



**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**
SCH: XXXXXX

FOR
JESS RAPHAEL
STANDARD COASTAL DEVELOPMENT PERMIT
AT 44081 NOYO WAY; APN: 132-030-15
File No. CDP_2025-0008

LEAD AGENCY:
County of Mendocino
Department of Planning & Building Services
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March 9, 2026

TABLE OF CONTENTS

INTRODUCTION.....	1
PROJECT INFORMATION	1
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	6
DETERMINATION	6
ENVIRONMENTAL CHECKLIST	7
5.1 AESTHETICS.....	7
5.2 AGRICULTURE AND FORESTRY RESOURCES	9
5.3 AIR QUALITY	11
5.4 BIOLOGICAL RESOURCES.....	14
5.5 CULTURAL RESOURCES.....	22
5.6 ENERGY	25
5.7 GEOLOGY AND SOILS.....	26
5.8 GREENHOUSE GAS EMISSIONS.....	29
5.9 HAZARDS AND HAZARDOUS MATERIALS.....	31
5.10 HYDROLOGY AND WATER QUALITY	35
5.11 LAND USE AND PLANNING.....	38
5.12 MINERAL RESOURCES	39
5.13 NOISE	40
5.14 POPULATION AND HOUSING	42
5.15 PUBLIC SERVICES.....	43
5.16 RECREATION	45
5.17 TRANSPORTATION	46
5.18 TRIBAL CULTURAL RESOURCES	48
5.19 UTILITIES AND SERVICE SYSTEMS	50
5.20 WILDFIRE	52
5.21 MANDATORY FINDINGS OF SIGNIFICANCE	53

FIGURES AND TABLES

FIGURE 1: Location Map	3
FIGURE 2: Aerial Imagery.....	4
FIGURE 3: Plot Plan	5
TABLE 1: Adjacent Land Use And Zoning	Error! Bookmark not defined.

INTRODUCTION

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

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

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: CDP_2025-0008

OWNER: Jess Raphael
12 Maidue Court
Napa, CA 94558

APPLICANT: Katherine Haley
P.O Box 2385
Fort Bragg, CA 95437

AGENT: Katherine Haley & Mo Whiteside
P.O Box 2385
Fort Bragg, CA 95437

PROJECT LOCATION: In the Coastal Zone, 3.5± miles north of the Manchester town center, 440± feet west of the Noyo Way and State Route 1 (SR1) intersection, located at 44081 Noyo Way, Manchester; (APN: 132-030-15).

TOTAL ACREAGE: 0.3± Acres

GENERAL PLAN: Rural Residential – Planned Development variable to Suburban Residential (RR5:PD) [SR:PD]

ZONING: Rural Residential – Planned Development variable to Suburban Residential (RR5:PD) [SR:PD]

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15071, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests a Standard Coastal Development Permit to construct a driveway, a 1,068 square foot single-family residence with a garage, install a septic system, roof-mount solar system, and a propane tank. In addition, the project proposes to permit a culvert along the northern property boundary, parallel to Noyo Way.

The subject parcel is undeveloped and located in the Coastal Zone, 3.5± miles north of the Manchester town center, 440± feet west of the Noyo Way and State Route 1 (SR1) intersection, located at 44081 Noyo Way, Manchester; (APN: 132-030-15). The subject parcel is located within the Irish Beach community. The elevation of the project site is approximately 270 feet above sea level.¹ Google Maps imagery indicates that the property's elevation gradually increases from approximately 264 to 273 feet above mean sea level from north to south. The property is mapped within a marginal groundwater resource area.² A drainage easement is mapped along the northern property boundary.³ The Fire Hazard map indicates the subject parcel is served by the Redwood Coast Fire Protection District and is mapped within a High Fire Hazard area.

The Slope map indicates the majority of the parcel is on a 0 to 20% slope, while the northern boundary is on a 40 to 50% slope. The subject property is mapped within the Biaggi loam (5 to 15 percent slopes) soil classifications. The Mendocino County Soil Survey states, "this moderately deep, well-drained soil is on marine terraces. The vegetation is mainly perennial grasses and forbs. Surface runoff is medium, and the hazard of water erosion is moderate if the surface is left bare." The Important Farmlands map indicates the subject parcel is mapped Urban & Built-Up Land.

SURROUNDING LAND USES AND SETTING: The subject parcel is located within the Irish Beach Subdivision and is located adjacent to single-family residences or undeveloped parcels.

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

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

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

PROJECT PLOT PLAN: See Page 5 of this document.

¹ Topographic Map.

² Coastal Ground Water Resources.

³ Mendocino Coast Subdivision Map.

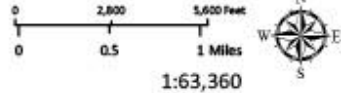
FIGURE 1: LOCATION MAP



Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

CASE: CDP 2025-0008
OWNER: RAPHAEL, Jess
APN: 132-030-15
APLCT: Katherine Haley
AGENT: Katherine Haley & Mo Whiteside
ADDRESS: 44081 Noyo Way, Manchester

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



LOCATION

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

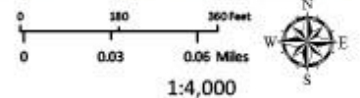
FIGURE 2: AERIAL IMAGERY



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

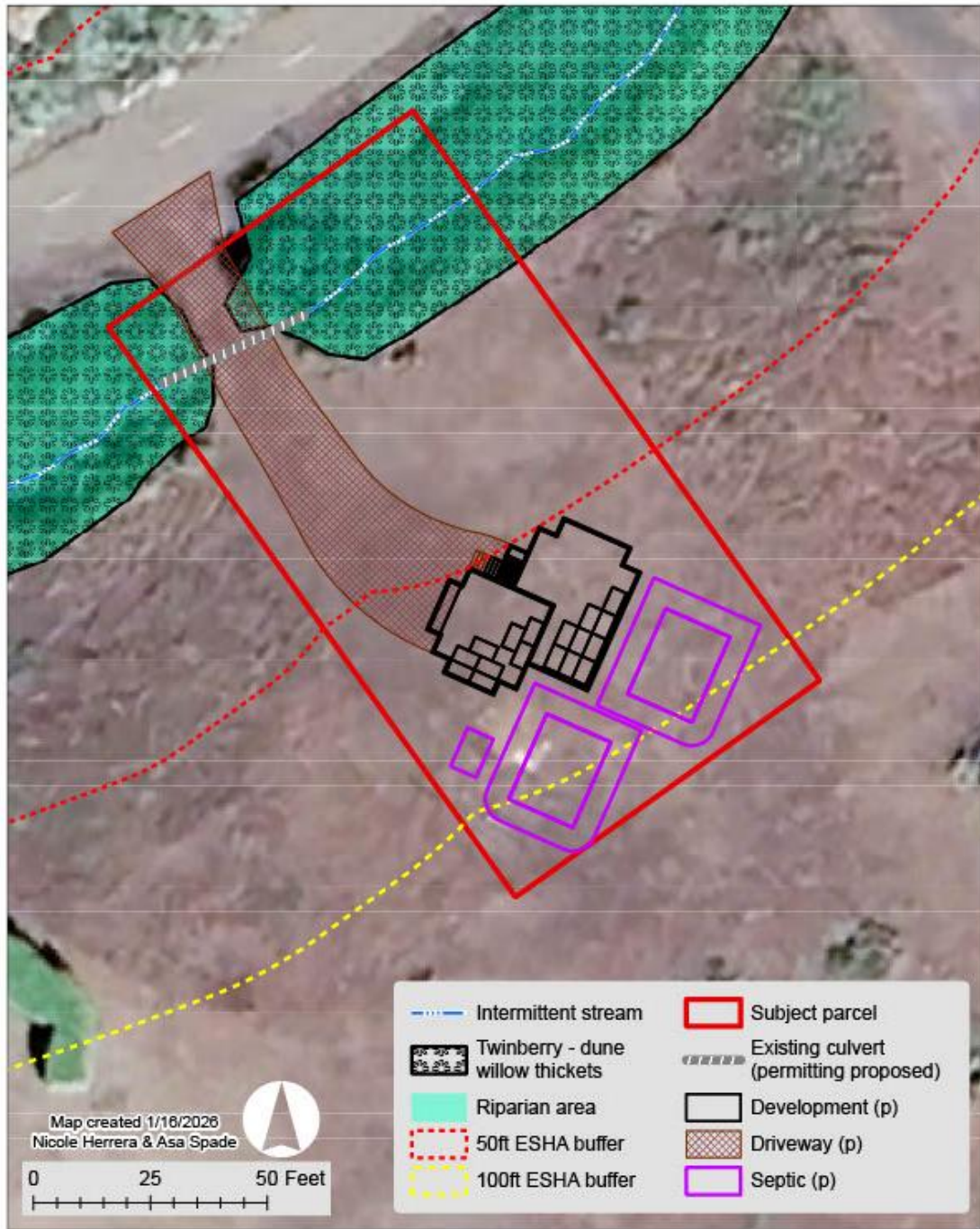
CASE: CDP 2025-0008
OWNER: RAPHAEL, Jess
APN: 132-030-15
APLCT: Katherine Haley
AGENT: Katherine Haley & Mo Whiteside
ADDRESS: 44081 Noyo Way, Manchester

- Highways (2017)
- Public Roads
- = = Private Roads



AERIAL IMAGERY

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



CLIENT: Raphael
 APN: 132-030-15-00
 ADDRESS: 44081 Noyo Way
 Manchester, CA

Presumed ESHA & Proposed Development

Figure 2. Proposed development relative presumed ESHA. *A revision to the legend of the map above was made on 1/16/2026 to note the unpermitted status of the existing culvert.*

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:

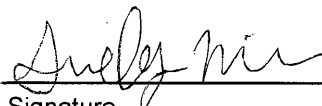
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

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

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

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



Signature

SHELBY MILLER

Printed Name

4/13/26

Date

PLANNER III

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

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

ENVIRONMENTAL SETTING: The County of Mendocino (County) is a predominately rural county, with most of the land in forest or agricultural production, both of which are considered open spaces that add to the quality of life of the County’s residents and attract tourists.⁴ A “scenic vista” is defined as a *singular vantage point that offers high quality, harmonious, or visually interesting views of a valued landscape for the benefit of the public*. Scenic vistas are typically found along major highways or other public roads but may also occur in other areas accessible to the public. “Scenic resources” include objects, features, or patterns within the landscape which are visually interesting or pleasing. Scenic resources can include trees, rock outcroppings, historic buildings, or other features. California Streets and Highways Code (SHC) Sections 260-284 establish the State Scenic Highway program for *the protection and enhancement of California’s natural scenic beauty*.⁵ The California Department of Transportation (CALTRANS) oversees this program, including a list of officially designated Scenic Highways and those deemed “eligible” for incorporation into the program.

