



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

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April 11, 2022

**NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT MITIGATED NEGATIVE  
DECLARATION FOR PUBLIC REVIEW**

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, May 12 2022, at 11:00 a.m. or as soon thereafter as the item may be heard, will conduct a public hearing on the below described project, and the Draft Mitigated Negative Declaration, that is located in the Coastal Zone. This meeting will be conducted virtually and not available for in person public participation in an effort to slow the spread of COVID-19 and pursuant to the recommendation of the Mendocino County Health Officer and the California Department of Industrial Relations. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) or via telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page at, <https://www.youtube.com/MendocinoCountyVideo>.

**CASE#:** CDP\_2021-0042

**DATE FILED:** 11/12/2021

**OWNER/APPLICANT:** JAMES SCHMIDT & KRISTEN WILLIAMS

**REQUEST:** Standard Coastal Development Permit for major vegetation removal of 2.9± acres of trees, for a planned single family residence, view shed enhancement, and associated development.

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**LOCATION:** In the Coastal Zone, 1± mile northeast of Mendocino, 0.35± miles north of the intersection of Gurley Lane (CR 407Z) and Little Lake Road (CR 408), located at 11100 Gurley Lane (CR 407Z), Mendocino; APN 119-020-35.

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** LIAM CROWLEY

The Draft Mitigated Negative Declaration, staff report, and notice, will be available 21 days before the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

As you are an adjacent property owner and/or interested party, you are invited to submit comments, at or prior to the hearing; all correspondence should contain reference to the above noted case number. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah or 120 W Fir Street, Fort Bragg, California, or by e-mail to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) no later than May 11, 2022. Individuals wishing to address the Coastal Permit Administrator during the public hearing under Public Expression are welcome to do so via e-mail at [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org), or telecomment, in lieu of personal attendance.

All public comment will be made available to the Coastal Permit Administrator, staff, and the general public as they are received and processed by the Clerk, and can be viewed as attachments under its respective case number listed at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. If you challenge the above case in court, you may be limited to raising only those issues described

in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

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

JULIA KROG, Director of Planning and Building Services



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**COASTAL PERMIT ADMINISTRATOR  
STAFF REPORT- STANDARD CDP**

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**MAY 12, 2022  
CDP\_2021-0042**

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**SUMMARY**

**OWNER/APPLICANT:** JAMES SCHMIDT & KRISTEN WILLIAMS  
30 GLADYS COURT, APT 16  
MOUNTAIN VIEW, CA 94043

**AGENT:** JAY ANDREIS  
PO BOX 699  
FORT BRAGG, CA 95437

**REQUEST:** Standard Coastal Development Permit for major vegetation removal of 2.9± acres of trees, for a planned single family residence, view shed enhancement, and associated development.

**LOCATION:** In the Coastal Zone, 1± mile northeast of Mendocino, 0.35± miles north of the intersection of Gurley Lane (CR 407Z) and Little Lake Road (CR 408), located at 11100 Gurley Lane (CR 407Z), Mendocino; APN 119-020-35.

**TOTAL ACREAGE:** 22.6± Acres

**GENERAL PLAN:** Rural Residential- 10 Acre Minimum (RR:10)

**ZONING:** Rural Residential- 10 Acre Minimum (RR:10)

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**RECOMMENDATION:** APPROVE WITH CONDITIONS

**STAFF PLANNER:** LIAM CROWLEY

**BACKGROUND**

**PROJECT DESCRIPTION:** A Standard Coastal Development Permit for major vegetation removal of approximately 2.9 acres of trees for a planned single family residence, view shed enhancement, and associated development. The applicant had previously applied for a Less Than 3 Acre Conversion Exemption to remove trees and vegetation to clear space for a single family residence and associated development. However, the proposed conversion met the definition for Major Vegetation Removal as outlined in Mendocino County Code (MCC) Section 20.308.080(C). As such, a Standard Coastal Development Permit is required for the proposed tree removal (MCC Section 20.336.020). The project proposes removal of approximately 116 trees consisting of mostly coast redwood, Douglas-fir, and Bishop Pine. Several other species of vegetation would also be removed within the designated 2.9 acre conversion area.

**RELATED APPLICATIONS:**

**On-Site**

- PAC\_2019-0008 for Rezone, General Plan Amendment, and Subdivision
- BF\_1997-0981 for storage yurt
- BF\_1997-0574 for storage shed platform
- CE\_2021-0026 for single family residence and associated structures

- CE41-97 for single family residence
- PR2021-0044 for Less Than 3 Acre Conversion Exemption, not completed

**Neighboring Property**

- APN: 119-020-36
  - BF\_2005-0659 for workshop
  - BF\_2005-0653 for detached garage
  - BF\_2005-0631 for single family residence
- APN: 119-020-16
  - BF\_2000-0076 for garage
  - BF\_2000-0075 for single family residence
- APN: 119-380-03
  - BF\_2000-0778 for single family residence

**SITE CHARACTERISTICS:** The subject 22± acre parcel is located along the west side of Gurley Lane (CR 407Z) approximately one (1) mile northeast of the Town of Mendocino. The southern and western portion of the property is accessed via Law Road (private). The site is heavily forested in a mostly rural setting (see attached *Aerial Imagery*). The only structure on site is a small yurt used as storage. The majority of the surroundings are smaller lots developed with single family residences. The subject parcel is relatively flat with an approximate 40 foot change in elevation from the southern to northern property boundary (see attached *Topographic Map*). The parcel is within the jurisdiction of the Mendocino Fire Protection District and is mapped as a High Fire Hazard area (see attached *Fire Hazard Zones & Responsibility Areas*). The site is also within the California Department of Forestry and Fire Protection State Responsibility Area. The parcel is classified in both the General Plan and zoning ordinance as Rural Residential (RR). The project site is not within the appeal or permit jurisdiction of the California Coastal Commission (see attached *Post LCP Certification & Appeal Jurisdiction map*).

**SURROUNDING LAND USE AND ZONING:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	Remote Residential (RMR 20)	Remote Residential (RMR)	24.07± Acres	Residential
<b>EAST</b>	Rural Residential (RR5 [RR2] and RR10)	RR	1.0± to 10.3± Acres	Residential
<b>SOUTH</b>	Rural Residential (RR5 [RR2])	RR	0.23± to 2.11± Acres	Residential
<b>WEST</b>	Rural Residential (RR5 [RR2])	RR and RMR	1.83± to 2.81± Acres	Residential

**PUBLIC SERVICES:**

Access: Gurley Lane (CR 407Z)  
 Fire District: Mendocino Fire Protection District  
 Water District: NONE  
 Sewer District: NONE  
 School District: Mendocino Unified

**AGENCY COMMENTS:** On December 3, 2021 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Comments related to project modification, denial, recommended conditions of approval, or other concerns are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Air Quality Management District	No Response



Archaeological Commissioner	No Comment
Assessor's Office	No Response
Building Division (Fort Bragg)	No Comment
Department of Transportation (DOT)	No Comment
Environmental Health (Fort Bragg)	No Comment
Forestry Advisor	No Comment
Mendocino Fire Protection District	No Response
Planning Division (Fort Bragg)	No Comment
Sonoma State University	Comments
CALFIRE (Land Use)	No Response
CALFIRE (Resource Management)	No Response
California Coastal Commission	No Response
California Dept. of Fish and Wildlife	Comments
Regional Water Quality Control Board	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

**LOCAL COASTAL PROGRAM CONSISTENCY**

**Land Use:** The parcel is classified as Rural Residential (RR-10) in Mendocino County Coastal Element Chapter 2.2.

The Rural Residential classification is intended

*“...to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.”*

The proposed Major Vegetation Removal is consistent with the Rural Residential land use classification. The existing project site is heavily forested with little potential for small scale farming. The removal of trees and other vegetation would not hinder future use of the land for small scale agriculture. Within the same project area, a Coastal Development Permit Exclusion was approved on June 14, 2021 for use of a single family residence and incidental development (CE\_2021-0026). Therefore, it can be assumed that the proposed Major Vegetation Removal is associated with the approved residential use. Residential use is principally permitted within the Rural Residential classification. The proposal involves the removal of 2.9± acres of trees and other vegetation. The area of the subject parcel is 22.6± acres. Therefore, the Major Vegetation Removal associated with the residential use would not impact a significant area of the parcel with regards to agricultural viability.

**Zoning:** The project parcel is located within the Rural Residential (RR) zoning district. The intent of this district is outlined in Mendocino County Code (MCC) Section 20.376.005, which states:

*“This district is intended to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well-suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability.”*

Major Vegetation Removal is defined by MCC Section 20.308.080(C). Removal of trees with a contiguous ground area of six thousand (6,000) square feet or more constitutes Major Vegetation Removal. The project proposes to remove 2.9± acres of trees and other vegetation, thus constituting Major Vegetation Removal. MCC Section 20.336.020 states that “removal or harvesting of major vegetation requires a coastal development permit...”

The removal of trees is otherwise consistent with the intent of the Rural Residential zoning district, as the project would not interfere with the potential for the parcel to be used for small scale farming, and the project does not include other development beyond that which was approved by Categorical Exclusion CE\_2021-0026.

**Grading, Erosion and Runoff:** Pursuant to MCC Chapter 20.492 *Grading, Erosion and Runoff*, the approving authority shall review all permit applications for coastal developments to determine the extent of project related impacts due to grading, erosion, and runoff. The approving authority shall determine the extent to which these standards should apply to specific projects, and the extent to which additional studies and/or mitigation are required. According to question #16 of the Site and Project Description Questionnaire, the applicant states that no grading or road construction is planned as part of the project. In addition, the project does not propose to remove ground cover on the site. As such, only minimal amounts of bare soil may be exposed, which indicates that sedimentation and erosion during rainy periods would not be significant. The project would not conflict with other grading, erosion, or runoff standards that appear in MCC Chapter 20.492.

**Habitats and Natural Resources:** Coastal Element Chapter 3.1 and MCC Chapter 20.496 *Environmentally Sensitive Habitat and Other Resource Areas* establish the basis on which to review projects in light of Habitats and Natural Resources. The map titled *LCP Habitats and Resources* depicts coastal forest and barren habitats on site in the area where tree removal is proposed.

On December 3, 2021, PBS requested comments from the California Coastal Commission (CCC) and California Department of Fish and Wildlife (CDFW). CCC did not respond to the request. On January 4, 2022, prior to comments being received from CDFW, the applicant provided a biological scoping, wetland delineation, and botanical survey prepared by Wynn Coastal Planning & Biology (see Exhibit A – *Biological Survey Results*). This report was provided to CDFW prior to receiving comments. On January 21, 2022, staff conducted a site visit with a representative from CDFW present. On February 3, 2022, CDFW responded with the following comments:

1. *Veg community impact. Redwood – Douglas Fir Alliances Impacted by the project on parcel.*
  - a. *CDFW recommends that the loss of these veg habitat should be accompanied with habitat enhancement, such as invasive species removal (e.g. Scotch broom (Cytisus scoparius), Sea fig (Carpobrotus chilensis), and Pampas Grass (Cortaderia jubata)) and removal of any legacy debris/trash that may occur on the parcel.*
2. *Mitigation and avoidance measures. CDFW agrees with the Less Than 3 Acre Conversion Exemption's mitigation winter work timeline and conditions.*
  - a. *CDFW recommends the County require these proposed measures.*

The biological scoping, wetland delineation, and botanical survey prepared for the project states that the project would have no significant impacts on special status resources. The report states that the entirety of the project area is vegetated with a second-growth redwood forest. In addition, no hydric soil, hydrology, or hydrophytic vegetation indicators were observed. This indicates that no wetlands are present in the project area. Based on the biological surveys conducted, no plants or special status resources that would meet the LCP ESHA definitions were identified within the study area. Northern spotted owl and marbled murrelet surveys were conducted to detect the presence of these federally threatened birds in the study area. No presumed ESHAs were identified through such surveys. However, potential impacts to special status birds, bats, amphibians, and Sonoma tree voles were identified. These species have the potential to move into or through the study area. As such, the report recommends mitigation measures to avoid potential impacts to these species. These mitigation measures include the winter work timelines and conditions discussed by CDFW above. Staff recommends these avoidance measures be included as conditions of approval for the proposed project, thus becoming consistent with Mendocino County Coastal Element Chapter 3.1 and MCC Chapter 20.496 regulations.

Staff concurs with CDFW that impact to Redwood – Douglas Fir Alliances due to vegetation removal should be accompanied by habitat enhancement and trash removal, and recommends an additional condition of approval to address this comment.

**Visual Resources and Special Treatment Areas:** The site is not mapped as a Highly Scenic Area.

Therefore, the project does not conflict with Coastal Element visual resource policies. As proposed, the project would be consistent with MCC Chapter 20.504 *Visual Resource and Special Treatment Areas*. The proposed tree removal area is shielded to and from view of the nearest public road by the existing forested area. The existing trees on site are not considered integral to the visual quality of the area, and therefore their removal would not alter the existing visual quality of the area.

**Hazards Management:** Mapping does not associate the project site with any faults, bluffs, landslides, erosion, or flood hazard areas (see attached *LCP Land Capabilities & Natural Hazards*). The parcel is located in an area classified as a “High Fire Hazard” within the Mendocino Fire Protection District and California Department of Forestry and Fire Protection (CalFire) State Responsibility Area. The project was referred to CalFire and the Mendocino County Air Quality Management District on December 3, 2021 for comments. Neither agency responded with any comments. The project does not propose the construction of any structures, and the removal of trees would contribute to defensible space for any future development that would be located within the tree removal area. The project is therefore consistent with Mendocino County Coastal Element Chapter 3.4 *Hazards Management* and MCC Chapter 20.500.

**Archaeological/Cultural Resources:** The project was referred to the Sonoma State University Northwest Information Center on December 3, 2021 for comments regarding archaeological or cultural resources. Comments were received on December 16, 2021 recommending that an archival and field study of the project site be conducted to identify possible cultural resources. Upon receiving these comments, the project was heard by the Mendocino County Archaeological Commission on January 12, 2022. The Archaeological Commission determined that an archaeological survey is required for the project site.

On February 24, 2022, the applicant provided an Archaeological Survey Report prepared by Alta Archaeological Consulting. This report notes that on January 31, 2022 fieldwork was conducted on to identify any archaeological, cultural, or historical resources on the project site. 21.7 acres of the parcel were surveyed with transects no greater than 20-meter intervals. A total of 22 shovel pits were conducted in low visibility areas throughout the site, and soils were inspected for evidence of cultural materials. No cultural resources were identified as a result of the archaeological survey.

On April 13, 2022, the Mendocino County Archaeological Commission reviewed the submitted Archaeological Survey Report and deemed it acceptable.

The project was also referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. These tribes did not respond with any comments on the project.

