

EXHIBIT B

ADDENDUM TO THE NEGATIVE DECLARATION

FOR

USE PERMIT MODIFICATION U_2021-0011

Modified Project Description and Project History: The Mendocino County Planning Commission (County) adopted a Negative Declaration (ND) for Use Permit U_2017-0008, on February 1, 2018. The project involved the establishment of a cemetery where ashes of loved ones who have been cremated are spread around a dedicated family tree. The project included the site office which contains a meeting room, restroom and storage area, a windmill, steel vine arbor, memorial ring, septic system, parking area, trails, entry gate, grading to improve the existing entry road, various bench/seating areas, and signage. Existing development at the time U_2017-0008 was proposed included a well and water storage tank, a driveway, and clearing at the top of the site where the above-mentioned development is located.

The current project involves modifying the previously approved use permit to allow for the expansion of the cemetery to the adjoining 20-acre parcel located at 25204 Ten Mile Road (APN: 027-306-32). The following changes are proposed:

- Establishment of low impact trails,
- Maintenance of the existing trails, skid roads, landing areas and driveways,
- On-going forest and vegetation management.

Purpose: Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent ND have occurred. Section 15162 states that when an ND has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. *Substantial changes are proposed in the project which require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
2. *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous ND; B) significant effect previously examined will be substantially more severe than shown in the previous ND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No substantial changes are proposed which would require major revisions to the previously approved Negative Declaration. None of the proposed changes to the project will increase the severity of previously identified significant effects. The proposed changes will not result in a new environmental effect. No additional mitigation is required.

Explanation of Decision Not to Prepare a Supplemental Negative Declaration:

See Purpose section above. In every impact category analyzed in this review, the projected consequences of the proposed ordinance changes are either the same or less than significantly increased compared to the project for which the Negative Declaration was adopted. Based upon this review, the following findings are supported:

Findings:

1. For the modified project there are no substantial changes proposed in the project which require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No new significant effects or increase of severity of effects are anticipated. The proposed use permit modification does not entail substantial changes as the only request is to expand existing uses to the adjacent parcel located at 25204 Ten Mile Road, Point Arena (APN 027-306-32). The parcel upon which the project is being expanded is located directly east of the initial project. The applicant is proposing less development under this project. Staff has determined there to be no significant impacts.

2. For the modified project no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Based on the discussion in Finding 1 above, no new significant environmental effects resulting from the proposed use permit modification are anticipated. The circumstances under which the project is undertaken remain the same or less.

3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted as complete.

There has been no new information of substantial importance which was not known and could not have been known at the time the previous ND was complete. The baseline conditions describing the overall impacts of the previously approved use permit remain the same.

4. The proposed changes do not constitute a change in the level of significance previously discussed in the original ND. As such, it is concluded that: the current project will not have one or more significant effects not discussed in the previous ND. Furthermore, significant effects previously examined will not be substantially more severe than shown in the previous ND. There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project.

The proposed use permit modification does not involve changes to, or analysis of any mitigation measures. No new potential impacts have been identified requiring new mitigation measures to be developed.

5. There are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous ND, and which would substantially reduce one or more significant effects on the environment.

The proposed use permit modification does not involve changes to, or analysis of any mitigation measures.

Conclusion: Based on these findings it is concluded that an Addendum to the adopted Negative Declaration is appropriate to address the requirements under CEQA for the proposed ordinance changes.