No highways in Mendocino County have been officially incorporated into the State Scenic Highway system. State Route 1 (SR 1) is part of the California Freeway and Expressway System, and through the Los Angeles metro area, Monterey, Santa Cruz, San Francisco metro area, and Leggett, is part of the National Highway System; a network of highways that are considered essential to the country's economy, defense, and mobility by the Federal Highway Administration. SR 1 is eligible to be included in the State Scenic Highway System; however, only a few stretches between Los Angeles and San Francisco have officially been designated as a “scenic highway”, meaning that there are substantial sections of highway passing through a “memorable landscape” with no “visual intrusions.” As such, there are no adopted Corridor Protection Programs in the County. However, the entirety of SR 1 in the County, the portion of U.S. Route 101 (US 101) near city of Marin and Leggett, all of State Route 20 (SR 20), and all of State Route 128 (SR 128) are listed as “eligible”.⁶

No National Scenic Byways are located in Mendocino County as designated by the U.S. Secretary of Transportation.⁷ Additionally, the County has two roadway segments designated as “heritage corridors” by California Public Resources Code Section 5077.5.⁸ The North Coast Heritage Corridor includes the entire

⁴ Resource Management Element of the Mendocino County General Plan dated August 2009

⁵ California Code, Streets and Highways Code, SHC § 260 (2025).

⁶ California Code, Streets and Highways Code, CA SCH §263.1 to 263.8 (2023).

⁷ U.S. Department of Transportation. Federal Highway Administration. *National Scenic Byways & All-American Roads*. Retrieved from <https://fhwaapps.fhwa.dot.gov/bywaysp/States/Show/CA>

⁸ California Public Resources Code §5077.5. (January 1, 2025).

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

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting off of structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Two elements of light pollution may affect county residents: sky glow (a result of light fixtures that emit a portion of their light directly upward in the sky), and light trespass (poorly shielded or poorly aimed fixtures which cast light into unwanted areas, such as neighboring properties and homes). Different lighting standards are set by classifying areas by lighting zones (LZ). The 2000 Census classified the majority of Mendocino County as LZ2 (rural), which requires stricter lighting standards in order to protect these areas from new sources of light pollution and light trespass. According to the 2020 U.S. Census⁹, there are three “Urban Areas” in Mendocino County: Ukiah, Willits, and Fort Bragg. Some of these Urban Areas extend into the unincorporated portions of the County. The Census provides shapefiles for use in visualizing these Urban Areas.

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

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

The Resource Management, Coastal, and Development Elements of the Mendocino County General Plan provide policies and goals to govern scenic quality within the County. Mendocino County General Plan Community - Specific Policies¹⁰ objectives are to *ensure that the special features in each community area shown in this General Plan shall be retained or enhanced and shall consider these features in its review of any proposed development project.* Several policies are pertinent to Highly Scenic areas in the coastal zone, Town of Mendocino, and other Special Communities. Relevant General Plan policies are included below:

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

DISCUSSION: WOULD THE PROJECT...

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

No Impact: The project is located west of State Route 1 and within a developing residential neighborhood named Irish Beach. Considering the project site is not accessed via a scenic vista, no impact would occur.

⁹ US Census Bureau Urban and Rural Guidance. 2020. <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>

¹⁰ Mendocino County General Plan Chapter 6: Community - Specific Policies. August 2009. <https://www.mendocinocounty.gov/home/showpublisheddocument/5236/636242320402030000>

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact: The project site does not contain trees or rock outcroppings or historic buildings and is not located on a state scenic highway. The project would have no impact on scenic resources.

- c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than a Significant Impact: The project site is located west of the intersection between Noyo Way (CR 554) and State Route 1. The Pacific Ocean is visible from said intersection. The proposed single-family residence would be visually compatible with the character of the surrounding area. The proposed project would create a minimal impact on views of the Pacific Ocean. Considering Noyo Way downslopes from east to west, the project would have a less than significant impact on public views.

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

Less Than a Significant Impact: The proposed single-family residence and ancillary structures would create a new source of light and glare. However, the proposed exterior light fixtures would be downcast and shielded at entry porch, exterior stairs, garage doors, and along the driveway path.

MITIGATION MEASURES: None.

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	<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"/>

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

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

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

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

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

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

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

DISCUSSION: WOULD THE PROJECT...

- 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?

No Impact: The project site is mapped as Urban & Built-Up Land according to the Important Farmlands map. The subject parcel has no agricultural significance and therefore, no impact would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact: The project site is not associated with agricultural uses or under a Williamson Act contract nor are adjacent parcels. The nearest Williamson Act contract is located north of Irish Beach and would not be impacted by the proposed project. No impact would occur.

- 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))?

No Impact: The project is zoned Rural Residential 5-Acres Minimum. The project would have no impact on forest lands, timberlands, or timberland production zoned parcels.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact: The proposed project includes constructing a single-family residence in a semi-developed residential neighborhood. The project would not remove trees and would not result in the loss of forest land, nor would it result in the conversion of forest land to a non-forest use.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?

No Impact: Several subdivisions occurred within the Irish Beach community and were intended for residential and recreational uses. The Important Farmlands map indicates the subject parcel and adjacent parcels are mapped within the Urban & Built Up land designations. Thus, no impact would occur.

MITIGATION MEASURES: None.

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

5.3 AIR QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

California Air Resources Board (CARB) is the primary source for air quality data collected throughout California, and ensures the quality of this data. State and federal area designations indicate how each area

in California fares in relation to the ambient air quality standards, which identify outdoor pollutant levels considered safe for the public. CARB has established ambient air quality standards (AAQS) for ten pollutants including: ozone, suspended particulate matter (PM₁₀), fine suspended particulate matter (PM_{2.5}), carbon monoxide, nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and visibility reducing particles. The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to set National AAQS for six commonly found air pollutants including: ozone, PM₁₀, PM_{2.5}, carbon monoxide (CO), nitrogen dioxide (NO_x), and sulfur dioxide (SO₂).¹¹ With the exception of Hydrogen Sulfide and Visibility Reducing Particles, the County is in attainment for all criteria pollutants that are designated for the State and National standards.¹² The County achieved attainment in 2021.¹³ The Hydrogen Sulfide (H₂S) and Visibility Reducing Particles designations remain unclassified in Mendocino County.

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

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

- 1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust. In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible. In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NO_x) 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

¹¹ U.S. Environmental Protection Agency (2023). *Nonattainment Areas for Criteria Pollutants (Green Book)*. Retrieved from <https://www.epa.gov/green-book>.

¹² California Air Resources Board . State and Federal Area Designations. <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>. Accessed December 2025.

¹³ California Air Resources Board (2022). *2021 Amendments to Area Designations for State Ambient Air Quality Standards*. Retrieved from <https://ww2.arb.ca.gov/rulemaking>.

California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM_{2.5}. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

For the purposes of CEQA, MCAQMD previously recommended that agencies use adopted Bay Area Air Quality Management District (BAAQMD) thresholds for projects in Mendocino County. However, MCAQMD has issued clarifications to resolve conflicts between District rules and BAAQMD thresholds. This includes the Indirect Source Rule, Stationary Source Emissions Levels, CO Standards, Greenhouse Gas rules, Risk Exposure, and Odor rule. More information can be found on the MCAQMD website.¹⁴

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

Mendocino County General Plan Policies RM-37, RM-38, and RM-49 relate to Air Quality.¹⁵ Mendocino County also contains areas where naturally occurring asbestos (NOA) is known to occur. When asbestos fibers are disturbed, such as by grading and construction activities, the fibers can be released into the air. These fibers can cause serious health threats if inhaled. Ultramafic rocks are an indicator of possible asbestos minerals, including a rock known as serpentine. Serpentine and ultramafic rocks are common in the eastern belt of the Franciscan Formation in Mendocino County. Planning & Building Services uses a map derived from the California Bureau of Mines and Geology and the US Department of Agriculture’s Natural Resource Conservation Service (NRCS) to identify areas likely to have asbestos containing geologic features. MCAQMD has adopted policies for areas containing NOA.

DISCUSSION: WOULD THE PROJECT...

- a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact: The project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed construction and installation of a single-family residence, driveway, and septic system would not conflict with or obstruct the implementation of the applicable air quality plan.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

No Impact: The 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. The project includes constructing a single-family residence and ancillary structures. The project would not result in a cumulatively considerable net increase in any criteria pollutant. Thus, no impact would occur.