As proposed, the project is not expected to have any impact on archaeological or cultural resources. Pursuant to MCC Section 22.12.090, staff recommends conditions of approval to ensure that identification of any cultural or archaeological resources during the course of construction shall cause work to cease and for notification of the discovery to be made to Mendocino County Planning & Building Services.

**Groundwater Resources:** The project site is located within a mapped Critical Water Resources (CWR) area (see attached *Ground Water Resources Map*). The project was referred to the Division of Environmental Health (EH) on December 3, 2021 for comment. EH responded on December 13, 2021 with no comments on the proposed project. The project does not propose any use that would require extraction of groundwater. Tree removal activities would have minimal impact on groundwater resources. As proposed, the project is consistent with County groundwater resource policies contained in MCC Chapter 20.516.

**Transportation/Circulation:** The project involves the removal of trees, which would not contribute new sources of traffic on local or regional roadways. Staff finds that the project would not impact transportation or circulation and will be provided with adequate access. On December 3, 2021 the project was referred to the Mendocino County Department of Transportation (DOT). DOT responded on December 17, 2021 with no comments on the proposed project. Staff therefore finds the project to be consistent with Coastal Element Chapter 3.8 *Transportation, Utilities and Public Services* and MCC Chapter 20.516.

**Public Access:** The project parcel is located on the west side of Gurley Lane (County Road 407Z). The project parcel is not designated as a potential public access trail location (see attached *LCP Land Use*

*Maps 15 Caspar and 17 Mendocino*). As proposed, there are no changes or impacts to existing public access. The project is therefore consistent with Coastal Element Chapter 3.6 *Shoreline Access and Trail/Bikeway System* and MCC Chapter 20.528.

### **ENVIRONMENTAL DETERMINATION**

An Initial Study for the proposed project was completed by staff in accordance with the California Environmental Quality Act (CEQA). On the basis of this initial evaluation, it was found that the project could produce significant environmental impacts. However, these impacts were considered less than significant with mitigation measures incorporated into the project. As such, a Mitigated Negative Declaration was prepared which includes recommended mitigation measures to reduce any potentially significant impacts to less than significant levels. It is noted in the Initial Study that potentially significant impacts could occur specifically in relation to biological resources. The mitigation measures recommended in the Initial Study have been included as recommended conditions of approval for this project.

### **FINDINGS:**

1. Pursuant to Mendocino County Code (MCC) Section 20.532.095(A)(1), the proposed project is in conformity with the Certified Local Coastal Program. The proposal to remove 116 trees on a site classified as Rural Residential is considered Major Vegetation Removal and is consistent with the goals and policies of the Mendocino County Coastal Element, including Chapters 2.2 and 3.1. The proposed vegetation removal would not occur within an ESHA. The parcel is 22.6± acres in size and heavily forested throughout. Tree removal activities would occur in a 2.9± acre area. The removal of trees would not impact the future viability of the parcel for small scale agriculture, and therefore preserves the intent of the Rural Residential classification; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed project will be provided with adequate utilities, access roads, drainage and other necessary facilities. The proposal to remove 116 trees would not require any additional utilities and would not impact drainage. Existing access to the parcel is considered sufficient to accomplish tree removal activities; and
3. Pursuant to MCC Section 20.532.095(A)(3), the proposed project is consistent with the purpose and intent of the Rural Residential zoning district as well as other provisions of Division II of Title 20 of the Mendocino County Code, and preserves the integrity of the Rural Residential zoning district. The proposed project involves vegetation removal, which would not interfere with the ability of the parcel to be used for agricultural or residential purposes. The parcel is heavily forested, and tree removal would create new sites for residential or agricultural use; and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed project, if carried out in compliance with the Conditions of Approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. An Initial Study and Mitigated Negative Declaration was prepared by staff. Avoidance measures related to biological resources would reduce any potential environmental impacts to less than significant levels. Conditions of Approval are recommended to ensure compliance with the CEQA requirements for a Mitigated Negative Declaration; and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed tree removal would not have any adverse impact on any known archaeological or paleontological resources, as there are no known resources within the vicinity of the site. An archaeological survey report was prepared and deemed adequate by the Mendocino County Archaeological Commission, which found no evidence of cultural materials on the site. A Condition of Approval, known as the 'Discovery Clause', is recommended to ensure archaeological sites or artifacts are protected if discovered during the course of tree removal activities.
6. Pursuant to MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed project. Tree removal activities are not anticipated to demand additional public serves. Project activities would include only temporary use of public roadways. The scale of project activities, such as transport of heavy equipment, would create only minimal impacts to roadways that were considered when the Rural Residential land use classification was applied to the parcel.

**CONDITIONS OF APPROVAL AND MITIGATION MEASURES:**

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The Applicants shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. The permit was obtained or extended by fraud.
  - b. One or more of the conditions upon which the permit was granted have been violated.
  - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. In accordance with MCC Section 20.496.020(A)(1)(b), the applicant shall protect environmentally sensitive habitat areas and other resources, including birds, bats, amphibians and fish, soil and vegetation, by the following avoidance measures:
  - a. If development is to occur during the breeding season for nesting birds (February to August), a pre-vegetation removal survey shall be conducted within 14 days of the onset of vegetation removal to ensure that no nesting birds will be disturbed during this process.
  - b. If active special status bird nests are observed, no vegetation removal activities shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species,

habitat, and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

- c. Vegetation removal shall occur during daylight hours to limit disturbing noise and minimize artificial lights.
  - d. If tree removal will occur between November 1 and August 31, pre-construction surveys for bat roost sites shall be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-vegetation removal bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.
  - e. If active bat roosts are observed, no vegetation removal activities shall occur within a minimum 50-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.
  - f. Within two weeks prior to vegetation removal activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special status amphibians are observed during construction.
  - g. During vegetation removal crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.
  - h. During vegetation removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.
  - i. If a rain event occurs during the vegetation removal, all vegetation removal activities with the potential to impact amphibians will cease for a period of 48 hours, starting after the rain stops. Prior to resuming vegetation removal activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found during inspections, vegetation removal activities may resume. If a special status amphibian is detected, vegetation removal crews will stop all vegetation removal work with the potential to negatively impact amphibians and will contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW will then be needed prior to reinitiating work. CDFW will need to be consulted and will need to be in agreement with protective measures needed for any potential special status amphibians.
  - j. Within 14 days prior to the commencement of vegetation removal/logging activities, a qualified biologist will conduct protocol level Sonoma Tree Vole (STV) surveys within the area where trees will be removed and within areas with tree canopy microclimate that could be affected by the tree removal. If STV nests are detected the biologist will consult with CDFW for further guidance and no tree removal will occur within 100 feet of the STV nests unless and until approved by CDFW.
10. The applicant shall adhere to any and all mitigation measures adopted in the Initial Study/Mitigated Negative Declaration (IS/MND) adopted for the proposed project. Mitigation measures include those for Biological Resources.
  11. Per California Department of Fish and Wildlife comments, the Applicant shall conduct habitat enhancement, such as invasive species removal (e.g. Scotch broom (*Cytisus scoparius*), Sea fig (*Carpobrotus chilensis*), and Pampas Grass (*Cortaderia jubata*)) and removal of any legacy

debris/trash that may occur on the parcel in order to mitigate the loss of Redwood – Douglas Fir Alliance habitat.

*3/30/22*

DATE

*Liam Crowley*

LIAM CROWLEY  
PLANNER I

Appeal Period: 10 Days  
Appeal Fee: \$2,620.00

**ATTACHMENTS:**

- A. Location Map
- B. Aerial Imagery (Vicinity)
- C. Aerial Imagery (Detail)
- D. Topographic Map
- E. Site Plan
- F. Zoning Display Map
- G. General Plan Classifications
- H. LCP Land Use Maps 15 (Caspar) & 17 (Mendocino)
- I. LCP Land Capabilities & Natural Hazards
- J. LCP Habitats & Resources
- K. Post LCP Certification & Appeal Jurisdiction
- L. Adjacent Parcels
- M. Fire Hazard Zones & Responsibility Areas
- N. Wildland-Urban Interface Zones
- O. Ground Water Resources
- P. Estimated Slope
- Q. Western Soil Classifications
- R. Farmland Classifications
- S. Coastal Zone Application Form & Attachments

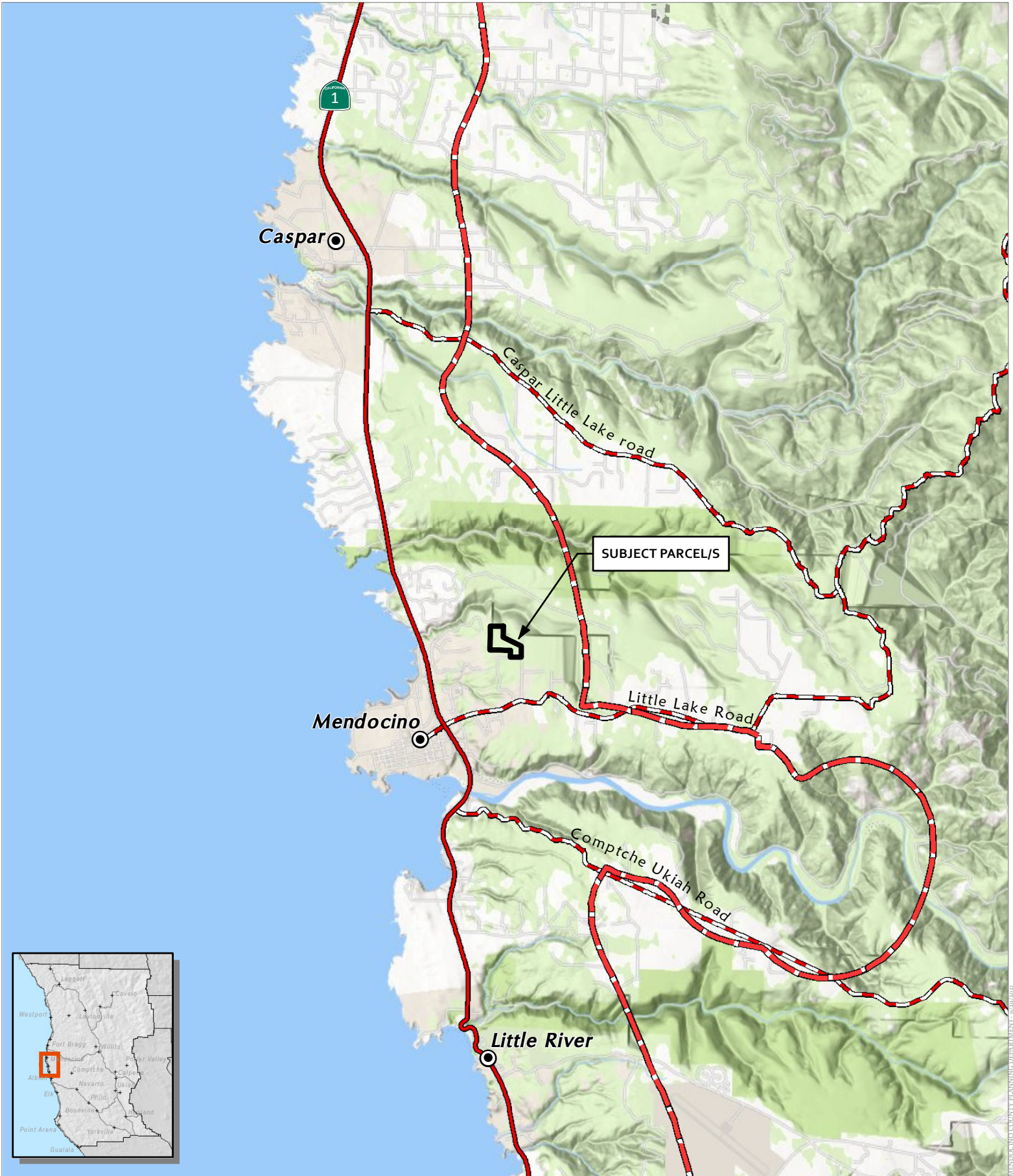
**Exhibit A**

Biological Survey Results






**Initial Study/Mitigated Negative Declaration available online at:**

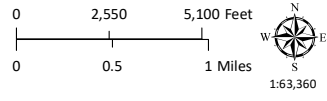
<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>





CASE: CDP 2021-0042  
 OWNER: SCHMIDT, James  
 APN: 119-020-35  
 APLCT: James Schmidt and Kristen Williams  
 AGENT: Jay Andreis  
 ADDRESS: 11100 Gurley Lane, Fort Bragg

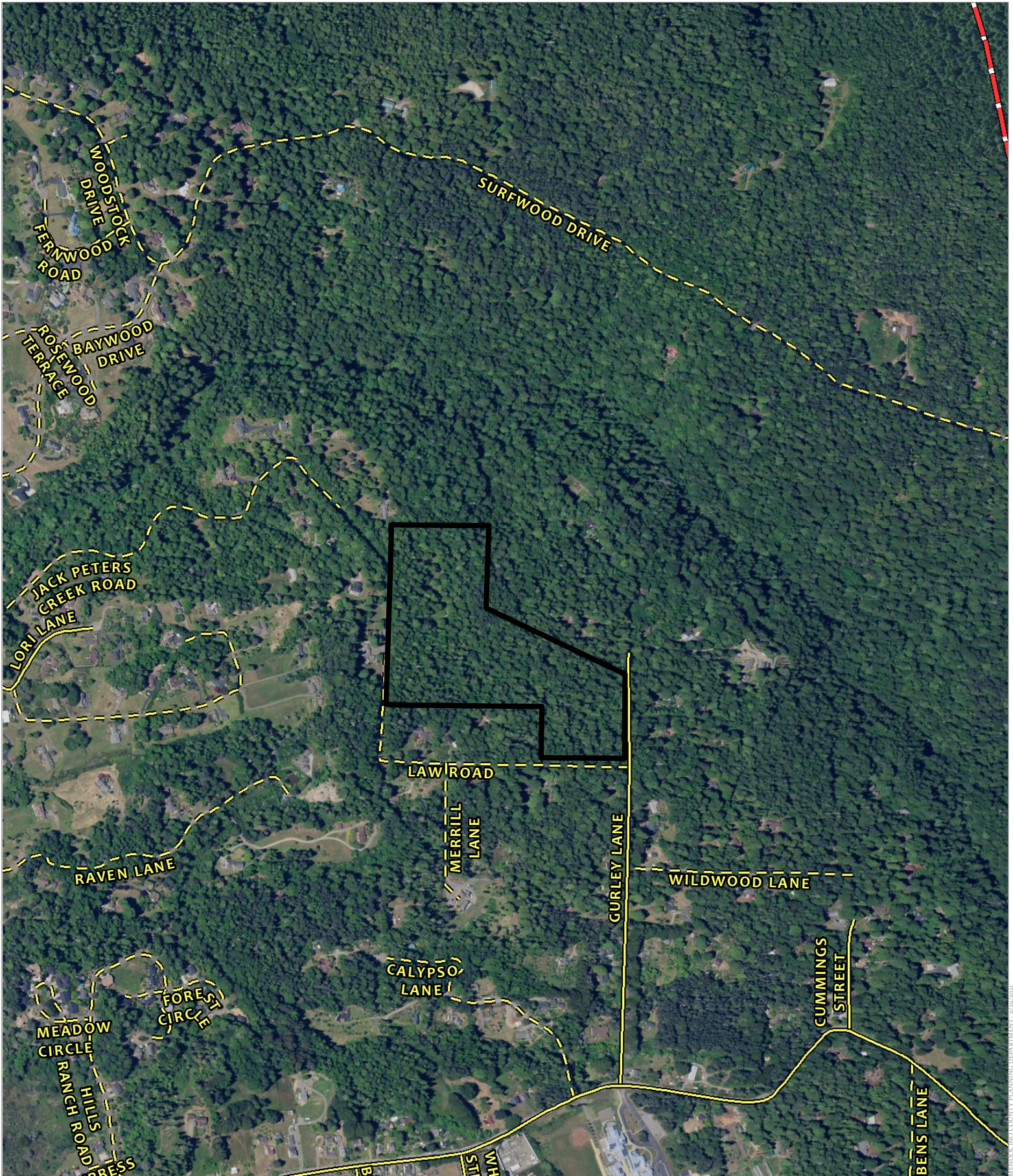
-  Major Towns & Places
-  Highways
-  City Limits
-  Major Roads
-  Coastal Zone Boundary



