 2021, including a representative of MCDOT, and recommended approval of the project with conditions.

The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), which states:

*“(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.*

*“(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.”*

Furthermore, no aspect of the subdivision proposal would be designed in a way that would result in increased hazards to the property or people. The creation of an additional parcel for the possible addition of more housing (Accessory Dwelling Unit) may reduce VMT by allowing more residential units in closer proximity to commercial areas such as in the City of Willits. The proposed project will not result in inadequate emergency access. The subject parcel is currently accessed from Sherwood Road (CR 311) onto Timberline Road (Private Road). The proposed subdivision does not intend to change the access or the ability of emergency services from reaching the parcel.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have a **No Impact** on Transportation.

<b>XVIII. TRIBAL CULTURAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Thresholds of Significance:** The project would have a significant effect on Tribal Cultural Resources if it would cause a substantial adverse change in the significance of a cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, 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 listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is 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.

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

According to Chapter 3 (Development Element) of the Mendocino County General Plan (2009), the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County’s redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. The entire southern third of Mendocino County was the home of groups of Central Pomo. 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. The Coast Yuki claimed a portion of the coast from Fort Bragg north to an area slightly north of Rockport. They were linguistically related to a small group, called the Huchnom, living along the South Eel River north of Potter Valley. Both of these smaller groups were related to the Yuki, who were centered in Round Valley. At the far northern end of the county, several groups extended south from Humboldt County. The territory of the Cahto was bounded by Branscomb, Laytonville, and Cummings. The North Fork Wailaki was almost entirely in Mendocino County, along the North Fork of the Eel River. Other groups in this area included the Shelter Cove Sinkyone, the Eel River, and the Pitch Wailaki.

a) **No Impact:** The proposed project was referred to the Archaeological Commission and the Northwest Information Center (NWIC) at Sonoma State University on August 10, 2021. The former agency responded with a request to schedule for a hearing with the Commission, depending on the response from the NWIC. The latter agency provided comment on August 24, 2021, recommending a survey be conducted for the project due to the age of previous surveys. On November 10, 2021, the project was heard by the Archaeological Commission who determined that a survey was not required and that the Discovery Clause would suffice as a Condition of Approval.

Additionally, the project application was referred to various tribal agencies that requested consultation on planning projects under Assembly Bill (AB) 52 and no additional comments or concerns were expressed by any such agency receiving the referral.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

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

Thresholds of Significance: The project would have a significant effect on utilities and service systems if it would 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; not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; 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; or not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

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

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

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

- a-b) **No Impact:** The proposed subdivision would not result in the need for the construction of any new utility facilities as it simply seeks to provide separate parcels for the two existing residences. All future development on the site will be required to demonstrate adequate utility infrastructure to support it prior to being permitted through a building permit process.
- b) **No Impact:** On August 10, 2021, the proposed project was referred to the Division of Environmental Health, which is the permitting agency for water wells. Our office received comments that proof of water is required for both lots.
- c) **No Impact:** The project site is not served by a wastewater treatment provider and there is no district nearby that would feasibly be extending service to the parcel in the future.
- d-e) **No Impact:** The proposed subdivision is not expected to increase the amount of solid waste produced by the site, though future development of additional residences could result in new sources of solid waste. However, only one accessory dwelling unit would be permitted per newly created parcel and thus solid waste would be minimal and limited.

#### MITIGATION MEASURES

None.

#### FINDINGS

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

<b>XX. WILDFIRE.</b> 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 Incorporated	Less Than Significant Impact	No Impact
a) Impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on wildfire if it would impair an adopted emergency response plan or emergency evacuation plan; 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; 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; or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges.

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

a - d) **No Impact:** The proposed subdivision will not change the physical access to the subject parcel and thus would neither impair any emergency plan, nor require any additional infrastructure that could exacerbate fire risk. Additionally, the subject parcel is located on a flat terrain that would not expose any structures or persons to risks related to slopes either during or after the occurrence of a wildfire. Our office received an updated comment from CalFire, which requires the minor subdivision to comply with applicable provisions of the SRA/VHFHSZ Fire Safe Regulations.

**MITIGATION MEASURES**

None.

**FINDINGS**

The proposed project would have **No Impact** on Wildfire.

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

Thresholds of Significance: The project would have a significant effect on mandatory findings of significance if it would 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; 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.); or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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

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

a - c) **No Impact:** As demonstrated in this Initial Study – Negative Declaration, the proposed subdivision would not have an impact on any biological resource, including on any fish or wildlife species, or their habitat. The proposed project is solely intended to provide separate parcels for each of the existing residences on the parcel. No development is proposed under the project, and any future development would be constrained by land availability and allowable uses in the Upland Residential

a - c) **No Impact:** As demonstrated in this Initial Study – Negative Declaration, the proposed subdivision would not have an impact on any biological resource, including on any fish or wildlife species, or their habitat. The proposed project is solely intended to provide separate parcels for each of the existing residences on the parcel. No development is proposed under the project, and any future development would be constrained by land availability and allowable uses in the Upland Residential zoning district. As such, there are no Cumulative Impacts that would result from the proposed subdivision that would impact the environment, or any surrounding persons or property.

**MITIGATION MEASURES**

None.

**FINDINGS**

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

**DETERMINATION:** On the basis of 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 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.

5/25/2022  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
TIA SAR  
PLANNER II

Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California

JUNE 16, 2022

MS\_2021-0003 BARBARA GENE WILLENS

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF  
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE  
DECLARATION AND GRANTING A MINOR SUBDIVISION.