- c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than a Significant Impact: The subject parcel is located in a semi-developed residential neighborhood with residences approximately 130 feet to the north, south, east, and west. The proposed construction would have the potential to expose sensitive receptors to pollutant

¹⁴ Mendocino County Air Quality Management District (2013). *District Interim CEQA Criteria and GHG Pollutant Thresholds*. Retrieved from <https://www.co.mendocino.ca.us/daqmd/>.

¹⁵ County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.org/government/planning-building-services/plans/mendocino-county-general-plan>.

concentrations but would be temporary and minimal. Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. The project would have a less than significant impact on sensitive receptors.

- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than a Significant Impact: The subject parcel is located in a semi-developed residential neighborhood with residences approximately 130 feet to the north, south, east, and west. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the minimal paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

MITIGATION MEASURES: None.

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

5.4 BIOLOGICAL RESOURCES

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

ENVIRONMENTAL SETTING: Section 15380 of the CEQA Guidelines defines (a) "species" as a species or subspecies of an animal or a plant or a variety of a plant. A species of animal or plant is: (1) "Endangered"

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

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

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

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

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

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

California Fish and Game Code The California Department of Fish and Wildlife (CDFW) manages the California Natural Diversity Database (CNDDB) which provides location and natural history information on special status plants, animals, and natural communities to the public, agencies, and conservation

organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes and provide baseline data helpful in recovering endangered species and for research projects. Natural Communities are evaluated using NatureServe's Heritage Methodology, the same system used to assign global and state rarity ranks for plant and animal species in the CNDDDB. VegCAMP has been ranking California Natural Communities by their rarity and threat since 1979. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents.

Fish and Game Code Section 3503 addresses protection of Migratory Birds and Raptors. It states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests. Section 3511 protects species considered "fully protected". Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act. Fish and Game Code Section 4150 states a mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A nongame mammal may not be taken or possessed under this code. All bat species occurring naturally in California are considered nongame mammals and are therefore prohibited from take as stated in Fish and Game Code Section 4150. Section 1602 protects natural resources by requiring notification before certain activities are performed near rivers, streams, or lakes.

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

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

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

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

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

Mendocino County has an extensive range of biological communities, some of which are highly productive or contain rare plant communities. These include redwood, Douglas-fir, montane hardwood, chaparral,

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

Section 3.1 of the Coastal Element of the General Plan provides Policies regarding Habitats and Natural Resources. Coastal Element Policy 3.1-2 requires that *Development proposal in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plan or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource. Section 3.1 of the Coastal Element defines wetlands as lands which may be covered periodically or permanently with shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are extremely fertile and productive environments. Tidal flushing from the ocean and/or nutrient-rich freshwater runoff mix to form a delicate balance responsible for their productivity. They function as nurseries for many aquatic species and serve as feeding and nesting areas for waterfowl, shorebirds and wading birds, as well as a few rare and endangered species.*

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

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporated: The proposed project includes constructing a driveway from Noyo Way, a 1,068 sq. ft. single-family residence with an attached 400 sq. ft. garage, installing a septic system for one bedroom, a propane tank, and roof-mount solar panels. County records from 1978 indicate that a culvert runs along the southern side of Noyo Way. The proposed driveway would be sited perpendicular to the culvert crossing on Noyo Way. A Biological Scoping, Floristic Botanical, and Point Arena Mountain Beaver Survey Report was prepared by Wynn Coastal Planning & Biology (WCPB) on April 17, 2025, to locate potential Environmentally Sensitive Habitat Areas (ESHAs) and to determine if they would be directly or indirectly impacted by the proposed development. WCPB identified three types of presumed ESHA on the project site including an intermittent stream, riparian vegetation that includes twinberry – willow scrub (*Lonicera involucrate* – *Salix hookeriana* shrubland association). The said culvert is within the intermittent stream and is surrounded by twinberry - willow scrub ESHA.

Mendocino County Code Chapter 20.496 requires that at least a 50-foot buffer be established around all identified ESHA with consultation and agreement from the California Department of Fish and Wildlife and County Planning staff. WCPB conducted a reduced buffer analysis to assist in the determination of suitable protection for potential sensitive species and presumed sensitive habitat on the project site, concluding that a 50-foot buffer for the intermittent stream and its associated riparian habitat will sufficiently protect these resources from the impact of proposed development. It is the professional opinion of WCPB that a 100-foot buffer width is not necessary to protect the identified resources, and a 50-foot buffer is recommended instead.

Approximately 6.25 square feet of the proposed stairs and the driveway would be constructed within the 50-foot buffer of the identified ESHAs. The proposed stairs would be constructed at the front of the residence approximately 47.6 feet from the ESHA and would be of the same permeable materials and as an extension of the proposed driveway. WCPB states that approximately 1,850 square feet of the proposed driveway would be within the combined 50-foot buffer. Some overgrown shrub branches encroaching onto the proposed driveway location will need to be trimmed; however, no trees will need to be removed. The proposed driveway is unlikely to have any significant impact on the twinberry-dune willow scrub plant community nor the intermittent stream. WCPB states that planting additional riparian vegetation is not recommended because it could increase fire risk and/or reduce the line of sight for traffic on Noyo Way.

With the exception of the stairs, the proposed single-family residence, propane tank and septic system would be located the farthest distance possible outside of the ESHAs and associated 50-foot buffer. WCPB stated, “buffer areas were measured from the outside edge (dripline of trees and other vegetation) of the ESHAs based on site surveys and aerial photo interpretation. There are no significant biological functional relationships between the twinberry – dune willow scrub habitat and the non-native grassland outside of it that would necessitate including the non-native grassland as part of the ESHA”. WCPB stated that “the stream is intermittent and does not support fish or fish habitat. Any potentially present special status amphibians may use the stream for resting though it is unlikely to be suitable for breeding. Potentially present special status birds may utilize grassland areas of the property for some feeding requirements, however the limited grassland area on the property is not likely to support the feeding requirements of grassland feeding birds”.

Although not observed during the field surveys, WCPB noted “there is a potential for the presence of special status birds, bats, and amphibians in the project area. Potentially present special status birds may utilize grassland areas of the property for some feeding requirements, however the limited grassland area on the property is not likely to support the feeding requirements of grassland feeding birds. The Irish Beach community is predominately composed of small residential parcels and is mostly built out. Properties adjacent to the south, and north are developed with residences while those to the east and west are undeveloped.

Wildlife found in this area should be reasonably adapted to human disturbance. The proposed development would require minimal non-native vegetation removal and would have similar impacts as neighboring parcels.”

Considering the subject parcel’s relatively flat topography with a slight downslope toward the riparian area, there is potential for erosion to occur. Proposed impervious surface coverage is expected to be minimal, as the driveway would use permeable surface materials (permeable pavers, surfaced with gravel, or permeable pavement). The buildable area of the parcel is constrained due to the parcel shape and size of 12,632± square feet and location of the ESHA. There are no natural topographic or cultural features present to use for buffering purposes. According to the Wetlands map, the adjacent parcels to the east (APNs: 132-030-13 and 132-030-11) contain driveways and single-family residences similar in size and proximity to the intermittent stream ESHA. The proposed development has been sited and designed to avoid and minimize impacts to natural landforms and ESHA. As proposed, the project would be compatible with the continuance of the adjacent habitat area by maintaining the functional capacity, its ability to be self-sustaining and maintaining natural species diversity.

Alternatives to the project’s location and design were considered. WCPB stated there are no other feasible alternative locations for the driveway that are less impacting than using the existing mowed strip of land that crosses the stream. The northern property line adjacent to the stream is the only property line facing a public road. There are no legal road easements through the private parcels adjacent to the subject parcel. Accessing the interior of the subject parcel from Noyo Way is the least environmentally damaging alternative. The least impacting location of the proposed driveway from Noyo Way would be to use the 15± foot wide strip of land which already has a culvert installed and is primarily vegetated with non-native grassland or ruderal vegetation except where branches of shrubs growing within the adjacent twinberry – dune willow scrub riparian habitat overhang the proposed driveway. The driveway, as proposed, is the best site as it contains a culvert that connects the stream and allows access to the interior of the parcel. Furthermore, the proposed residence, garage, and septic system are proposed as far from the ESHA as possible.

WCPB stated that no compensatory mitigation is recommended because impacts occur only within buffer areas and not within ESHAs themselves. Avoidance and minimization measures have been incorporated to protect ESHAs. Additionally, the project was referred to the California Coastal Commission (CCC) and the California Department of Fish and Wildlife (CDFW) on April 23, 2025. A site visit was conducted with CDFW on August 19, 2025. CDFW provided the following comments: “A watercourse is present along the northern boundary of the property and has been culverted under the driveway. The watercourse has native, riparian vegetation. CDFW could not locate any Lake and Streambed Alteration Agreements associated with the installation of this culvert.” CDFW recommended that “if any modification to bed, bank, or channel including the replacement of the culvert are proposed in the future, the landowner shall notify CDFW for a Lake and Streambed Alteration Agreement”.

Furthermore, CDFW noted that the biological report included avoidance and minimization measures and recommends incorporating these measures as Conditions of Approval. Additionally, as the report includes avoidance and minimization measures for the Point Arena mountain beaver (*Aplodontia rufa nigra*) and California red-legged frog (*Rana draytonii*), CDFW would recommend a qualified biological monitor be onsite during construction and until clearing, vegetation trimming or removal, and grading is complete. If Species of Special Concern or federally listed species including Point Arena mountain beaver or California red-legged frogs are identified, work should stop and the animals should be allowed to leave the work site unaided or the project should consult with the United States Fish and Wildlife Service (if federally listed) or CDFW (if State listed or Species of Special Concern) to determine the appropriate next steps. Recommendations: CDFW concurs with the 50’ buffer reduction if the following protective measures are incorporated as conditions of approval:

- a. Low symbolic fencing shall be installed on either side of the driveway from the road for the length of the driveway and shall be inset at least one foot from the edge of the driveway as to prevent further encroachment into the watercourse’s bank and riparian vegetation.