LOCATION MAP

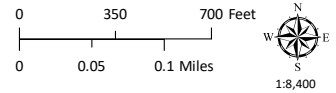
MENDOCINO COUNTY PLANNING DEPARTMENT 07/29/2021





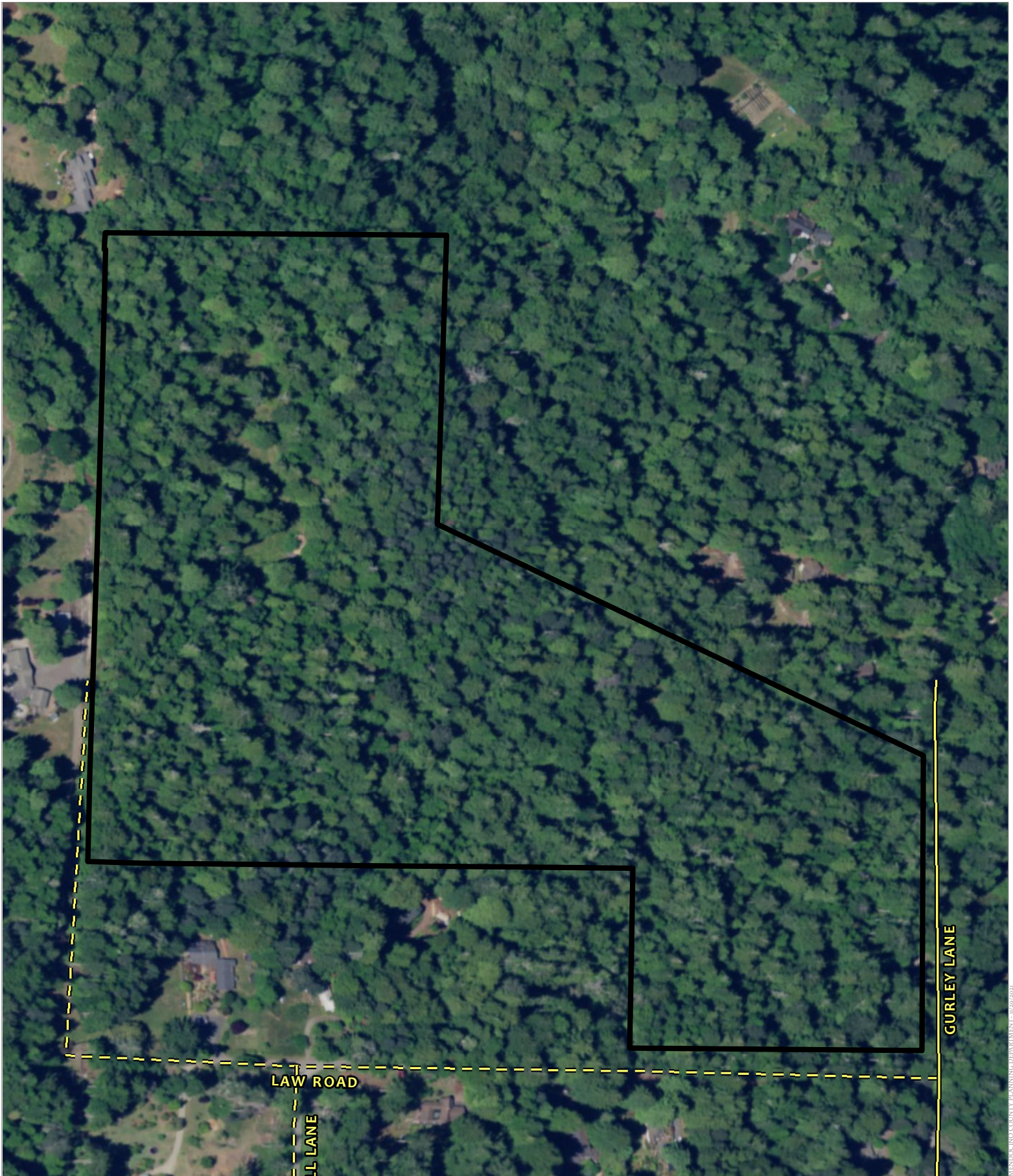
CASE: **CDP 2021-0042**  
 OWNER: **SCHMIDT, James**  
 APN: **119-020-35**  
 APLCT: **James Schmidt and Kristen Williams**  
 AGENT: **Jay Andreis**  
 ADDRESS: **11100 Gurley Lane, Fort Bragg**

- - - Coastal Zone Boundary
- Public Roads
- Private Roads



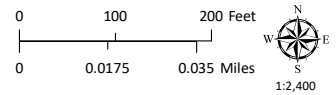
AERIAL IMAGERY





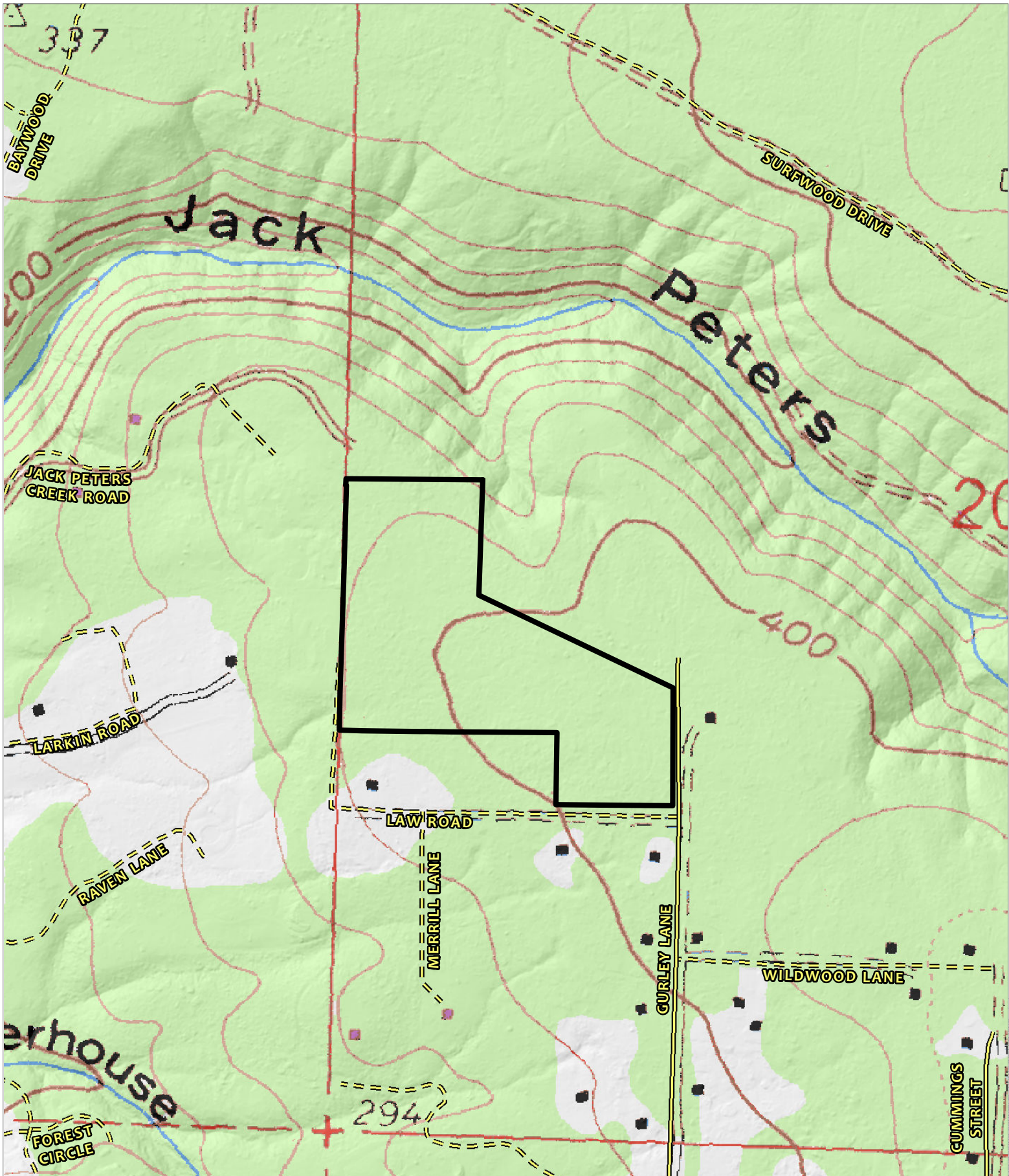
CASE: CDP 2021-0042  
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ADDRESS: 11100 Gurley Lane, Fort Bragg

- Public Roads
- Private Roads



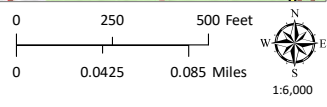
AERIAL IMAGERY





CASE: CDP 2021-0042  
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- Public Roads
- Private Roads



**TOPOGRAPHIC MAP**  
 CONTOUR INTERVAL IS 40 FEET

MENDOCINO COUNTY TECHNICAL DEPARTMENT - 10/29/2021

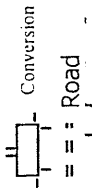
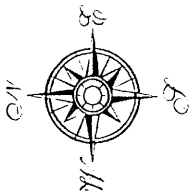




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**Project Map**

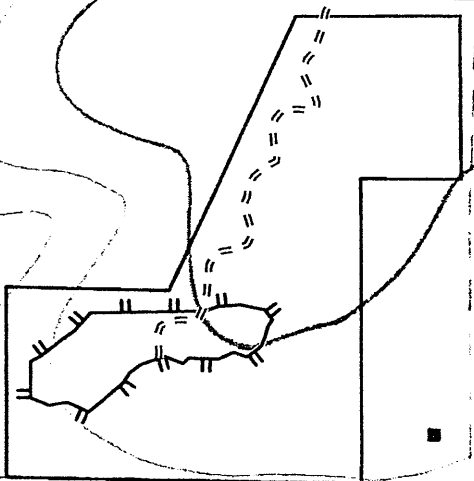
Jack

200

Peters

20

400



294

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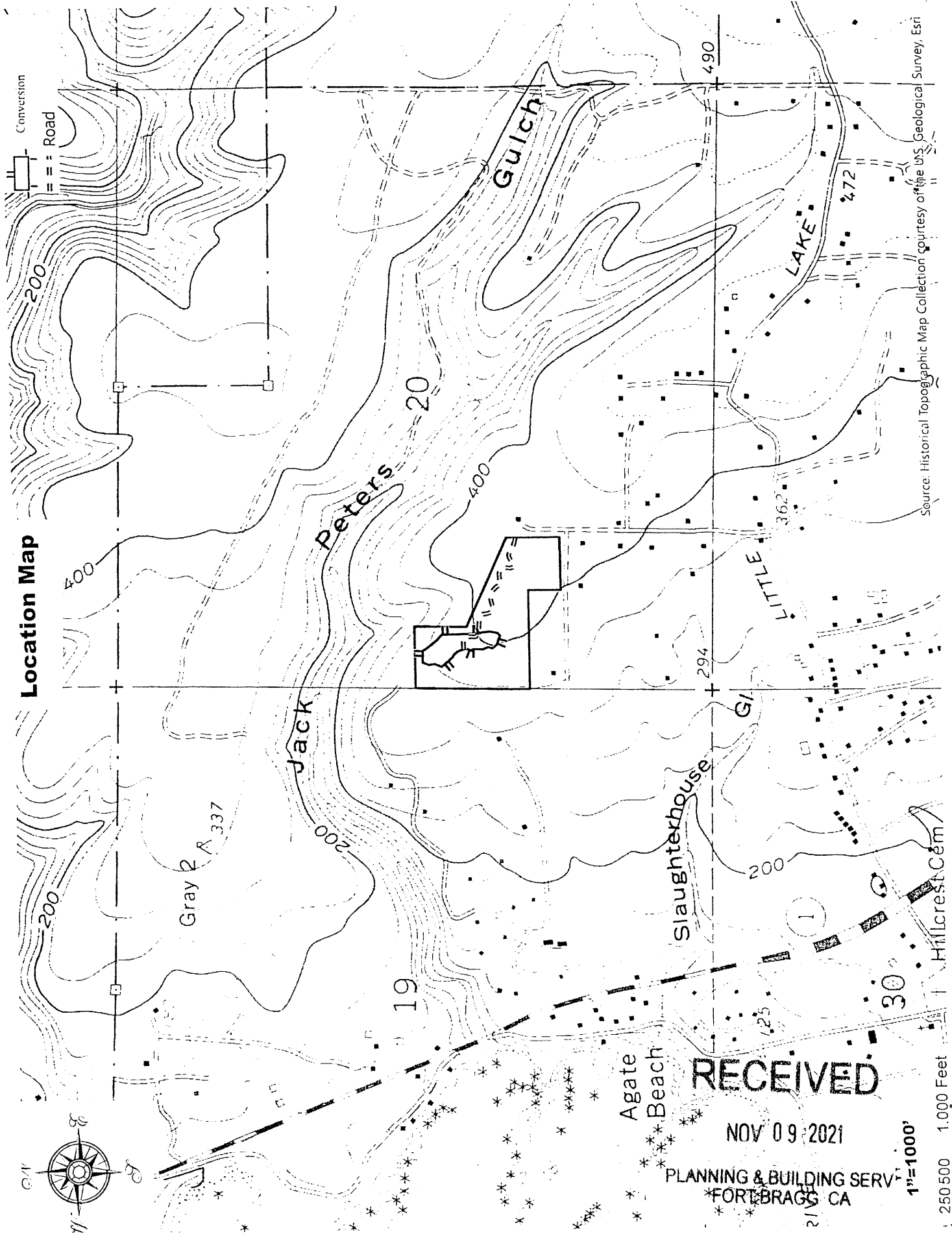
PLANNING & BUILDING SERVICE  
FORT BRAGG CA