WHEREAS, the applicant, Barbara Gene Willens, filed an application for Minor Subdivision with the Mendocino County Department of Planning and Building Services to subdivide an existing 40.28± acre parcel into two parcels of 20.14± acres and 20.14± acres, located 5± miles northwest of the City of Willits at 29301 Timberline Road, Willits (APN 037-680-38); General Plan Remote Residential (RMR); Zoning Upland Residential (UR); Supervisorial District 3; and

WHEREAS, a NEGATIVE DECLARATION was prepared for the Project and noticed and made available for agency and public review on, April 27, 2022, 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, June 16, 2022, 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 forth 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 and Zoning Consistency Findings:** The subject parcel has a General Plan Land Use Designation of Remote Residential (RMR) and the Project is consistent with the General Plan definition. Additionally, the subject parcel lies within the Zoning District of Upland Residential (UR) and the Project is consistent with the Zoning District per MCC 20.056 with regard to minimum lot size, density and yard setbacks.

A referral was sent out on August 10, 2021, our office received an updated comment from CalFire, which requires the minor subdivision to comply with applicable provisions of the SRA/VHFHSZ Fire Safe Regulations; and

2. **Division of Land Regulations:** The project was reviewed by the Mendocino County Subdivision Committee on December 9, 2021, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in MCC §17-48.5.

The subdivision project conflicts with the County Division of Land Regulations 17-52(F). The proposed subdivision depth is greater than three (3) times the average width of the lot (1:3 width to depth ratio). Both residences was developed on the same end of the property, the location of existing development limits the subdivision layout options available. There's a terrain at the back of the parcels that would make development there unrealistic. The Project is consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations; and

3. **Environmental Protection Findings:** The CEQA initial study completed by staff identified the Project to have a less than significant to no impact on the environment; therefore a Negative Declaration is adopted.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Negative Declaration. 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 (MS\_2021-0003), 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 Planning Commission 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 11<sup>th</sup> 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: BROOKE LARSEN  
Secretary to the Planning Commission

By: \_\_\_\_\_

BY: JULIA KROG  
Planning and Building Services Director

ALISON PERNELL, Chair  
Mendocino County Planning Commission

\_\_\_\_\_

\_\_\_\_\_

EXHIBIT A

CONDITIONS OF APPROVAL

MS\_2021-0003 – BARBARA GENE WILLENS

JUNE 16, 2022

**APPROVED PROJECT DESCRIPTION:** Two lot Minor Subdivision of a 40.28± acre parcel to create one parcel of 20.14± acres (Lot 1) and one parcel of 20.14± acres (Lot 2).

**CONDITIONS OF APPROVAL:** For a Minor Subdivision which has been approved according to the Mendocino County Code, the following “Conditions of Approval” shall be completed prior to filing a Parcel Map.

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

**Aesthetics**

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

*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**

2. A notation shall appear on the Parcel Map stating:  
*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.*
3. A notation shall appear on the Parcel Map stating:  
*The access road, driveway and interior circulation routes be maintained in such a manner as to insure 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.*
4. 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 Games Code are submitted to the Mendocino County Department of Planning & Building Services. Said fee of \$2,598.00 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning & Building Services prior to June 21, 2022 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has “no effect” in the environment. If the project is appealed, the payment will be held by the Department of Planning & Building Service 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.**

## **Cultural Resources**

4. A notation shall appear on the Parcel Map stating:

*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.*

## **Geology & Soils**

5. The subdivider shall **acknowledge in writing** to the Department of Planning and Buildings 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 1<sup>st</sup>.
  - f. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 15<sup>th</sup> 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 or exempt by one of the following:
    - i. An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
    - ii. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m<sup>3</sup>) on any one lot and does not obstruct a drainage.

## **Fire**

6. The subdivider shall comply with those recommendations in the California Department of Forestry and Fire Prevention (CalFire) letter of June 9, 2021 (CalFire 250-21) or other alternatives as acceptable to CalFire. Written verification shall be submitted from CalFire to the Department of Planning and Building Services that this condition has been met to the satisfaction of CalFire.
7. The subdivider shall comply with those recommendations of the Brooktrails Community Services Fire District or other alternatives as acceptable to the Fire District. Written verification shall be submitted from Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.

### **Hydrology & Water Quality**

8. 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 parcel(s). Completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy of On-Site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM #26.09).
9. 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.

### **Transportation**

10. 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 (10) feet, whichever is greater.
11. 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.
12. Install or replace drainage culverts where necessary. New or replaced culverts shall be a minimum of 12 inches in diameter and designed by a California Registered Civil Engineer to accommodate the 10-year storm event with a headwater to depth ratio of no greater than 1.0. In no case shall a new or replaced culvert be smaller than an upstream culvert.
13. Existing culverts within the access easement shall be cleaned of any debris.
14. A standard private road approach shall be constructed from Timberline Road (Private) onto Sherwood Road (CR 311) in accordance with Mendocino County Road and Development Standards No. A51B, or as modified by applicant and approved by Department of Transportation staff during field review. Concrete surfacing shall not be permitted. The culvert within the private road approach shall be replaced with a 18" culvert or size as determined by Department of Transportation staff during field review.
15. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation 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. Current inspection fees apply.
16. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

### **Subdivision Conditions**

17. Building/Development setbacks indicating front/rear/side to all property boundaries (existing and proposed) and roadway/easements shall be designated on the Parcel Map.
18. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the Parcel Map, the sub-divider 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.

**THIS DIVISION OF LAND IS DEEMED COMPLETE WHEN ALL CONDITIONS HAVE BEEN MET, AND THE APPROVED PARCEL MAP IS RECORDED BY THE COUNTY RECORDER.**