- b. Install erosion control measures prior to the start of all construction activities including clearing, grubbing, or grading and maintain these Best Management Practices (BMP) for the life of the project and through the first winter after construction to ensure sediment or other deleterious materials does not enter the watercourse.
- c. Bare ground shall be stabilized and seeded with locally appropriate coastal grass and annual mix.
- d. Low symbolic fencing shall be installed at the 50' buffer to the south of the riparian corridor (east side). No development shall occur within this buffer and only planting of native, locally appropriate tree and shrub species (see the species that occur within the site or immediately adjacent natural communities as described in the biological report) may be planted within the buffer.
- e. No non-native invasive species shall be planted on the site. CDFW would encourage the planting of locally appropriate, native species on the parcel including tree and shrub species including ceanothus (including mounding ceanothus species) coyote bush, coffee berry outside of the riparian and wax myrtle, pacific reed grass, and Douglas iris adjacent to the riparian.

Construction activities will involve driving vehicles and walking across areas where amphibians may be traveling. Staging materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. Silt fencing, straw wattles, fences, or walls may intercept and redirect the travel of amphibians traveling through the area. Amphibians may fall into and become trapped within holes left open overnight. The Coastal Commission recommended that the applicant/ owner execute and record a deed restriction to prevent further encroachment into ESHA buffers, which has been incorporated as Condition of Approval No. 33. With the incorporation of conditions and mitigation measures provided by CDFW, WCPB, and the Coastal Commission, the project would have a less than significant impact.

- 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?

Less Than a Significant Impact: A culvert was installed within the stream ESHA along Noyo Way at an unknown time. The project includes permitting said culvert even though it may have been installed prior to the establishment of the California Coastal Act. However, the baseline conditions of the project site includes said culvert. The Coastal Commission recommended that the applicant record a deed restriction protect ESHAs from future encroachment. The only allowable uses within ESHA shall be limited to developments which have as the primary function the maintenance or improvement of wildlife habitat (including culvert replacement). Additionally, the only development permitted within ESHA buffers shall be compatible with the continuance of the adjacent habitat area by maintaining the functional capacity, its ability to be self-sustaining and to maintain natural species diversity.

As such, Condition of Approval No. 33 requires the landowner execute and record a deed restriction in form and content acceptable to the Coastal Permit Administrator and County Counsel. The deed restriction shall restrict future use of the property within the 50 ft buffer of the stream and riparian vegetation ESHAs. The only permitted development would be (1) installation of pipelines, utility lines when no less environmentally damaging alternative route is feasible; (2) Vegetation clearance as required by CAL FIRE; (3) Removal of non-native vegetation; (4) Planting native vegetation; (5) Routine maintenance and repairs of the proposed residence and associated utilities within the development footprint; (5) Hardscaping if required by CAL FIRE; BIO-11 and BIO-12 Mitigation Measures requires the installation of low symbolic fencing on either side of the driveway from the road for the length of the driveway and at the 50 ft. buffer to the south of the riparian corridor to prevent further encroachment into the ESHA buffers. The proposed project would have a less than significant impact on protected wetlands.

- 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?

Less Than a Significant Impact: The subject parcel contains an intermittent stream that does not support fish or fish habitat. Any potentially present special status amphibians may use the stream for resting though it is unlikely to be suitable for breeding. Potentially present special status birds may utilize grassland areas of the property for some feeding requirements, however the limited grassland area on the property is not likely to support the feeding requirements of grassland feeding birds”.

Although not observed during the field surveys, WCPB noted “there is a potential for the presence of special status birds, bats, and amphibians in the project area. Potentially present special status birds may utilize grassland areas of the property for some feeding requirements, however the limited grassland area on the property is not likely to support the feeding requirements of grassland feeding birds. The Irish Beach community is predominately composed of small residential parcels and is mostly built out. Properties adjacent to the south, and north are developed with residences while those to the east and west are undeveloped. Wildlife found in this area should be reasonably adapted to human disturbance. The proposed development would require minimal non-native vegetation removal and would have similar impacts as neighboring parcels.” Condition of Approval No. 10 requires a qualified biologist be on site during construction and until clearing, vegetation trimming or removal and grading is complete. Avoidance Measures have been added as Conditions of Approval to search for amphibians and special status species prior to construction each day, educate contractors, and to stop work if a species of special concern or federally listed are on site and within 100 feet of the project site. Work shall be stopped until the species leaves the work site unaided or the contractor/biologist consults with USFWS (if federally listed) or CDFW (if stated listed) to determine the appropriate next steps.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant with Mitigation Incorporated: Pursuant to the LCP Policy 3.1-7 a buffer area shall be established adjacent to all environmentally sensitive habitat areas (ESHAs) to prevent significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and County Planning staff, that 100 feet is not necessary to protect the resources of that particular ESHA. The buffer area shall be measured from the outside edge of the ESHA and shall not be less than 50 feet in width. Developments permitted within a buffer area shall generally be the same as those uses permitted in the adjacent environmentally sensitive habitat area and must comply at a minimum with each of the following standards:

1. It shall be sited and designed to prevent impacts which would significantly degrade such areas;
2. It shall be compatible with the continuance of such habitat areas by maintaining their functional capacity and their ability to be self-sustaining and to maintain natural species diversity; and
3. Structures will be allowed within the buffer area only if there is no other feasible site available on the parcel. Mitigation measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution.

The proposed driveway and a 6.25 sq. ft. portion of the single-family residence would be located within the 50 ft buffer of the identified ESHAs on site. The project does not include removing any ESHA. Avoidance and Mitigation measures would prevent future encroachment, install Best Management Practices, and enhance the buffer with native vegetation plantings. With the incorporation of avoidance and mitigation measures, the project would have a less than significant impact.

- 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?

No Impact: There are no known Habitat Conservation Plans in effect for the project site property or surrounding area. As a result, no impact is anticipated.

MITIGATION MEASURES:

BIO-1 Mitigation Measure: Properly install silt fencing and straw wattles. Straw wattles and silt fencing shall be installed at the edge of the project site in locations where they will intercept erosion runoff. Extraneous barriers may funnel amphibians toward the project and should not be installed. Silt fencing and straw wattles shall not be used to surround and isolate sensitive resources such as wetlands and riparian areas. Silt fencing and straw wattles shall be examined each morning to ensure amphibians are not caught along its length.

BIO-2 Mitigation Measure: Prior to construction activities, the landowner, biologist, and/or contractor shall install a low symbolic fence along the 50-foot buffer of the twinberry – dune willow thickets ESHA on the subject parcel. The low symbolic fencing shall be maintained prior to and for the lifetime of the project. The low symbolic fencing will act as a barrier to prevent encroachment and impact to the intermittent stream, riparian area, and twinberry – dune willow scrub ESHAs. No development shall occur within this buffer (with the exception of the driveway and 6.25 sq. ft. of the residence's staircase) and only planting of native, locally appropriate tree and shrub species (see the species that occur within the site or immediately adjacent natural communities as described in the biological report) may be planted within the buffer.

BIO-3 Mitigation Measure: Prior to construction activities, the landowner, biologist, and/or contractor shall install low symbolic fencing on either side of the driveway from the road for the length of the driveway and shall be inset at least one foot from the edge of the driveway as to prevent further encroachment into the watercourse's bank and riparian vegetation. Fencing on both sides of the driveway shall be maintained through the life of the project. The landowner shall be responsible for the installation and maintenance of the low symbolic fencing.

BIO-4 Mitigation Measure: No construction or materials staging shall occur within 50 feet of the identified ESHA with the exception of the proposed stairs and driveway. Stage all building materials and construction vehicles in upland area greater than 50 feet from all ESHAs. If no staging areas greater than 50 feet from ESHAs is practicable then stage as far from ESHAs as possible.

BIO-5 Mitigation Measure: Plant native locally appropriate vegetation only. This mitigation measure will offset impacts that may have occurred when the culvert was installed at an unknown date. Native species to be planted shall be and are not limited to ceanothus (including mounding ceanothus species), coyote bush, coffee berry outside of the riparian, and wax myrtle, pacific reed grass and Douglas Iris adjacent to the riparian. Planting invasive species within the 50 foot buffer of the identified riparian vegetation and intermittent stream is prohibited.

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

5.5 CULTURAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

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

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (PRC §5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 14 CCR, Section 4852) including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - (B) Is associated with the lives of persons important in our past;
 - (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history.
- (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to PRC §5020.1(k)), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC sections 5020.1(j) or 5024.1.

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

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

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

According to MCC §20.308.020(A), "Archaeological Site" means any area containing significant or important archaeological resources. Any person who, in the preparation for or in the process of excavating or otherwise disturbing earth, discovers any archaeological or paleontological site shall cease and desist from all further excavation within one hundred (100) feet of the discovery and notify the Director of the Department of Planning and Building Services in conformance with MCC Chapter 22.12. See also Paleontological Site.

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

DISCUSSION: WOULD THE PROJECT...

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?
- c) Disturb any human remains, including those interred outside of formal cemeteries?