Augusterhouse

1"=500'

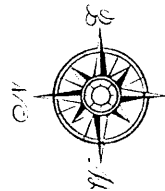
250 500 Feet

Source: Historical Topographic Map Collection courtesy of the U.S. Geological Survey, Esri



**Location Map**

Conversion  
 == = Road



Source: Historical Topographic Map Collection courtesy of the U.S. Geological Survey, Esri

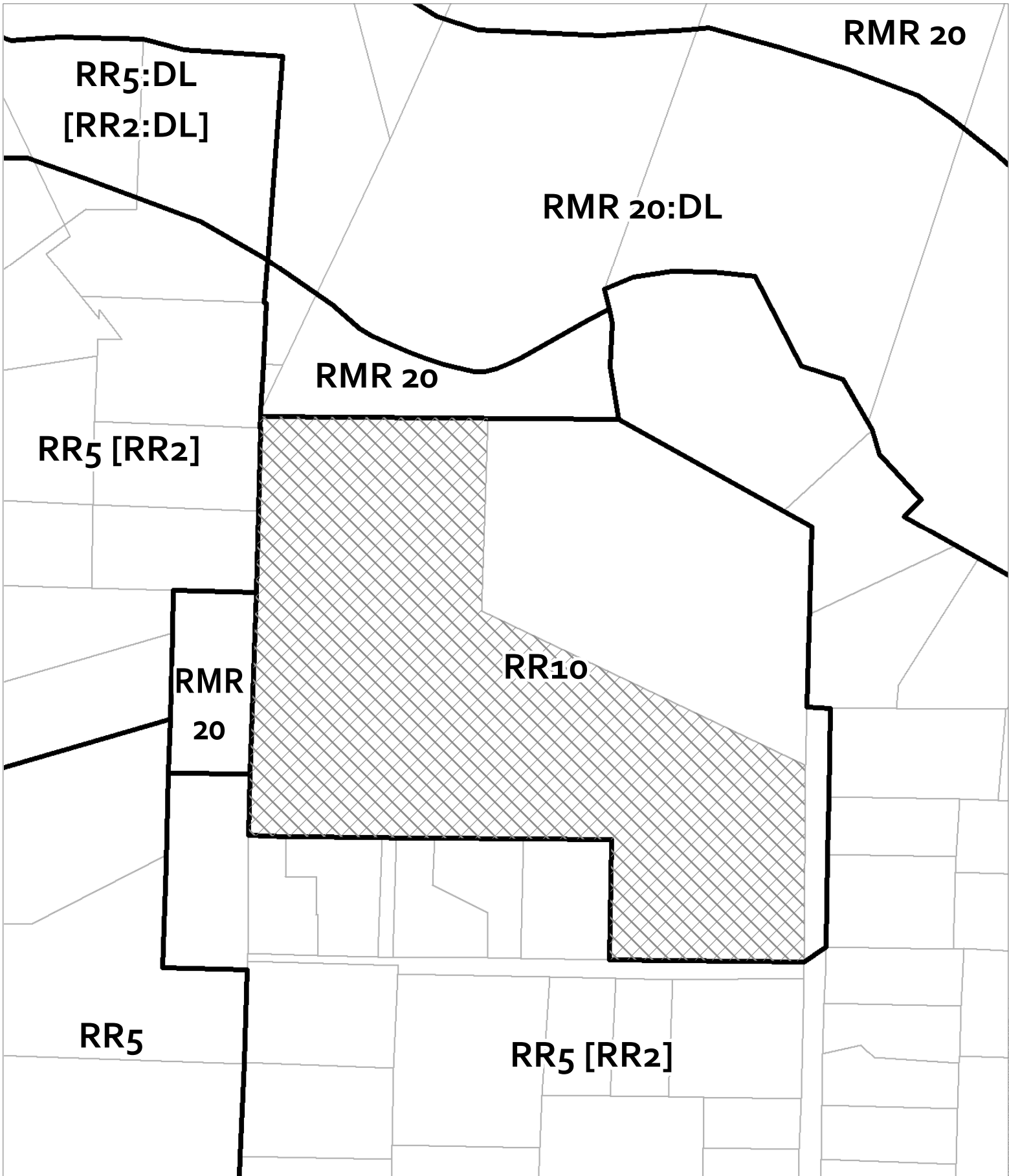
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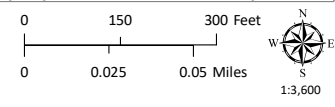
1"=1000'

1: 250 500 1,000 Feet

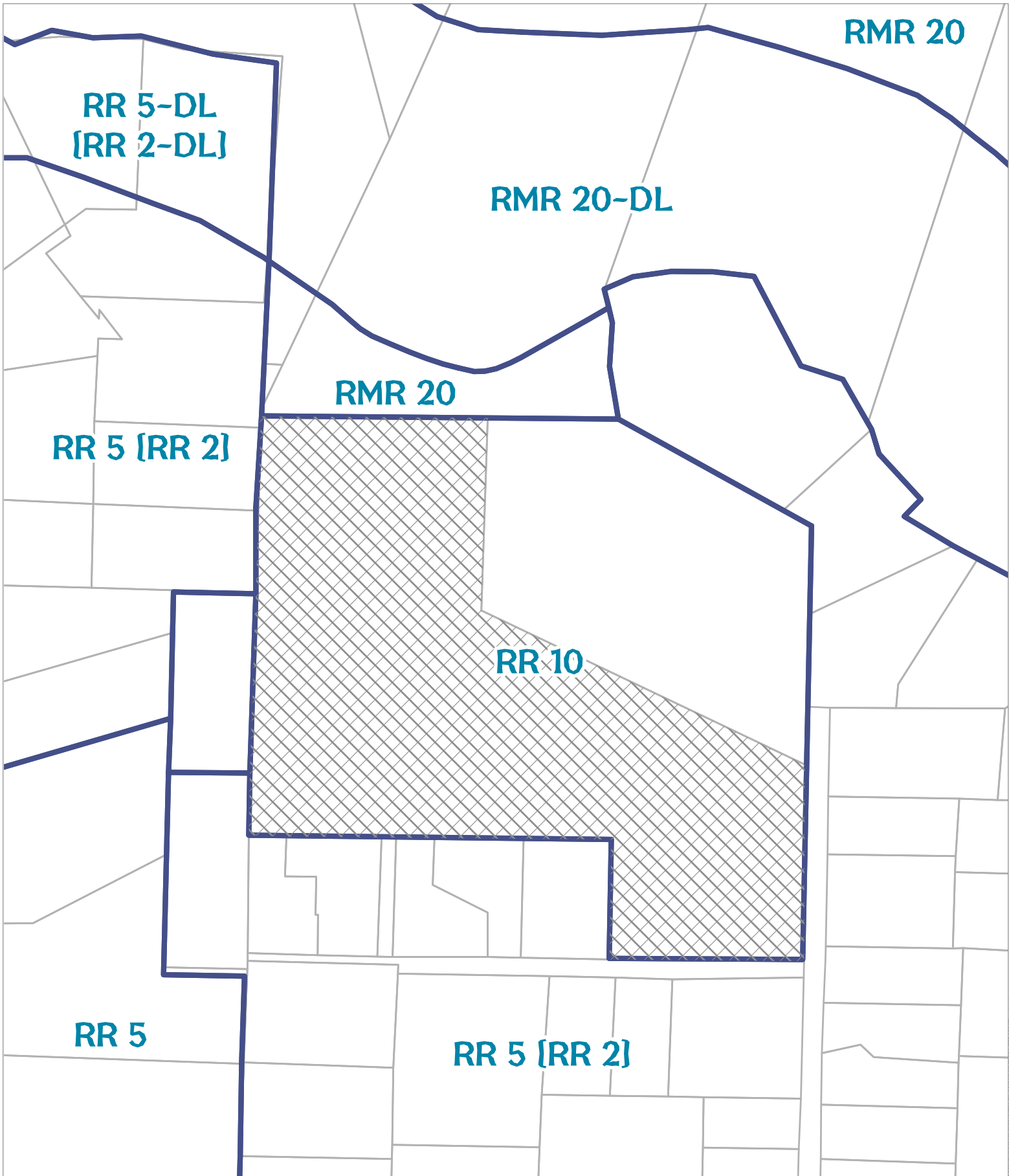


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 Zoning Districts



MENDOCINO COUNTY PLANNING DEPARTMENT - 11/29/2021



RMR 20

RR 5-DL  
[RR 2-DL]

RMR 20-DL

RMR 20

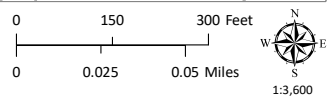
RR 5 [RR 2]

RR 10

RR 5

RR 5 [RR 2]

 General Plan Classes

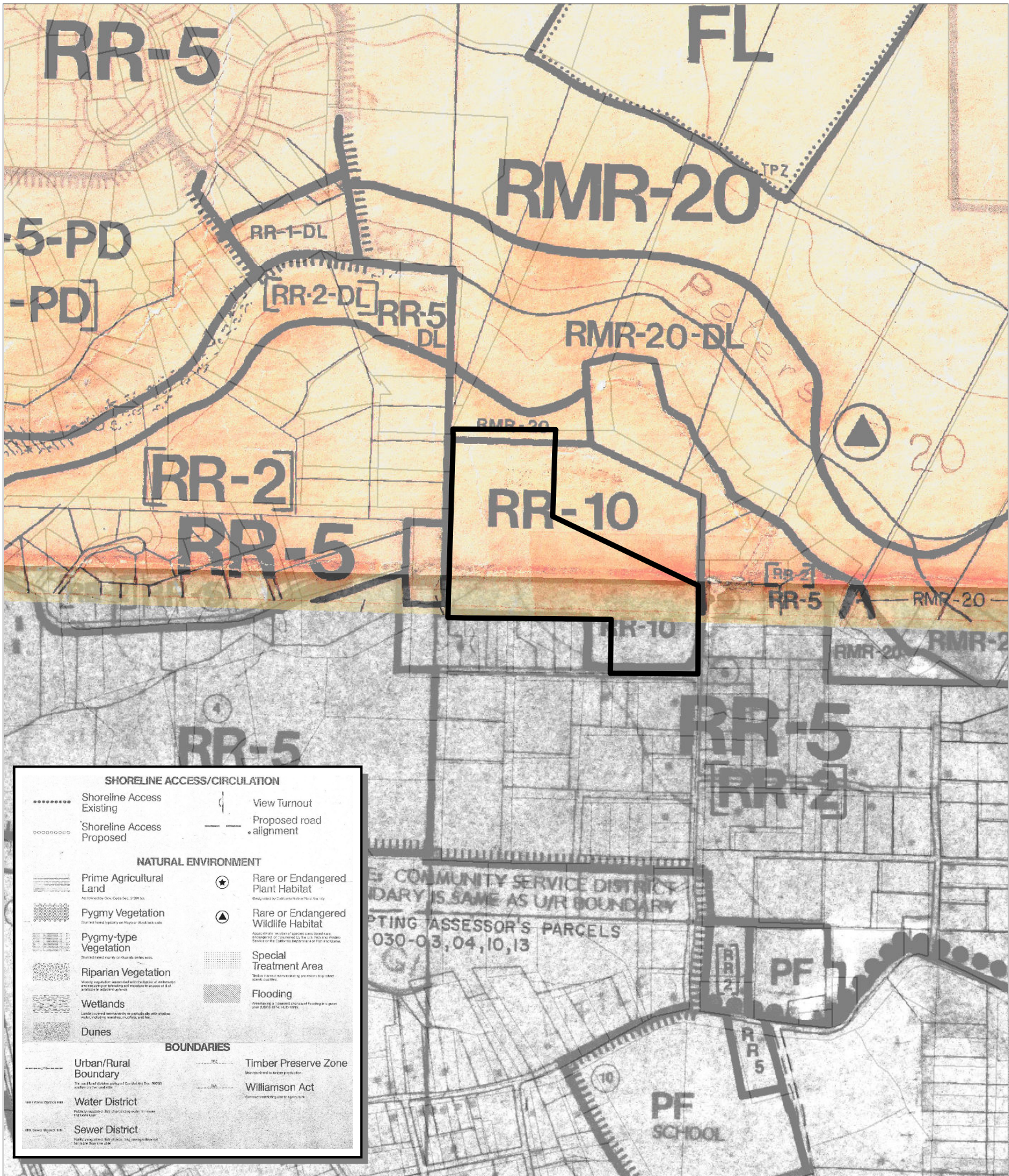


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GENERAL PLAN CLASSIFICATIONS

MENDOCINO COUNTY PLANNING DEPARTMENT - 11/29/2021





**SHORELINE ACCESS/CIRCULATION**

- Shoreline Access Existing
- Shoreline Access Proposed
- View Turnout
- Proposed road alignment

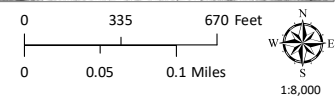
**NATURAL ENVIRONMENT**

- Prime Agricultural Land
- Pygmy Vegetation
- Pygmy-type Vegetation
- Riparian Vegetation
- Wetlands
- Dunes
- Rare or Endangered Plant Habitat
- Rare or Endangered Wildlife Habitat
- Special Treatment Area
- Flooding