No Impact: The project site is vacant with the exception of a culvert along the northern boundary adjacent to Noyo Way. Project materials included an Archaeological Survey prepared by Alta Archaeological Consulting on August 8, 2025 which determined that no California Historical Landmarks or Points of Interest are present in the project area. No National Register-listed or eligible properties are located within the quarter-mile visual area of the project area. Alta Archaeological Consulting stated, “no cultural resources were identified within the project area as a result of the records search, literature review, Native American outreach, or archaeological field survey”. In addition, the project would not disturb any human remains including those interred outside of formal cemeteries. The Discovery Clause has been added as a condition of approval on the associated staff report.

MITIGATION MEASURES: None.

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

5.6 ENERGY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<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"/>

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

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

Project factors that may influence energy impacts include the following:

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

Factors that may lessen energy impacts include those that decrease overall per capita energy consumption; decreased reliance on fossil fuels such as coal, natural gas, and oil; and increased reliance on renewable energy sources.

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

Mendocino County General Plan Policies RM-55 and RM-57 relate to energy, including Action Items RM-55.1 and RM-55.2.¹⁸ Ukiah Public Utility is the only customer-owned utility in Mendocino County, which supplies electricity, water, and wastewater treatment. Most residents receive electric service from Pacific Gas and Electric (PG&E).

DISCUSSION: WOULD THE PROJECT...

- 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?

No Impact: The project includes constructing a one-bedroom single-family residence with rooftop solar panels, a driveway, installing a septic system, and connecting to water supply, electricity, and gas utilities. The proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation, nor would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The project would generate and utilize energy resources through on-site solar panels to support project operations. Project operations would be temporary and minimal in nature. Therefore, no impact is anticipated.

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact: 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 proposed project is not anticipated conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No Impact would occur.

MITIGATION MEASURES: None.

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

5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2025), 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"/>

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

The vast majority of Mendocino County is underlain by bedrock of the Franciscan Formation, which is known to have poor slope stability characteristics. Earthquake hazard zones, as identified by the California Earthquake Hazards Zone Application (EQ Zapp), delineate areas subject to fault rupture, liquefaction, and earthquake induced landslides.¹⁹ Landslides in Mendocino County have been a major part of the natural erosion process for tens of thousands of years. The rainy wet winters and relatively dry summers, the mountainous terrain, and commonly weak bedrock conditions all contribute to the development of landslides.

Seismic shaking can also be a triggering mechanism. Human activities that affect vegetation, slope gradients, and drainage processes can also contribute to land sliding and erosion. Slope stability characteristics in the Maacama fault zone are typically very poor as well. Along the coast, undercutting of the coastal bluffs by wave action makes the bluffs particularly susceptible to rock fall and slope failures. In many areas, landslides along roadways create traffic hazards following winter storms (and delays during the summer months when repairs are made).

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on nine (9) percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than fifteen (15) percent have a high erosion hazard. Development can result in soil erosion or loss of topsoil if project activities result in deep slope rills, gullies, or unmanageable accumulation of sediment. Ground disturbing activities most often result in impacts, including grading. Soil can be exposed during construction activities and increase the potential for soil erosion to occur, especially during storm events. Impervious surface areas would not be prone to erosion

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

or siltation because no soil is included in these areas but increased impervious surfaces may impact surrounding hydrology and result in erosion impacts nearby.

Lateral spreading often occurs on gentle slopes or flat terrain and consists of lateral extension accompanied by shear or tensile fracture. Lateral spreading is often caused by liquefaction, which in turn is triggered by rapid ground motion from earthquakes or artificial activities. Bedrock or soil resting on materials that liquefy can undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow. Subsidence refers to broad-scale change in the elevation of land. Subsidence is commonly caused by groundwater extraction, oil extraction, underground reservoir pumping of gas, dissolution of limestone aquifers (sinkholes), collapse of a mine, drainage of organic soil, or initial wetting of dry soil (hydrocompaction). The US Geological Survey (USGS) regularly publishes information on land subsidence in California, including a map showing areas of land subsidence due to groundwater pumping, peat loss, and oil extraction.

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

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- a. 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.
 - b. Strong seismic ground shaking?
 - c. Seismic-related ground failure, including liquefaction?
 - d. Landslides?

Less Than a Significant Impact: The Local Coastal Plan (LCP) Land Capabilities and Natural Hazards Map indicate the subject parcel is located on Bedrock and within the Zone 1 seismic hazard area which is associated with low risk. The EQ Zapp map indicates the subject parcel is not within an earthquake fault zone and has not been evaluated by the California Geological Survey for liquefaction hazards and seismic landslide hazards. The Landslide Map indicates the western portion of the parcel is associated with a moderate risk of landsliding. Thus, a less than a significant impact would occur.

- b) Result in substantial soil erosion or the loss of topsoil?

Less Than a Significant Impact: As with any development within Mendocino County, the proposed project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures. This is to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas. BMPs would be required to stabilize disturbed soils, and vegetate bare soil created by the construction phase of the project with native vegetation, and/or native seed mixes for soil stabilization as soon as feasible. Constructing a single-family residence, a driveway, and installing a septic

system would require 25 cubic yards of cut. The nearest disposal site is the South Coast Transfer Station located at 40855 Fish Rock Road, Gualala or the Boonville Transfer Station located at 18851 Mountain View Rd, Boonville. In addition, Redwood Waste Solutions would serve the property for solid waste disposal during construction and in operation. Thus, the project would have a less than significant impact.

- 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?

Less Than a Significant Impact: As stated previously, the EQ Zapp map indicates the subject parcel is not within an earthquake fault zone and has not been evaluated by the California Geological Survey for liquefaction hazards and seismic landslide hazards. Lateral spreads are distinctive because they usually occur on very gentle slopes or flat terrain. The dominant mode of movement is lateral extension accompanied by shear or tensile fractures. The failure is caused by liquefaction, the process whereby saturated, loose, cohesionless sediments (usually sands and silts) are transformed from a solid into a liquefied state.²⁰ The subject parcel is not associated with liquefaction, lateral spreading, collapse, subsidence, or seismic landslide hazards. The California Geological Survey indicates there are no Reported Landslides within the vicinity of the project site. Thus, a Less Than Significant Impact would occur.

- d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2025), creating substantial direct or indirect risks to life or property?

No Impact: The project site is located on Biaggi loam, 5 to 15 percent slopes. The Site Evaluation Report, prepared by Carl Rittiman & Associates, Inc., indicated that the project site would be suitable for the installation of an at-grade septic system. The proposed single-family residence would be one and a half floors tall. The project would not be located on expansive soils that would create a substantial direct or indirect risk to life or property. No impact would occur.

- 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?

No Impact: The Site Evaluation Report, prepared by Carl Rittiman & Associates, Inc., indicated that the project site would be suitable for the installation of an at-grade septic system. Therefore, no impact would occur.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact: The elevation of the project site is approximately 270 feet above sea level.²¹ Google Maps imagery indicates that the property's elevation gradually increases from approximately 264 to 273 feet above mean sea level from north to south. The project would include minimal grading for the building footprint and driveway. The project would not alter the natural landform of the property. The subject parcel does not contain a unique paleontological resource or site or unique geologic feature. Therefore, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

MITIGATION MEASURES: None.

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

5.8 GREENHOUSE GAS EMISSIONS

²⁰ US Geological Survey Communications and Publishing. Lateral Spread. July 20, 2023.

²¹ Topographic Map.

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

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

MCAQMD has not adopted a construction related emissions threshold. For projects other than stationary sources, the operational threshold is 1,100 Metric Tons of CO_{2e} per year or 4.5 Metric Tons of CO_{2e} per SP (residents + employees) per year. For stationary sources, the operational threshold is 10,000 Metric Tons of CO_{2e} per year. The California Emissions Estimator Model (CalEEMod) is a tool that can be used to quantify ozone precursors, criteria pollutants, and greenhouse gas emissions from construction and operation of development in California. The model is published by the California Air Pollution Control Officers Association. MCAQMD and Mendocino County have not adopted any plans specifically aimed at reducing GHG emissions. However, General Plan Policy RM-50 and associated action items address GHG emissions: California Climate Policies related to GHG emissions include but are not limited to Senate Bill (SB) Numbers 32, 100, 350, 375, 743, 604, and 1383 and Assembly Bill (AB) Numbers 32 and 1493.

AB 32, the California Global Warming Solutions Act of 2006, requires California to set the stage for its transition to a sustainable, low-carbon future by requiring in law a sharp reduction of greenhouse gas (GHG) emissions. AB 32 includes the major GHGs and groups of GHGs that are being emitted into the atmosphere. These gases include: Carbon dioxide (CO₂), Methane (CH₄), Nitrous oxide (N₂O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), Sulfur hexafluoride (SF₆), and Nitrogen trifluoride* (NF₃). AB 32 requires CARB to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. CARB’s 2022 Scoping Plan Update provides a framework for achieving California’s 2030 GHG target and carbon neutrality.²³

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

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?

Less Than a Significant Impact: The proposed project includes constructing a 1,068 single-family residence with a two-car garage, workshop, installing a septic system, solar panels, and a propane tank, constructing a driveway approach from Noyo Way to the proposed residence and installing an above ground propane tank and screening. The project proposes minimal grading for the building footprint. According to the California Emissions Estimator Model (CalEEMod), the construction phase including site preparation, grading, and building construction would generate the most greenhouse gases. The use of solar panels reduce greenhouse gas emissions. MCAQMD Rule’s 1-430 and 1-400 would also reduce greenhouse gas emissions. Mendocino County’s building code requires new construction to include energy efficient materials and fixtures. Therefore, the project would have a less than significant impact on the environment.

- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact: There are no adopted local plans for reducing the emissions of greenhouse gases.

MITIGATION MEASURES: None.