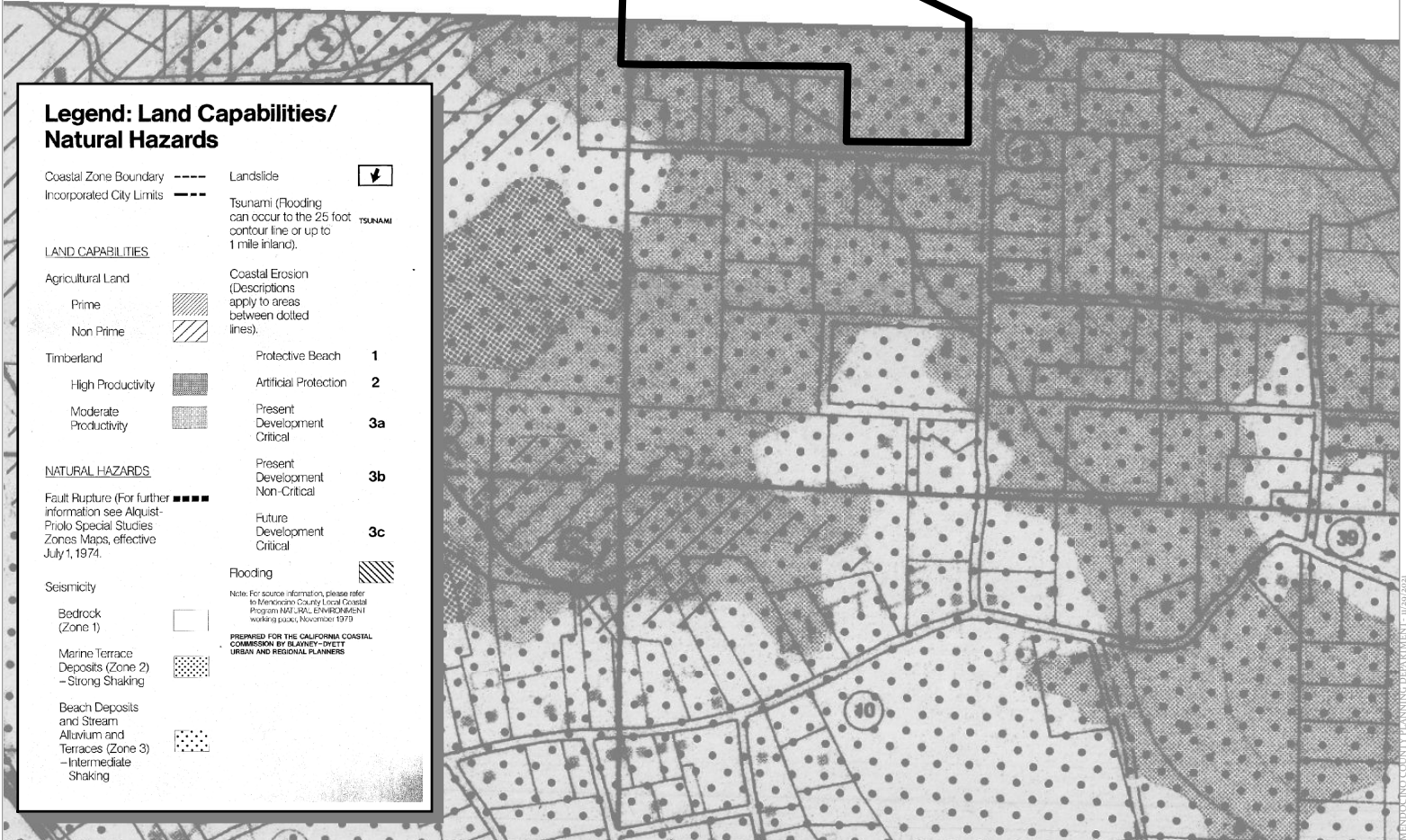
**BOUNDARIES**

- Urban/Rural Boundary
- Water District
- Sewer District
- Timber Preserve Zone
- Williamson Act

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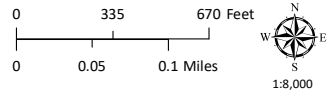




**Legend: Land Capabilities/  
Natural Hazards**

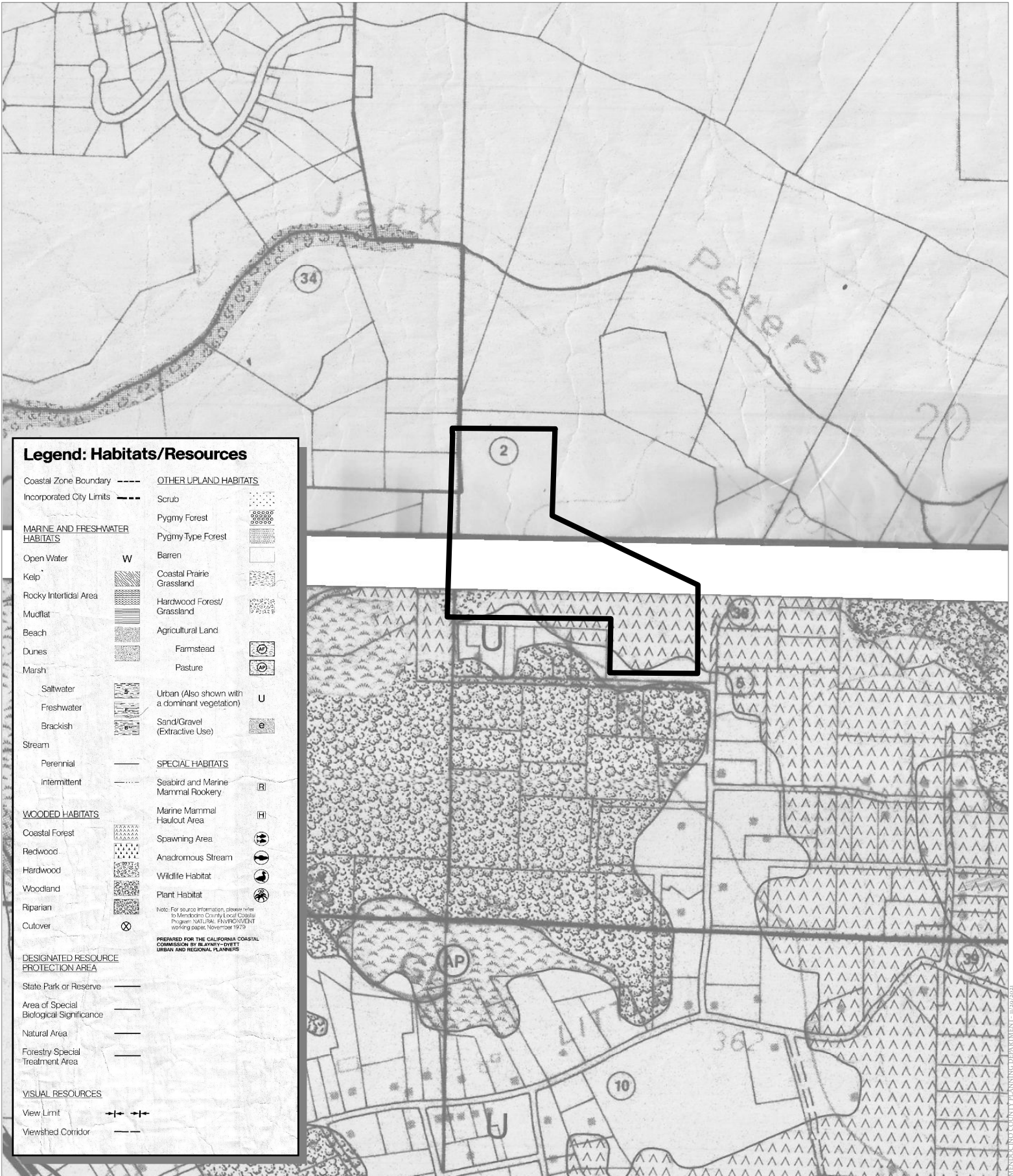
- |   |      |   |         |
|---|------|---|---------|
| Coastal Zone Boundary   | ---  | Landslide   |         |
| Incorporated City Limits  | ---  | Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).  | TSUNAMI |
| <b>LAND CAPABILITIES</b>  |      |   |         |
| Agricultural Land   |      | Coastal Erosion (Descriptions apply to areas between dotted lines).   |         |
| Prime   |      | Protective Beach  | 1       |
| Non Prime   |      | Artificial Protection   | 2       |
| Timberland  |      | Present Development Critical  | 3a      |
| High Productivity   |      | Present Development Non-Critical  | 3b      |
| Moderate Productivity   |      | Future Development Critical   | 3c      |
| <b>NATURAL HAZARDS</b>  |      |   |         |
| Fault Rupture (For further information see Alquist-Prilo Special Studies Zones Maps, effective July 1, 1974). | ---- | Flooding  |         |
| Seismicity  |      | <small>Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT workplan page, November 1979.</small><br><small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY ISLANDY-DRETT URBAN AND REGIONAL PLANNERS</small> |         |
| Bedrock (Zone 1)  |      |   |         |
| Marine Terrace Deposits (Zone 2) - Strong Shaking   |      |   |         |
| Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking                               |      |   |         |

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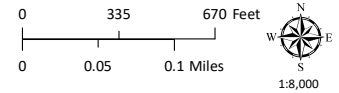


MENDOCINO COUNTY PLANNING DEPARTMENT - 10/29/2021





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First Public Rd.

300' from bluff

First Public Rd.

from bluff

Post LCP Certification  
Permit and Appeal Jurisdiction  
County of Mendocino



Permit Jurisdiction

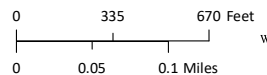
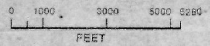
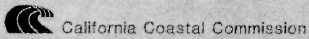
This area includes only lands below the mean high tides line and lands where the public trust may exist.



Appeal Jurisdiction

This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 300' of the top of the seaward face of coastal bluff.

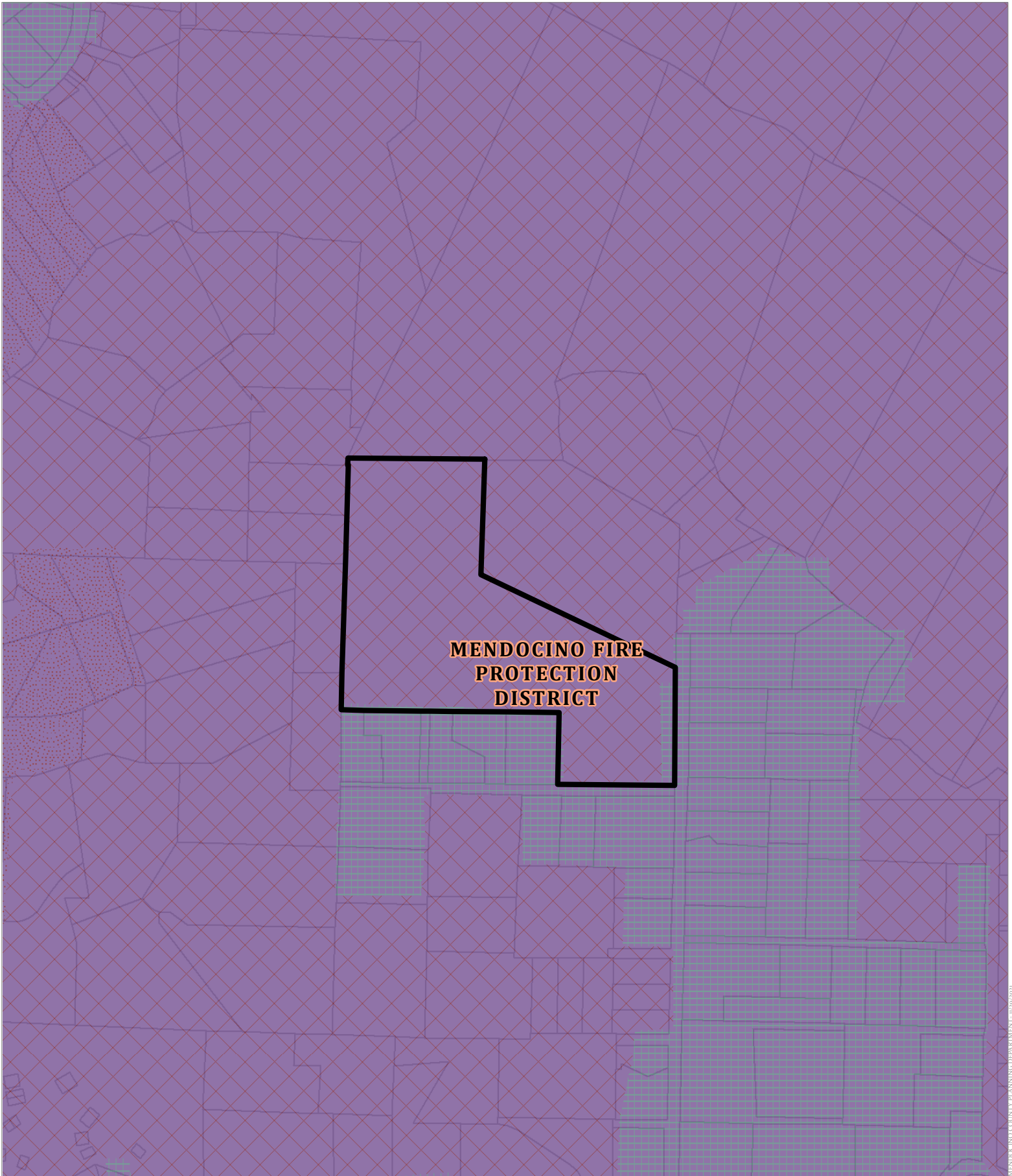
This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.C. §30119.0, and §30630.01 and §302. In addition, governments may also be responsible pursuant to P.C. §30630.01, 4054, and 4055. If questions arise concerning the precise location of the boundary of any area defined in the above sections, the reader should be referred to the local government under the Executive Director of the Commission for clarification and information. This map may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.



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POST LCP CERTIFICATION & APPEAL JURISDICTION

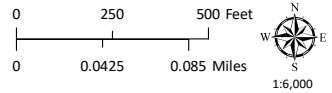




**MENDOCINO FIRE  
PROTECTION  
DISTRICT**

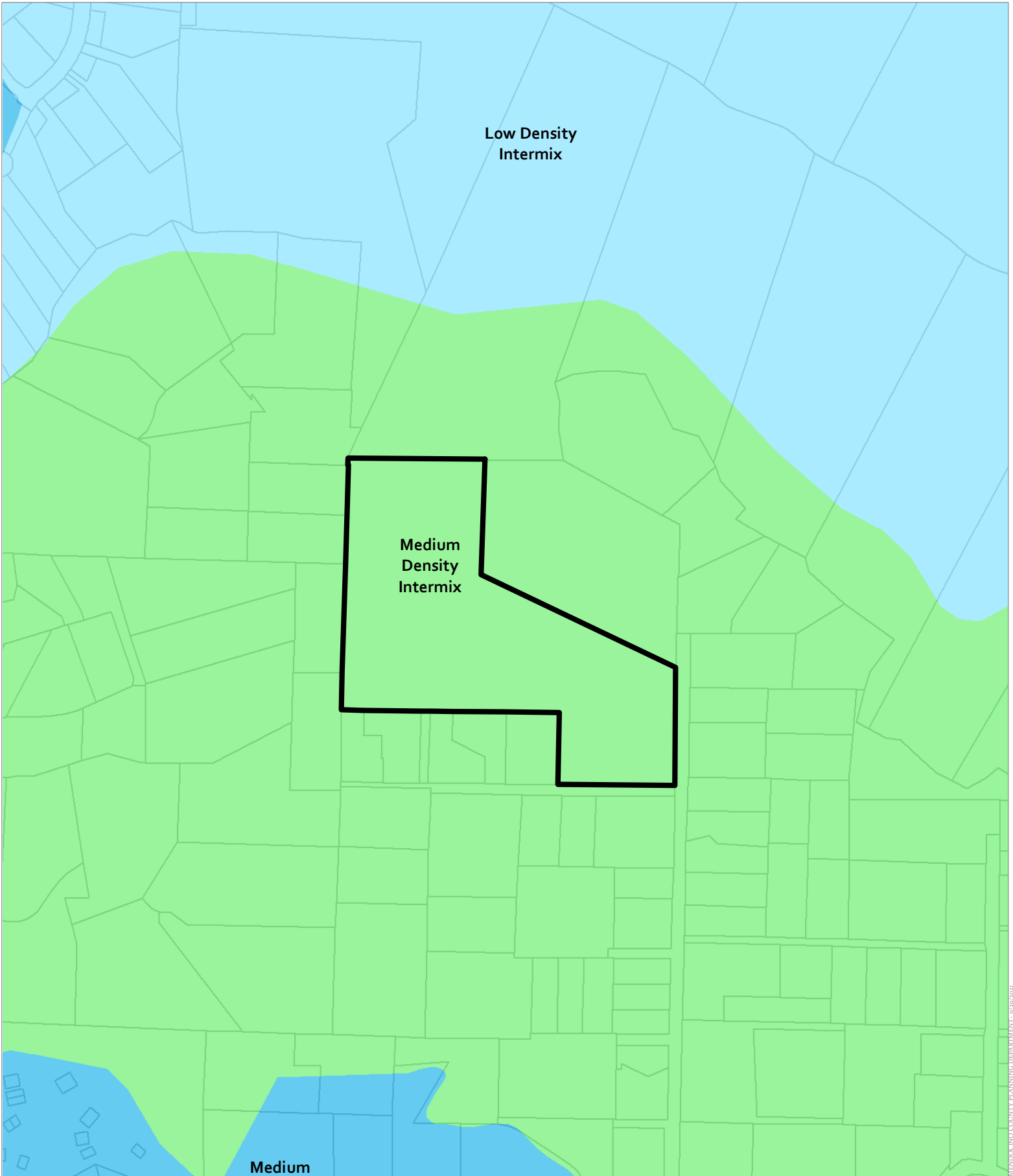
CASE: CDP 2021-0042  
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-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts



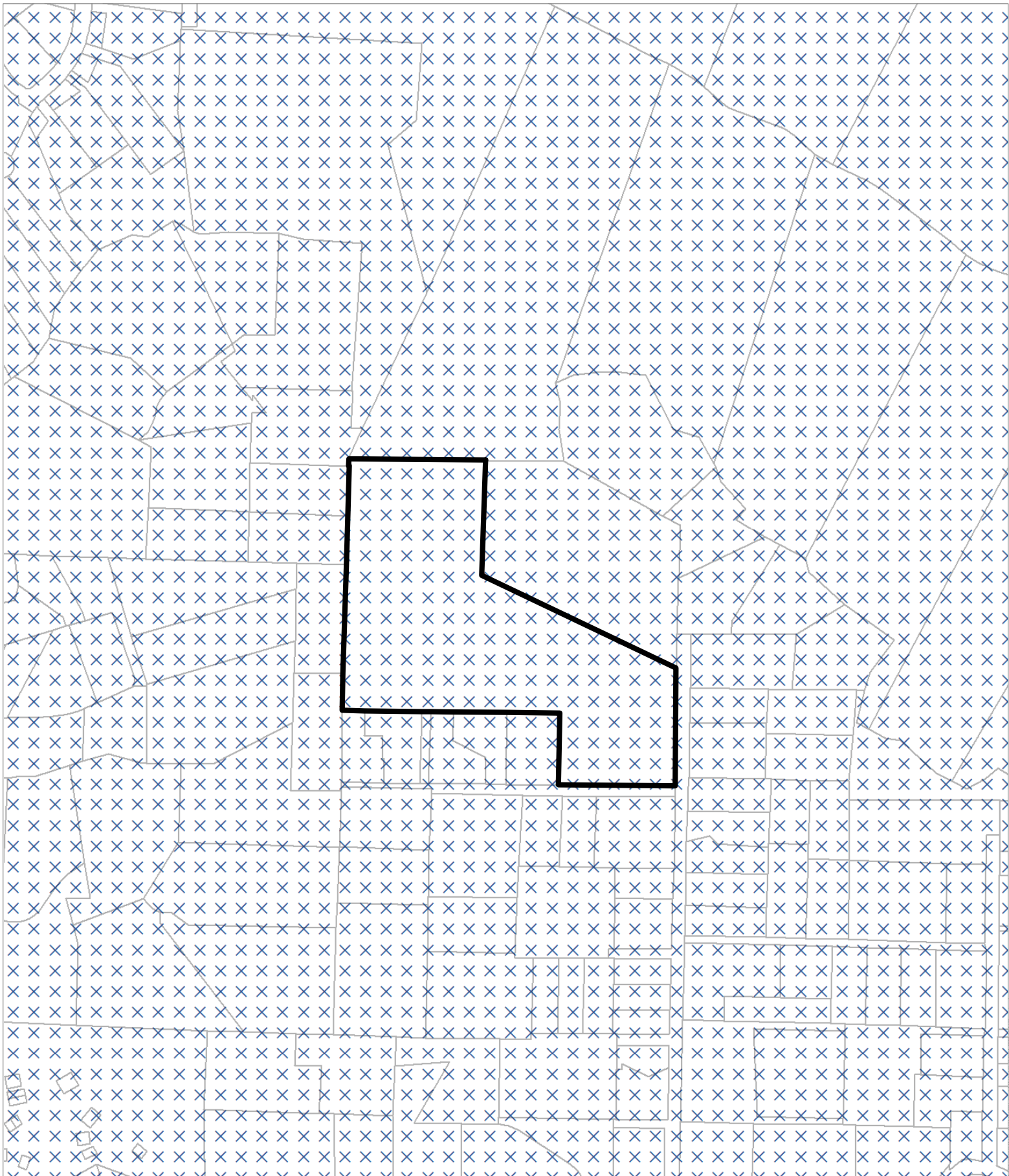
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

MENDOCINO COUNTY PLANNING DEPARTMENT - 11/29/2021




CASE: CDP 2021-0042  
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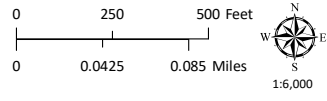




HERNDON COUNTY PLANNING DEPARTMENT - 11/29/2021

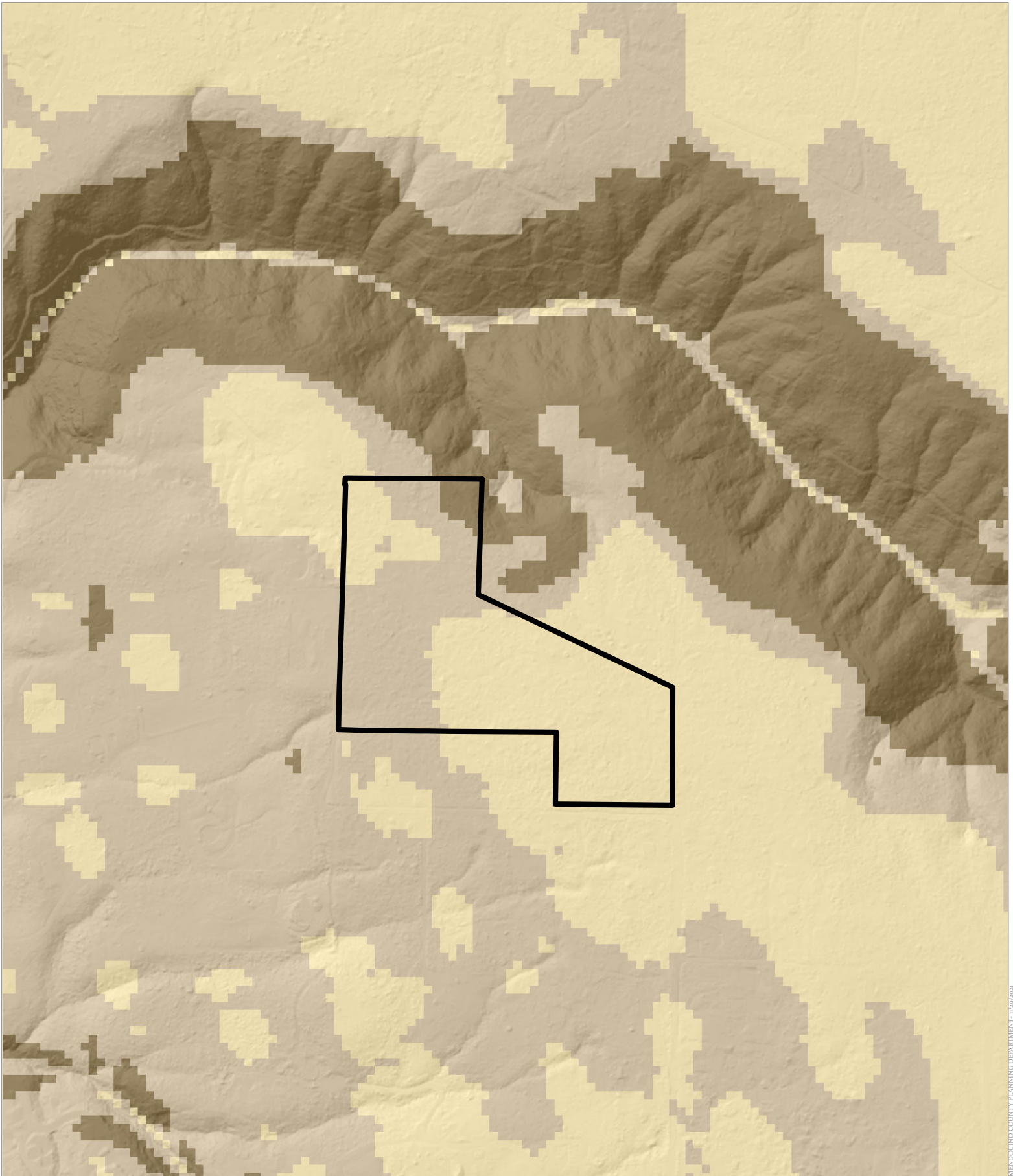
CASE: CDP 2021-0042  
OWNER: SCHMIDT, James  
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 Critical Water Areas



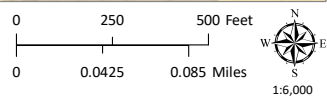
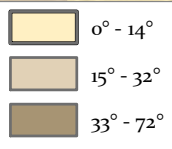
GROUND WATER RESOURCES



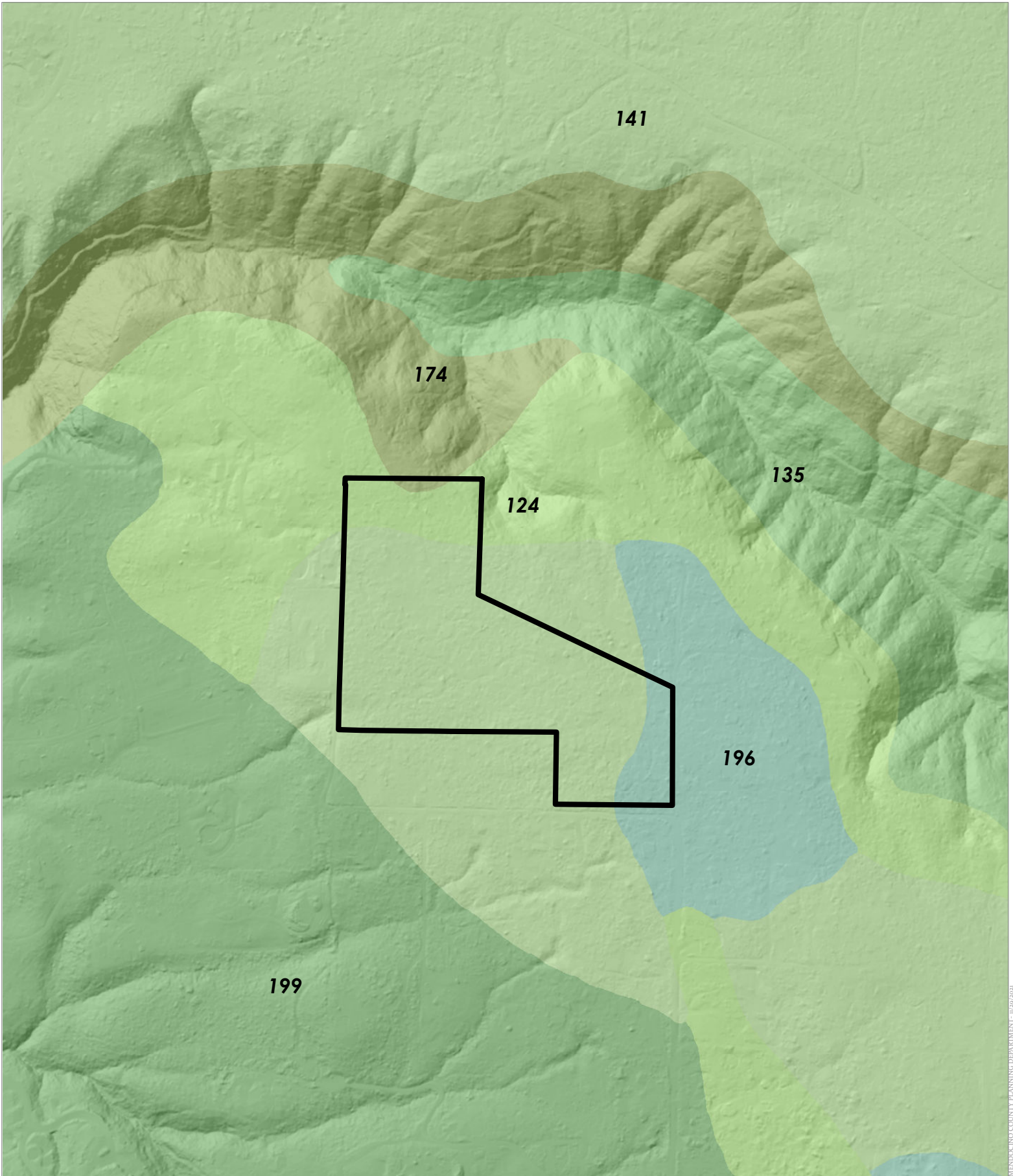


MENDOCINO COUNTY PLANNING DEPARTMENT - 11/29/2021

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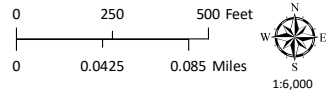
ESTIMATED SLOPE