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

5.9 HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

²⁴ MCOES – Plans and Publications, 2019.

To better address wildfire and evacuation concerns, Mendocino Council of Governments recently completed a Fire Vulnerability Assessment (FVA) for Mendocino County which assists in identifying areas of fire vulnerability and evacuation concerns.²⁵ The FVA focuses on the areas of the County at greatest risk to wildfire hazards and organizes the analysis into four planning areas within the County. Within each planning area, key roadways, populations, and communities are characterized and critical facilities at risk of fire are identified. The Evacuation Plan identifies evacuation protocols and criteria the County can use for emergency response and preparedness and focuses on key evacuation concerns for the same Planning Areas. For each Planning Area, Evacuation Zones and Maps are identified, which focuses on key areas and concerns to take into consideration during an evacuation event.

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

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than a Significant Impact: The proposed project involves constructing a driveway crossing over a culverted ESHA, a single-family residence with an attached garage, installing a septic system, solar panels, and a propane tank and enclosure. The project site is approximately 130 feet to the nearest residence to the north, south, east, and west. The project anticipates using hazardous materials for construction temporarily. The project does not anticipate creating a significant hazard to public health. The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, and power tools.

Storage of these materials in the open may result in contaminated storm water runoff being discharged into nearby water bodies, including the Pacific Ocean. This potential hazard is not significant if these materials, particularly construction debris, are properly stored at least 50 feet away from any ESHA on the project site, and then disposed of at an approved collection facility. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities.

²⁵ Mendocino Council of Governments. Fire Vulnerability Assessment & Emergency Evacuation Preparedness Plan. October 1, 2020. <https://www.mendocinocog.org/fire-vulnerability-assessment-emergency-evacuation-preparedness-plan-completed>

Considering the project is to construct a residence and associated structures, it is assumed that hazardous materials, such as lead, volatile organic compounds, plastics, and other substances, would be used temporarily. The ongoing use of hazardous materials outside of household cleaning supplies is not anticipated.

- 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?

Less Than Significant with Mitigation Incorporated: Hazardous materials would be used temporarily on the project site and properly stored away from ESHAs and other sensitive resources when not in use. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within 50 feet of the identified ESHA. All such fluids and containers shall be disposed of properly off-site. Heavy equipment shall not be stored within the driveway crossing. With the incorporation of Mitigation Measures #, the project would have a less than significant impact.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact: Manchester Elementary School is the nearest school and is located 4.5± miles south of the project site. The project would not emit hazardous materials or handle hazardous or acutely materials, substances or waste within one-quarter mile of Manchester Elementary School.

- 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?

No Impact: The project site is not a hazardous materials site and is not within at least 1,000 feet of a hazardous materials site pursuant to Government Code §65962.5. Therefore, no impact would occur on the public or the environment.

- e) 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?

No Impact: The project is not located within an airport land use plan or where such plan has not been adopted. The nearest airport is the Boonville Airport located 30± miles east of the project site. The project site is not subject to any airport land use plan, nor is the project site located within the vicinity of a private airstrip. The project would have no impact and would not result in a safety hazard or create excessive noise for people residing or working in the project area.

- f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact: The proposed project would not impair the adopted emergency response plan or emergency evacuation plan. The nearest major ground transportation corridor to the project site is Highway 253 and would be used as the primary evacuation route during an evacuation effort. The project to construct a single-family residence would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan as detailed in the MCOG Fire Vulnerability Assessment.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than a Significant Impact: The proposed project will not increase any existing wildland fire hazard in the area. Residential development is located on surrounding properties, and the addition of one new single-family residence will not substantially increase the existing hazard in the area. The Fire Hazard Zone and Responsibility Area map indicates the subject parcel is mapped within a High Fire Hazard area and is served by the Redwood Coast Fire Protection District. The project was referred to CAL FIRE and the Redwood Coast Fire Protection District on April 23, 2025, and January 22, 2026. In addition, the applicant notified CAL FIRE Mendocino Unit of the project and requested a defensible space setback reduction. CAL FIRE granted the applicant a reduced setback exception provided the following conditions are satisfied: (1) this is a one-time exemption that only applies to this project; (2) same practical effect is achieved by having bare minimum soil for 6 plus feet or non-combustible vegetative matter around the structure; (3) the proposed structure maintains a minimum 14 foot setback from the property line; (4) incorporate the Conditions of Approval in the associated staff report. With the incorporation of CAL FIRE Recommendations, the project would have a less than significant impact and would not expose people or structures to a significant risk of loss, injury or death involving wildfires.

MITIGATION MEASURES: None.

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

5.10 HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

ENVIRONMENTAL SETTING: The North Coast Regional Quality Control Board (RWQCB) oversees the protection of surface and groundwater resources in the North Coast Region. Per Section 1005.1 of the

California Water Code, groundwater is defined as water beneath the surface of the ground, whether or not flowing through known and definite channels. Both surface water and groundwater define a watershed, as they move from higher to lower elevations.

The State and Regional Water Boards are California's regulatory agencies responsible for ensuring that the quality of the State's rivers, streams, lakes, wetlands, ocean, and groundwaters is protected. The State Water Board sets statewide policies and plans for the implementation of state and federal laws and regulations. The regional water boards adopt and implement water quality control plans (basin plans), which recognize the unique characteristics of each region with regard to natural water quality; past, present, and potential beneficial uses; and water quality problems.

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

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

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

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

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

The National Flood Hazard Layer maintained by the Federal Emergency Management Agency (FEMA) can be used to review project impacts from flooding. The Department of Water Resources Division of Safety of

²⁶ Mendocino County Code Chapter 16.30

Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers and submitted by dam owners for hazardous dams and appurtenant structures. These maps are based on a hypothetical failure of a dam or appurtenant structure. DSOD maintains a web map that displays this information.

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

DISCUSSION: WOULD THE PROJECT...

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than a Significant Impact: The project site contains an intermittent stream and other environmentally sensitive habitat areas. Several mitigation measures have been incorporated in the Biological Resources section to prevent impacts on the intermittent stream and water quality. With the implementation of Best Management Practices and installation of low symbolic fencing, the project would have a less than significant impact.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact: The Irish Beach Water District would serve the project site with water supply and septic system maintenance. The project would supply a one bedroom house with water and the impact would be minor. Therefore,

- 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:
 - a. result in substantial erosion or siltation on- or off-site?;
 - b. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?;
 - c. 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?;
 - d. impede or redirect flood flows?

Less Than Significant with Mitigation Incorporated: An intermittent stream is located downslope from the proposed single-family residence. With the incorporation of Mitigation Measures BIO-1, 3, and 4, the project would have a less than significant impact. The project would not increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site. The proposed residence would have rain gutters installed. Native vegetation would be planted between the proposed residence and the intermittent stream to filter stormwater and enhance the buffer. The project would have no impact on flood flows.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact: The LCP Land Capabilities and Natural Hazards map indicates the subject parcel is situated on Bedrock (Zone 1). The Landslide map indicates there is a risk of landsliding on the project site due to the proximity of the coastal bluff to the west. The closest bluff face is approximately 500 feet west of the project site. The nearest fault zone is located 0.8± miles south of the project site. The project site is not mapped within a Tsunami inundation area. The project includes minimal grading and would not alter natural landforms or natural shoreline processes. The Flood Hazard map indicates the project site is not susceptible to flooding.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact: The project would be required to comply with Mendocino County Ordinance No. 4313, Stormwater Runoff Pollution Prevent Procedure (Mendocino County Code Chapter 16.30 et.seq.), which requires any person performing construction and grading work anywhere in the County to implement appropriate BMPs to prevent the discharge of construction waste from entering the storm drainage system (off-site). Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan

MITIGATION MEASURES:

BIO-1 Mitigation Measure: Properly install silt fencing and straw wattles. Straw wattles and silt fencing shall be installed at the edge of the project site in locations where they will intercept erosion runoff. Extraneous barriers may funnel amphibians toward the project and should not be installed. Silt fencing and straw wattles shall not be used to surround and isolate sensitive resources such as wetlands and riparian areas. Silt fencing and straw wattles shall be examined each morning to ensure amphibians are not caught along its length.

BIO-3 Mitigation Measure: Prior to construction activities, the landowner, biologist, and/or contractor shall install low symbolic fencing on either side of the driveway from the road for the length of the driveway and shall be inset at least one foot from the edge of the driveway as to prevent further encroachment into the watercourse’s bank and riparian vegetation. Fencing on both sides of the driveway shall be maintained through the life of the project. The landowner shall be responsible for the installation and maintenance of the low symbolic fencing.

BIO-4 Mitigation Measure: No construction or materials staging shall occur within 50 feet of the identified ESHA with the exception of the proposed stairs and driveway. Stage all building materials and construction vehicles in upland area greater than 50 feet from all ESHAs. If no staging areas greater than 50 feet from ESHAs is practicable then stage as far from ESHAs as possible.

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

5.11 LAND USE AND PLANNING

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Physically divide an established community?

No Impact: The project site is situated in a long-established residential area and proposed adjacent to existing residential development. The low-density development will be consistent

with the established community. Therefore, there will no division of an established community as a result of the project.

- 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?

Less Than a Significant Impact: The proposed project is consistent with all policies of the Local Coastal Program of the General Plan, including Coastal Element Chapter 4.11, Mallo Pass Creek to Iversen Road Planning Area. The findings included in the Staff Report address the analysis of alternatives, the mitigation measures proposed to offset impacts, and other analysis of the proposed development.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

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

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

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

DISCUSSION: WOULD THE PROJECT...

- a) 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?

No Impact: The project is not located in an area of known mineral resources.

- 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?

No Impact: The project is not located in an area designated a locally important mineral resource recovery site.

MITIGATION MEASURES: None.

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

5.13 NOISE

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

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

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

Major noise sources in Mendocino County include highway and local traffic, railroad operations, airports, commercial and industrial uses, recreation, and community facilities. Highways with traffic that generates significant noise include State Route 101, 1, 20, 128, 162, 175, and 253. The only active railroad is the Skunk Train which runs between Fort Bragg and Willits. Public Airports include Ukiah Municipal, Willits Municipal (Ells Field), Round Valley Airport, Boonville Airport, Little River Airport, and Ocean Ridge Airport (Gualala). Private airstrips include the Lofty Redwoods Airport in Anchor Bay, the Fort Bragg Airport, and heliports at the Mendocino Coast District Hospital in Fort Bragg and Adventist Health in Ukiah. Major industrial sources of noise include lumber mills and timber production facilities. Other noise sources are identified in the County General Plan. Land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise sensitive.

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

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

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

Ground vibration can be annoying to people and has the potential to damage structures, including structural and cosmetic architectural damage. Ground vibration also has the potential to disrupt the operation of vibration-sensitive equipment, such as microscopes, MRI machines, and precision milling equipment. Vibration amplitudes (PPV) of various construction equipment can be calculated using methods described in the California Department of Transportation’s (Caltrans’) 2020 *Transportation and Construction Vibration Guidance Manual*.²⁷ The manual also includes guidelines for vibration damage and vibration annoyance potential thresholds. One method for reducing vibration is the installation of wave barriers. A wave barrier is a trench or thin wall made of sheet piles or similar structural members.

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

²⁷ California Department of Transportation (Caltrans). (2020). *Transportation and Construction Vibration Guidance Manual*. California Department of Transportation, Division of Environmental Analysis, Environmental Engineering, Hazardous Waste, Air, Noise, Paleontology Office.

DISCUSSION: WOULD THE PROJECT...

- 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?

Less Than a Significant Impact: With the exception of short-term construction related noise, the proposed development will not create a new source of noise that will impact the community. Noise created by the construction of a single-family residence, a driveway, accessory structures, and installation of a septic system are not anticipated to be significant, and no mitigation is required. The proposed development is similar to and compatible with the uses that already exist in the area. Construction equipment would cause temporary and intermittent noise and only would be associated with construction and would be temporary in nature.

- b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than a Significant Impact: Given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.

Upon build-out of the project, operational noise would be associated with use of the site for residential purposes. Due to the location of the project is a residential neighborhood, and since a single-family residence is all that is proposed at the site under this project, it is determined that a less than significant impact would occur.

- 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?

No Impact: The project is not located within the vicinity of a private airstrip or an airport land use. The nearest airport is the Boonville Airport and is located 30± miles southwest of the project site.

MITIGATION MEASURES: None.

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

5.14 POPULATION AND HOUSING

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<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"/>

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

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

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

DISCUSSION: WOULD THE PROJECT...

- 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)?

No Impact: The Irish Beach Subdivision and Mendocino Coast Subdivisions were created in the 1960s and 1970s for mainly residential uses and open space. The residential use of the property has been evaluated and would not induce substantial unplanned population growth in the area or require new infrastructure or extension of roads. In addition, the proposed residence would contain one bedroom and would not indirectly or directly induce unplanned population growth. No impact would occur.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact: The proposed development would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement house anywhere. Instead, the proposed development would increase housing in this area by one single-family residence.

MITIGATION MEASURES: None.

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

5.15 PUBLIC SERVICES

WOULD THE PROJECT result in substantial adverse Physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WOULD THE PROJECT result in substantial adverse Physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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"/>

ENVIRONMENTAL SETTING: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area.²⁸ Within Mendocino County, the California Department of Forestry and Fire Protection’s Mendocino Unit (CAL FIRE) along with two city fire departments and 19 fire protection districts/community services districts provide life and property emergency response to the residents and visitors of the County. Police protection services within the unincorporated area of the County are provided by the Mendocino County Sheriff’s Office. Thirteen school districts and two community college districts serve Mendocino County. Each school district comprises various numbers of traditional public schools, charter schools, preschools, adult education, and special training opportunities. Some children in the northwestern part of the county may attend schools operated by the Southern Humboldt Unified School District in Humboldt County.

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

DISCUSSION: 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:

- a) Fire protection?

No Impact: The proposed project was referred to CAL FIRE and the Redwood Coast Fire Protection District. With the added conditions of approval associated with the Staff Report, the project would not result in substantial adverse physical impacts on fire protection.

- b) Police protection?

No Impact: Fort Bragg Police Department is the nearest police protection from the project site and is located 34± miles north of the project site. The proposed project would have not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities. The project would not require the construction of police protection facilities. No impact would occur.

- c) Schools?

No Impact: The nearest school is the Manchester Elementary School and is located 4.5± miles south of the project site. The proposed development would have no impact and would not require the construction of a new school.

²⁸ County of Mendocino. General Plan - Chapter 3: Development Element. 2009. Revised 2020. <https://www.mendocinocounty.gov/home/showpublisheddocument/54479/638055061911270000>.

d) Parks?

No Impact: The nearest public beach is located 0.5± miles south of the project site located on Upper Beach Drive, which is a road between Irish Beach Drive and Highway 1. In addition, Pomo Lake Park is located on APN:132-130-12 and is approximately 0.4± miles southeast of the project site. The project would have no impact on any public park or government facility.

e) Other public facilities?

No Impact: The project proposes a driveway approach located on Noyo Way (CR 554). The project would have no impact on roadway capacity or road maintenance. The nearest Mendocino Transit Authority’s bus stop is located 4.3± miles south of the project site located at the Manchester Post Office. The project site would have no impact on other public facilities.

MITIGATION MEASURES: None.

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

5.16 RECREATION

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

ENVIRONMENTAL SETTING: The County of Mendocino manages a variety of public recreation areas including Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion’s Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of national and state parks, reserves, other state protected areas used for the purpose of recreation throughout Mendocino County.²⁹ Other public recreation sites along the coast are the Wildlife Conservation Board fishing or boating access points at Kibesillah, Noyo, and Navarro, and the Caltrans Chadbourne Gulch scenic easement. There are multiple private campgrounds in the coastal zone, some of which have shoreline access (Wages Creek, Doyle Creek, Albion Flat, Anchor Bay, and Gualala River Redwood Park).³⁰

DISCUSSION: WOULD THE PROJECT...

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?

No Impact: The proposed project to construct a one-bedroom single-family residence with an attached garage, solar panels, a driveway, and utilities would not increase density significantly that would result in deteriorating recreational facilities. The proposed single-family residence would be minimal and would not increase the use of the existing Pomo Lake Park or Irish Beach Public Access significantly. Therefore, no impact would occur.

²⁹ Mendocino County Parks Division of General Services. Parks. <https://www.mendocinocounty.gov/departments/general-services/parks>.

³⁰ County of Mendocino. General Plan Coastal Element. 1985. Revised 2021.

<https://www.mendocinocounty.gov/home/showpublisheddocument/65985/638587122803630000>.

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

No Impact: As stated previously, Irish Beach Public Access and Pomo Lake Park are approximately a half-mile from the project site. The project would not include recreational facilities nor would it require the construction or expansion of recreational facilities. The project site is well equipped with public recreation.

MITIGATION MEASURES: None.

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

5.17 TRANSPORTATION

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

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

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

According to the 2018 Office of Planning and Research (OPR)³¹ Technical Advisory on Evaluating Transportation Impacts in CEQA, “many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.” This is based on the Class 1 Existing Facilities CEQA exemption for additions to existing structures up to 10,000 square feet where the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and where the area in which the project is located is not environmentally sensitive (California Code of Regulations Title 14 Section 15301(e)(2)). However, the OPR Technical Advisory screening criteria are not based on VMT. Based on the trip generation rate contained in the Technical Advisory and average vehicle trip lengths for Mendocino County Based on the 2012 California Household Travel Survey (CHTS), the

³¹ Note: Now known as the Office of Land Use and Climate Innovation (LCI).

2020 Mendocino Council of Governments (MCOG) Vehicle Miles Traveled Regional Baseline Study found that projects consistent with the Regional Transportation Plan or General Plan that generate less than 640 VMT per day may be presumed to have less-than-significant VMT impacts. Converting this value to an equivalent number of residential households indicates that up to 22 units can be presumed to have a less-than-significant impact.

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than a Significant Impact: The proposed single-family residence is not expected to significantly impact the capacity of the street system 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.

- b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than a Significant Impact: A significant impact may occur if a project's vehicle miles traveled (VMT) substantially increase compared to existing VMT. The 2020 Mendocino Council of Governments (MCOG) Vehicle Miles Traveled Regional Baseline Study found that projects consistent with the Regional Transportation Plan or General Plan that generate less than 640 VMT per day may be presumed to have less-than-significant VMT impacts. Converting this value to an equivalent number of residential households indicates that up to 22 units can be presumed to have a less-than-significant impact.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- d) **Less Than a Significant Impact:** The project site is located 0.10± mile west of the State Route 1 and Noyo Way intersection. The project does not propose any activities, or development that would substantially increase hazards due to a design feature (sharp curves or dangerous intersections), or incompatible uses. The proposed driveway location is surrounded by a riparian area with dense vegetation. The riparian area with the native vegetation is environmentally sensitive and cannot be removed. However, the applicant would be permitted to trim said area to maintain line of sight for drivers.

- e) Result in inadequate emergency access?

No Impact: The applicant shall adhere to all CAL FIRE recommendations regarding address standards, driveway standards, and defensible space standards. With the incorporation of said standards, no impact would occur.