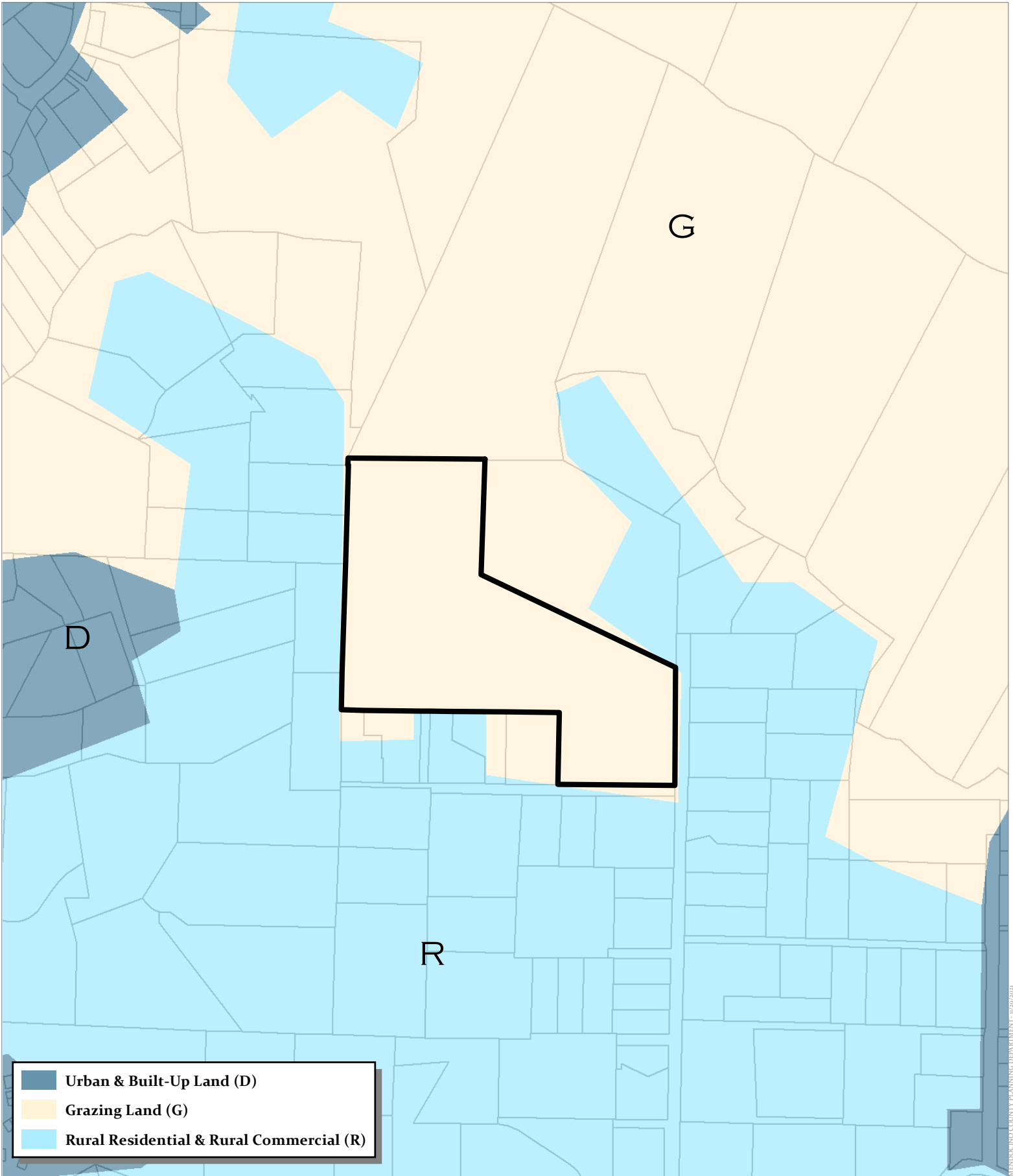
MENDOCINO COUNTY PLANNING DEPARTMENT - 11/29/2021




CASE: **CDP 2021-0042**  
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 **Shinglemill-Gibney Complex**  
 **Bishop Pine**

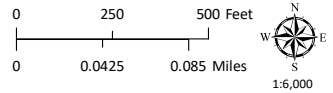


**WESTERN SOIL CLASSIFICATIONS**



	<b>Urban &amp; Built-Up Land (D)</b>
	<b>Grazing Land (G)</b>
	<b>Rural Residential &amp; Rural Commercial (R)</b>

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MENDOCINO COUNTY PLANNING DEPARTMENT - 10/29/2021



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

120 WEST FIR STREET  
FORT BRAGG, CA 95437

Telephone: 707-964-5379

FAX: 707-961-2427

pbs@co.mendocino.ca.us

www.co.mendocino.ca.us/planning



Case No(s)	CDP-2021-0042
CDF No(s)	-
Date Filed	11-9-2021
Fee	\$75.00 / 16,461.55
Receipt No.	PRJ-046415 / 046466
Received by	(Signature) @WALDMAN
Office Use Only	

**COASTAL ZONE APPLICATION FORM**

**APPLICANT**

Name James Schmidt and Kristen Williams  
Mailing Address 30 Gladys Ct. Apt 16  
City Mountain View State CA Zip Code 94043 Phone 650-274-5264

**PROPERTY OWNER**

Name James Schmidt and Kristen Williams  
Mailing Address 30 Gladys Ct. Apt 16  
City Mountain View State CA Zip Code 94043 Phone 650-274-5264

**AGENT**

Name Jay Andreis  
Mailing Address P.O.Box 699  
City Fort Bragg State CA Zip Code 95437 Phone 707-357-7969

**PARCEL SIZE**

22.6

Square feet  
 Acres

**STREET ADDRESS OF PROJECT**

11100 Gurley Lane

**ASSESSOR'S PARCEL NUMBER(S)**

119-020-35

I certify that the information submitted with this application is true and accurate.

(Signature)

Signature of Applicant/Agent

11/12/21

Date

(Signature) Kristen Williams

Signature of Owner

11/12/21

Date

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PLANNING & BUILDING SERV  
FORT BRAGG CA

# COASTAL ZONE - SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Planning and Building Services Department and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project, please indicate "Not Applicable" or "N/A".

## THE PROJECT

1. Describe your project and include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.  
Vegetation removal for a "Less than 3 Acre Conversion Exemption" for a planned single family residence. The parcel is completely within the CDP Exclusion zone and a coastal exclusion permit (CE 2021-0026) for the single family residence and related development has already been approved.

2. If the project is residential, please complete the following:

TYPE OF UNIT	NUMBER OF STRUCTURES	SQUARE FEET PER DWELLING UNIT
<input type="checkbox"/> Single Family	_____	_____
<input type="checkbox"/> Mobile Home	_____	_____
<input type="checkbox"/> Duplex	_____	_____
<input type="checkbox"/> Multifamily	_____	_____

If Multifamily, number of dwelling units per building: \_\_\_\_\_

3. If the project is commercial, industrial, or institutional, complete the following:

Total square footage of structures: \_\_\_\_\_  
 Estimated employees per shift: \_\_\_\_\_  
 Estimated shifts per day: \_\_\_\_\_  
 Type of loading facilities proposed: \_\_\_\_\_

4. Will the proposed project be phased?  Yes  No  
 If Yes, explain your plans for phasing.

5. Are there existing structures on the property?  Yes  No  
 If yes, describe below and identify the use of each structure on the plot plan.  
 Yurt permitted as a storage unit

6. Will any existing structures be demolished?  Yes  No  
 Will any existing structures be removed?  Yes  No  
 If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

7. Project Height. Maximum height of structure <sup>N/A</sup> \_\_\_\_\_ feet.

8. Lot area (within property lines): 22.6 \_\_\_\_\_  square feet  acres

9. Lot Coverage:

	EXISTING	NEW PROPOSED	TOTAL
Building coverage	_____ square feet	_____ square feet	_____ square feet
Paved area	_____ square feet	_____ square feet	_____ square feet
Landscaped area	_____ square feet	_____ square feet	_____ square feet
Unimproved area	_____ square feet	_____ square feet	_____ square feet
GRAND TOTAL: N/A			_____ square feet
(Should equal gross area of parcel)			

10. Gross floor area: <sup>N/A</sup> \_\_\_\_\_ square feet (including covered parking and accessory buildings).

11. Parking will be provided as follows:

Number of Spaces	Existing <sup>0</sup>	Proposed <sup>0</sup>	Total <sup>0</sup>
Number of covered spaces	_____	_____	_____
Number of uncovered spaces	_____	_____	_____
Number of standard spaces	_____	_____	_____
Number of handicapped spaces	_____	_____	_____
		Size _____	Size _____
		Size _____	Size _____
		Size _____	Size _____
		Size _____	Size _____

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PLANNING & BUILDING SERV  
 FORT BRAGG CA

12. Utilities will be supplied to the site as follows:

A. Electricity

- Utility Company (service exists to the parcel).  
 Utility Company (requires extension of services to site: \_\_\_\_\_ feet \_\_\_\_\_ miles)  
 On Site generation, Specify: \_\_\_\_\_  
 None

B. Gas

- Utility Company/Tank  
 On Site generation, Specify: \_\_\_\_\_  
 None

C. Telephone:  Yes  No

13. Will there be any exterior lighting?  Yes  No

If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.

14. What will be the method of sewage disposal?

- Community sewage system, specify supplier \_\_\_\_\_  
 Septic Tank  
 Other, specify N/A \_\_\_\_\_

15. What will be the domestic water source?

- Community water system, specify supplier \_\_\_\_\_  
 Well  
 Spring  
 Other, specify <sup>N/A</sup> \_\_\_\_\_

16. Is any grading or road construction planned?  Yes  No

If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

For grading and road construction, complete the following:

- A. Amount of cut: \_\_\_\_\_ cubic yards  
B. Amount of fill: \_\_\_\_\_ cubic yards  
C. Maximum height of fill slope: \_\_\_\_\_ feet  
D. Maximum height of cut slope: \_\_\_\_\_ feet  
E. Amount of import or export: \_\_\_\_\_ cubic yards  
F. Location of borrow or disposal site: \_\_\_\_\_  
\_\_\_\_\_

17. Will vegetation be removed on areas other than the building sites and roads?  Yes  No  
 If yes, explain:  
**Less than 3-acre conversion, details attached**

---

18. Does the project involve sand removal, mining or gravel extraction?  Yes  No  
 If yes, detailed extraction, reclamation and monitoring may be required.

---

19. Will the proposed development convert land currently or previously used for agriculture to another use?  Yes  No  
 If yes, how many acres will be converted? \_\_\_\_\_ acres (An agricultural economic feasibility study may be required.)

---

20. Will the development provide public or private recreational opportunities?  Yes  No  
 If yes, explain:

---

21. Is the proposed development visible from:

A. State Highway 1 or other scenic route?  Yes  No  
 B. Park, beach or recreation area?  Yes  No

---

22. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?  Yes  No  
 If yes, explain:

---

23. Does the development involve diking, filling, dredging or placing structures in open coastal waters, wetlands, estuaries or lakes?

A. Diking  Yes  No  
 B. Filling  Yes  No  
 C. Dredging  Yes  No  
 D. Placement of structures in open coastal waters, wetlands, estuaries or lakes  Yes  No

Amount of material to be dredged or filled? \_\_\_\_\_ cubic yards.

Location of dredged material disposal site: \_\_\_\_\_

Has a U.S. Army Corps of Engineers permit been applied for?  Yes  No

If you need additional room to answer any question, attach additional sheets.

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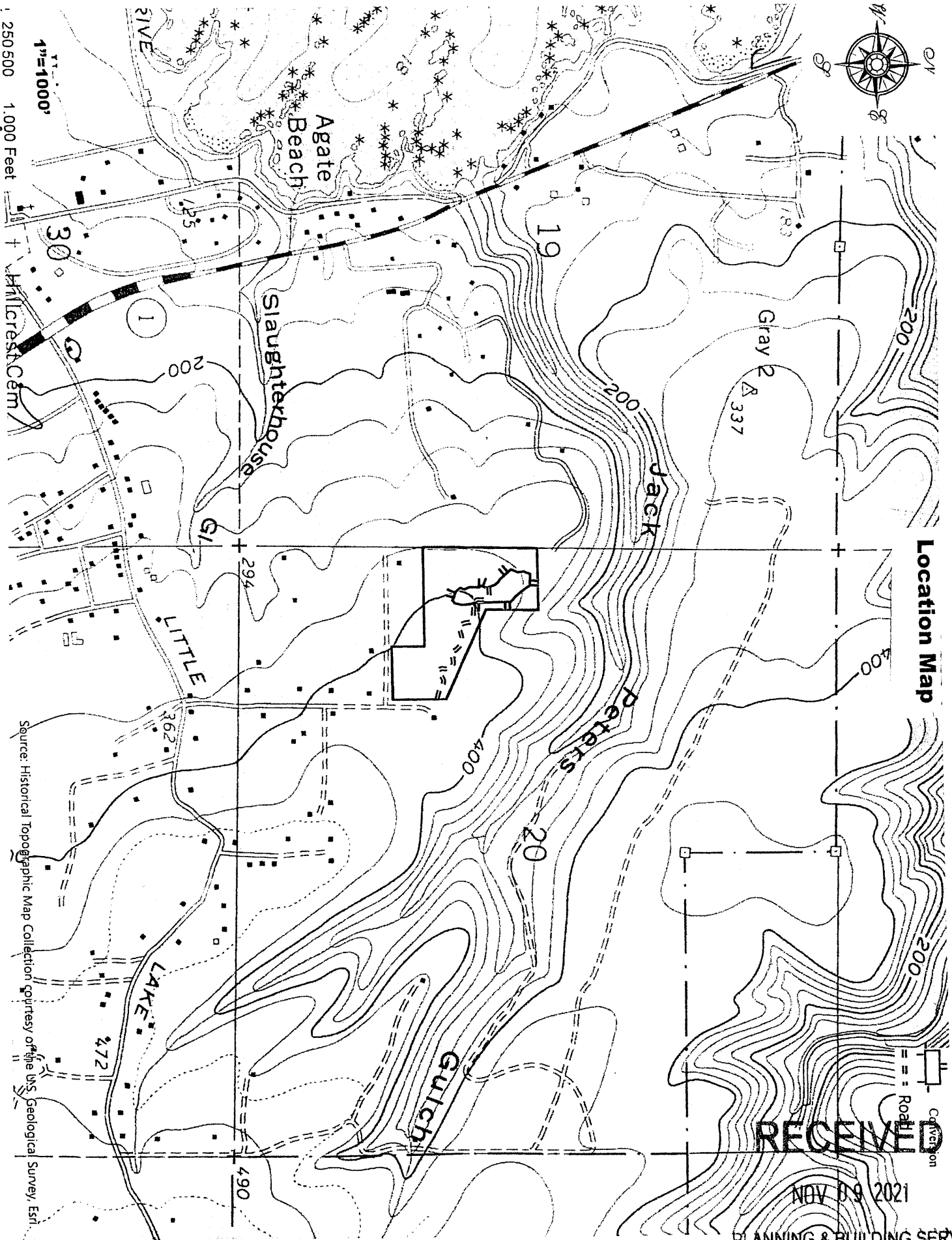
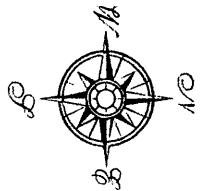




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**Location Map**

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Source: Historical Topographic Map Collection courtesy of the US Geological Survey. Est.