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

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

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

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

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

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

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

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

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation³² and 1984 regional synthesis.³³ This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

DISCUSSION – WOULD THE PROJECT...

- (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:
 - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?
 - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No Impact: The project was referred to the Northwest Information Center, Cloverdale Rancheria, Cahto Tribe, Redwood Valley Rancheria, Potter Valley Tribe, Sherwood Valley Band of Pomo Indians, and Round Valley Tribe. NWIC responded to the project referral and stated their “office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian”. NWIC explained that the proposed project area has the possibility of containing unrecorded archaeological sites due to the proximity of known archaeological (arch) sites located in similar environments as the proposed project area. Given this sensitivity and lack of prior survey of the proposed project area, NWIC therefore recommends that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources.

Project materials included an Archaeological Survey prepared by Alta Archaeological Consulting which concluded that the project site is not listed or eligible for listing in the CA Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code §5020(k). The project and arch survey were heard by the Arch Commission on September 10, 2025, in which the Commission accepted the arch survey and recommended the Discovery Clause as Condition of Approval No. 8. No other comments were received as of

³² Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

³³ Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

March 11, 2026. Thus, no impact would occur on any listed or eligible for listing in the California or local register of historical resources. Additionally, the project site does not meet the Federal resource criteria of historical significance pursuant to Public Resources Code §5024.1(c).

MITIGATION MEASURES: None.

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

5.19 UTILITIES AND SERVICE SYSTEMS

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

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

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

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No Impact: The project site is located within and will be served by the Irish Beach Water District (IBWD). The IBWD provided a letter dated February 10, 2024, affirming that the District would provide water service to the subject lot upon request. The project proposes installing a septic system in the rear setback, a propane tank, and roof mount solar panels and connecting to existing electricity utilities. IBWD passed Resolution 2025-7, which requires that all septic tanks be inspected and/or "pumped" if necessary, every five years by a registered sanitarian or a septic tank operator. This ensures compliance with state and health regulations. The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities that would cause significant environmental effects.

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

No Impact: As stated previously, the Irish Beach Water District would serve the project site with water supply. IBWD monitors drought conditions and implements measures for water conservation. Thus, no impact would occur.

- 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?

No Impact: The project proposes installing a septic system which would be maintained by the Irish Beach Water District. The septic system holds capacity for a one-bedroom residence. The project was referred to the Division of Environmental Health (DEH) on April 23, 2025, and January 22, 2026. On May 15, 2025, DEH responded and provided no comments and approves the Site Evaluation Report for the proposed septic system.

- d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than a Significant Impact: The proposed one-bedroom single-family residence with ancillary structures does not anticipate generating solid waste in excess of state or local standards. Solid waste generated by construction would be temporary and would be off hauled to the nearest Transfer Station. Waste generation is anticipated to be minimal. Redwood Waste Solutions would serve the project site with trash services.

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

No Impact: Single-family residences are often classified as "very small quantity generators" of solid waste, provided they follow local regulations. Redwood Waste Solutions has the capacity to serve the project site with trash services. Therefore, the project would have no impact.

MITIGATION MEASURES: None.

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

5.20 WILDFIRE

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

ENVIRONMENTAL SETTING: The County of Mendocino County adopted a Mendocino County Operational Area Emergency Operations Plan (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the County’s website, the County EOP, which complies with local ordinances, state law, and stated and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within the County. The purpose of the County EOP is to “facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, local and tribal governments, special districts as well as state and Federal agencies”.³⁴

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Impair an adopted emergency response plan or emergency evacuation plan?

³⁴ County of Mendocino – Plans and Publications, 2019.

No Impact: The proposed project includes constructing a single-family residence, an attached garage, roof-mount solar panels, and ancillary structures. The project site would be served with adequate water supply by the Irish Beach Water District. The applicant notified CAL FIRE Mendocino Unit of the proposed project. In which, CAL FIRE recommended several conditions of approval including address standards, driveway standards, and defensible space recommendations. The Fire Hazard map indicates the subject parcel is served by the Redwood Coast Fire Protection District and is mapped within a High Fire Hazard area. The project site is located within Zone 3D in the County's Evacuation Plan. The project was referred to CAL FIRE and the Redwood Coast Fire Protection District. No additional comments were received. The project would not impair an adopted emergency response plan or emergency evacuation plan.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than a Significant Impact: The Irish Beach community is marginally sloped and the project site slopes downward from south to north. CAL FIRE recommended that the subject parcel have bare minimum soil for 6 plus feet or non-combustible vegetative matter around the proposed single-family residence. In addition, CAL FIRE recommended Condition of Approval No. 35 to require the applicant maintain the roof structure free of leaves, needles, and other vegetative materials. Lastly, the driveway must be a minimum of 10 feet wide with 14 feet unobstructed horizontal clearance, and 15 feet unobstructed vertical clearance. Condition of Approval No. 37 requires the driveway to have an all-weather surface, with no more than 16 percent grade. Therefore, a less than significant impact would occur.

- 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?

Less Than a Significant Impact: Per the Conditions of Approval provided by CAL FIRE, the project would be required to maintain fuel breaks, and the driveway, and the roof. The roof shall be free of leaves, needles, or other vegetative materials. Non-combustible and/ or 6 plus feet of bare soil should surround the proposed development. Therefore, a less than significant impact would occur.

- 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?

No Impact: Provide analysis

MITIGATION MEASURES: None.

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

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

DISCUSSION: WOULD THE PROJECT...

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporated: Three environmentally sensitive habitat areas (ESHAs) were identified on the project site including an intermittent stream that does not support fish or fish habitat, twinberry – willow scrub (*Lonicera involucre* – *Salix hookeriana* shrubland association), which is riparian vegetation. The intermittent stream flows parallel to Noyo Way and the northern property boundary and is surrounded by the riparian vegetation. The proposed driveway and a 6.25 sq. ft. portion of the residence would be located within the ESHA’s 50-ft. buffer. Although not identified by WCPB, amphibians may utilize the stream as habitat.

Proposed impervious surface coverage is expected to be minimal, as the driveway would use a permeable surface. The buildable area of the parcel is constrained due to the parcel shape and size of 12,632± square feet and location of the ESHA. Alternative projects have been evaluated and have been determined to result in similar environmental impacts or greater impacts or may result in the regulatory taking of property. Mitigation measures have been incorporated into the project to ensure that impacts would be less than significant on the environment.

- 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).

Less Than a Significant Impact: Condition of Approval No. 33 on the staff report consists of a Deed Restriction that would restrict specific development within the 50 ft. buffer of the identified ESHAs. Condition of Approval No. 31 states “Approval of the replacement leach field shall not be vested by construction activities associated with this Coastal Development Permit. If and when, the primary leach field fails or requires replacement, a discretionary permit is required.” In addition, Condition of Approval No. 32 requires the landowner to notify CDFW for a Lake and Streambed Alteration Agreement if any modification (including replacement of culvert) to the bed, bank or channel of the identified intermittent stream.

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

Less Than a Significant Impact: The project site is approximately 130 feet to the nearest residence to the north, south, east, and west. The project anticipates using hazardous materials for construction temporarily. The project does not anticipate creating a significant hazard to public health. The project will establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, and power tools. Therefore, a less than significant impact is anticipated.

MITIGATION MEASURES:

BIO-1 Mitigation Measure: Prior to construction activities, properly install silt fencing and straw wattles. Straw wattles and silt fencing shall be installed at the edge of the project site in locations where they will intercept erosion runoff. Extraneous barriers may funnel amphibians toward the project and should not be installed. Silt fencing and straw wattles shall not be used to surround and isolate sensitive resources such as wetlands and riparian areas. Silt fencing and straw wattles shall be examined each morning to ensure amphibians are not caught along its length.

BIO-2 Mitigation Measure: Prior to construction activities, the landowner, biologist, and/or contractor shall install a low symbolic fence along the 50-foot buffer of the twinberry – dune willow thickets ESHA on the subject parcel. The low symbolic fencing shall be maintained prior to and for the lifetime of the project. The low symbolic fencing will act as a barrier to prevent encroachment and impact to the intermittent stream, riparian area, and twinberry – dune willow scrub ESHAs. No development shall occur within this buffer (with the exception of the driveway and 6.25 sq. ft. of the residence’s staircase) and only planting of native, locally appropriate tree and shrub species (see the species that occur within the site or immediately adjacent natural communities as described in the biological report) may be planted within the buffer.

BIO-3 Mitigation Measure: Prior to construction activities, the landowner, biologist, and/or contractor shall install low symbolic fencing on either side of the driveway from the road for the length of the driveway and shall be inset at least one foot from the edge of the driveway as to prevent further encroachment into the watercourse’s bank and riparian vegetation. Fencing on both sides of the driveway shall be maintained through the life of the project. The landowner shall be responsible for the installation and maintenance of the low symbolic fencing.

BIO-4 Mitigation Measure: No construction or materials staging shall occur within 50 feet of the identified ESHA with the exception of the proposed stairs and driveway. Stage all building materials and construction vehicles in upland area greater than 50 feet from all ESHAs. If no staging areas greater than 50 feet from ESHAs is practicable then stage as far from ESHAs as possible.

BIO-5 Mitigation Measure: Plant native locally appropriate vegetation only. Native species to be planted shall be and are not limited to ceanothus (including mounding ceanothus species), coyote bush, coffee berry outside of the riparian, and wax myrtle, pacific reed grass and Douglas Iris adjacent to the

riparian. Planting invasive species within the 50 foot buffer of the identified riparian vegetation and intermittent stream is prohibited.

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