**SHARI L. SCHAPMIRE**  
**TREASURER-TAX COLLECTOR**  
 501 Low Gap Road, Room #1060  
 Ukiah, CA 95482  
 www.mendocinocounty.org/ttc

**MENDOCINO COUNTY SECURED TAX STATEMENT**  
**FOR FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022**

**2021 - 2022**

**PROPERTY INFORMATION**

ASSESSMENT NUMBER: 1145528 TAX RATE AREA: 104004  
 PARCEL NUMBER: 1190203500 ACRES: 22.6000  
 LOCATION: 11100 GURLEY LN  
 LIEN DATE OWNER: WILLIAMS KRISTEN, SCHMIDT JAMES

**SEE REVERSE FOR IMPORTANT INFORMATION**



0015351  
 0101  
 000044000003

KRISTEN WILLIAMS  
 30 GLADYS CT # 16  
 MOUNTAIN VIEW CA 94043

DISCOVER MASTERCARD VISA ELECTRONIC CHECK

See reverse for electronic payment information

**TELEPHONE NUMBERS**

Tax Collection (707) 234-6875  
 Address Change (707) 234-6800  
 Exemptions (707) 234-6801  
 Assessed Values (707) 234-6800  
 Tax Rates (707) 234-6859  
 Personal Property (707) 234-6815

**COUNTY VALUES AND EXEMPTIONS**

VALUE DESCRIPTION	VALUE
Land	\$341,042
Structures	\$19,750
Net Value	\$360,792

**VOTER APPROVED TAXES, TAXING AGENCY DIRECT CHARGES AND SPECIAL ASSESSMENTS**

TELEPHONE NUMBERS	DESCRIPTION	TAX RATE PERCENT	AGENCY TAXES/CHARGES
707-234-6860	County Wide Base Tax	1.0000000000	3607.91
707-961-1234	Mendocino Cst Hospital BIR	0.0130000000	46.90
707-937-5868	Mendocino Unified Bond	0.1810000000	653.03
707-234-6860	Mendo College/Rdwd JC Bond	0.0100000000	36.08
510-725-2930	Mendo Coast Hosp Measure C	0.0000000000	144.00
707-937-0131	Mendo Fire Assessment	0.0000000000	70.00
707-937-5868	Mendo USD Maint Asmnt	0.0000000000	30.00

DUE AND PAYABLE ON 11/1/2021		DUE AND PAYABLE ON 2/1/2022		
1ST INSTALLMENT	\$ 2293.96	2ND INSTALLMENT	\$ 2293.96	TOTAL TAXES
DELINQUENT AFTER 12/10/2021		DELINQUENT AFTER 4/10/2022		\$ 4587.92

RETURN THIS STUB WITH YOUR PAYMENT

PLEASE MAKE CHECK PAYABLE TO:  
 MENDOCINO COUNTY TAX COLLECTOR  
 501 LOW GAP RD., ROOM #1060  
 UKIAH, CA 95482

2ND INSTALLMENT PAYMENT CAN NOT BE ACCEPTED  
 UNLESS THE 1ST INSTALLMENT HAS BEEN PAID.

ASSESSED TO ▼  
 KRISTEN WILLIAMS  
 30 GLADYS CT # 16  
 MOUNTAIN VIEW CA 94043

▲ DETACH HERE ▲

**2ND INSTALLMENT PAYMENT STUB**

**MENDOCINO COUNTY SECURED PROPERTY TAXES**

PARCEL NUMBER	TAX RATE AREA	ASSESSMENT NO.
1190203500	104004	1145528

**2ND 2021 - 2022**

IF PAID BY APRIL 10, 2022 **\$ 2293.96**

10% PENALTY \$ 229.39  
 COST CHARGE \$ 20

AFTER APRIL 10, 2022 PAY THIS AMOUNT → **\$ 2543.35**

00000021190203500000229396000254335000458792

RETURN THIS STUB WITH YOUR PAYMENT

PLEASE MAKE CHECK PAYABLE TO:  
 MENDOCINO COUNTY TAX COLLECTOR  
 501 LOW GAP RD., ROOM #1060  
 UKIAH, CA 95482

TO PAY TOTAL TAX OF \$ 4587.92 RETURN  
 BOTH STUBS WITH PAYMENT BY DEC. 10, 2021

ASSESSED TO ▼  
 KRISTEN WILLIAMS  
 30 GLADYS CT # 16  
 MOUNTAIN VIEW CA 94043

▲ DETACH HERE ▲

**1ST INSTALLMENT PAYMENT STUB**

**MENDOCINO COUNTY SECURED PROPERTY TAXES**

PARCEL NUMBER	TAX RATE AREA	ASSESSMENT NO.
1190203500	104004	1145528

**1ST 2021 - 2022**

IF PAID BY DECEMBER 10, 2021 **\$ 2293.96**

10% PENALTY \$ 229.39

AFTER DECEMBER 10, 2021 PAY THIS AMOUNT → **\$ 2523.35**

00000011190203500000229396000252335000458792

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LESS THAN 3 ACRE CONVERSION EXEMPTION

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA  
DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM  
CONVERSION AND TIMBER HARVESTING PLAN REQUIREMENTS  
RM-73 (1104.1a) (01/2019)

EX. # \_\_\_\_\_  
Date of Receipt \_\_\_\_\_  
Date Validated by CAL FIRE \_\_\_\_\_  
Date Expires \_\_\_\_\_

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.  
OPERATIONS CANNOT COMMENCE FOR FIFTEEN DAYS AFTER RECEIPT AND A NOTICE OF VALIDATION IS RECEIVED FROM CAL FIRE.


The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1104.1(a): Harvesting of trees that is a single conversion to a non-timber growing use of timberland of less than three acres. (See 14 CCR § 1104.1(a) for a description of the conditions on the conduct of this type of timber operation and additional information that is **required** to be submitted.) Complete Items 1 through 8 on both pages of this notice.

1. Registered Professional Forester preparing Notice: Name Steve Severi Number 2989

Address Po. Box 1817

City Fort Bragg State CA Zip 95437 Phone (707) 357-9663

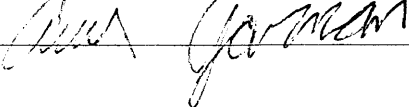
*I have, or my supervised designee has, (1) prepared this Notice of Conversion Exemption Timber Operations; (2) visited the site and flagged the boundaries of the conversion exemption, applicable WLPZs and equipment limitation zones; (3) prepared a Neighborhood Notice of Conversion Exemption according to 14 CCR § 1104.1(a)(3) to be mailed by the landowner to adjacent landowners; and (4) posted and dated a copy of the Neighborhood Notice of Conversion Exemption on the ownership, visible to the public, at least 5 days prior to the postmark date of submission of the Notice of Conversion Exemption. I certify that if the County Board of Supervisors has not designated a representative authorized to sign in Item 6 that I, or my supervised designee, contacted the county and the Notice is in conformance with county regulations.*

SIGNATURE of RPF (required)  Date \_\_\_\_\_

2. LICENSED TIMBER OPERATOR(S): Name Yarman logging Lic. No. A-11450

Address 30600 Navaro Ridge Road

City Albion State CA Zip 95410 Phone (707) 357-4283

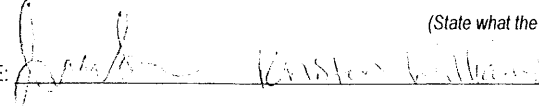
SIGNATURE 

3. TIMBERLAND OWNER(S) OF RECORD: Name James Schmidt and Kristen Williams

Address 30 Gladys Ct. #16

City Mountain View State CA Zip 94043 Phone (707)972-8279

**I certify, under penalty of perjury, that This is a one-time conversion to a non-timberland use and that there is a "BONA FIDE INTENT" [14 CCR § 1100(b)] to convert to:** (required) Homesite and view shed enhancement

(State what the conversion will be to)  
SIGNATURE:  Date 11/09/2021

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FORT BRAGG CA

4. TIMBER OWNER(S) OF RECORD Name James Schmidt and Kristen Williams

Address 30 Gladys Ct #16

City Mountain View State CA Zip 94043 Phone (707) 972-8279

SIGNATURE [Handwritten Signature]

5. NOTICE SUBMITTER(S) Name James Schmidt and Kristen Williams

Address 30 Gladys Ct #16

City Mountain View State CA Zip 954043 Phone 707) 972-8279

Submitter must be 2,3 or 4 above, and must sign.

SIGNATURE [Handwritten Signature]

6. COUNTY BOARD OF SUPERVISORS DECLARATION (required)

I, \_\_\_\_\_, declare as the authorized designee of the County Board of Supervisors that this conversion exemption is in conformance with all county regulatory requirements, including public notice. (If the county has authorized a designee this item MUST be completed. If it has not, see Item 1.)

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf                      8-15 mbf                      16-25 mbf                      Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

Redwood 50 %; Ponderosa/Sugar pine 0 %; Douglas-fir 30 %; Fir 20 %;

Port-Orford Cedar \_\_\_\_\_ %; Cedar (IC, WRC) 0 %; Other conifer \_\_\_\_\_ %; Other hardwood \_\_\_\_\_ %

C. Fuelwood over 150 cords? Yes  No  D. Christmas trees over 3,000 lineal feet? Yes  No

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7. 14 CCR § 1038 (i) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested?  YES  NO (required)

**NOTE: If yes please refer to 14 CCR § 1038(h) and have an RPF prepare an explanation and justification described in 14 CCR § 1104.1(i) to be included at Submission**

8. Has the Timberland Owner, whether acting as an individual, partnership or as an employee of a corporation or other legal entity obtained a conversion on a contiguous land ownership within the last 5 years?  YES  NO (required)

**NOTE: If YES then the landowner may not apply for the conversion. The Timberland Owner may request a waiver of the five-year limitation with the Department per 14 CCR § 1104.1(a)(9)(A)(1-3)(B-D)**

9. Has all or a portion of the contiguous land ownership been subject to a PRIOR, unpermitted Timberland conversion? (required)  
 YES  NO

If YES please provide a description or information to assist the Director in determining that this conversion would be consistent with the purpose of the Act.  
 (optional)

**NOTE: Per 14 CCR § 1104.1(a)** This conversion exemption is applicable to a conversion of Timberland to a non-timber use only, of less than three acres in one contiguous ownership, whether or not it is a portion of a larger land parcel and shall not be part of a THP. This conversion exemption may only be used once per contiguous land ownership. **If all or a portion of the contiguous land ownership has been subject to prior, unpermitted Timberland conversion, a conversion exemption hereunder shall not be accepted unless the Director determines that it would be consistent with the purposes of the Act**

10. Will Timber operations occur within the winter period?  YES  NO (optional)

**NOTE: If YES refer to 14 CCR § 1104.1(a)(2)(E)(1-3) for specific requirements**

Note to Reviewer: Skidding will occur only on preexisting skid trails and operations will comply with the following 14 CCR § 1104.1(a)(2)(E) Timber operations may be conducted during the winter period. Tractor operations in the winter period are allowed under any of the following conditions:

1. During dry, rainless periods but shall not be conducted on saturated soil conditions that may produce significant sediment discharge. Erosion control structures shall be installed on all constructed skid trails and tractor roads prior to sunset if the National Weather Service forecast is a "chance" (30% or more) of rain within the next 24 hours.

11. Has the County / City approved by, local permit, operations within a WLPZ?  YES  NO (optional)

**NOTE: timber operations are NOT allowed within a WLPZ without approval by county or city approval.**

12. Have significant archaeological sites been identified within the project area? (required)  YES  NO  
 - If yes will the site be preserved in place?  YES  NO  
 - If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

13. Designate the legal land description of the location of the timber operation. Attach a USGS 7.5-minute quadrangle or equivalent map showing the location of timber operations, it would be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Logging Area Acreage (Estimated)
Mount Diablo	17N	17W	20	MENDO CINO	2.9 ac

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(required)

Assessor's Parcel #

NOV 09 2021  
 119-020-35-00

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 FORT BRAGG CA

Compliance with 14CCR 1104.1(a) 1(E) 4

We Kristen Williams and James Schmidt certify and declare under penalty of perjury that I acting as an individual or as a member or a partnership or acting as an officer or employee of a corporation or other legal entity, have NOT obtained an exemption pursuant to this section in the last five years.

Sincerely

Kristen Williams

*Kristen Williams*

Sincerely

James Schmidt

*James Schmidt*

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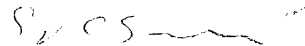


Compliance With 14CCR 1104.1(a)(6)(A) and (B)

With respect to this proposed "Schmidt Williams" Less than 3 Acre Conversion Exemption, it is the intent of the Landowner to convert the respective land from timberland use to residential use. Extent of vegetation removal is expected to be heavy. With respect to the understory vegetation, there is a thick existing conifer regeneration and brush species. The landscape where the conversion shall take place consists of mostly Redwood with the remainder being Douglass Fir and Grand Fir trees along with some brush species in the understory. It is expected that a significant/noticeable pre/post low vegetative cover alteration in association with this proposed conversion will occur. There is not expected to be any need for site preparation. Slash, which is anticipated to be developed in association with timber operations during the process of harvesting/removing approximately 75% of the existing conifer overstory trees within the conversion area, will simply be disposed of at the proposed landing location or within the conversion area via burning and/or chipping.. The total area proposed to be converted is approximately 2.9 acres in size.

Soils are comprised of a sandy/clay texture, which this type of texture drains relatively fast. The terrain has slopes of 0 to 5% and the site receives a south easterly exposure. With respect to microclimates the conversion area is very similar to the rest of the forested parcels in the neighborhood.

The RPF would also like to note that many of the other parcels in this area are used for rural residential use some of which have occupied the area for as long as 100 plus years. Given the above information, it is the professional opinion of this RPF that the proposed conversion site is suitable/feasible for the proposed non-timber use.

Sincerely, 

Steve Severi  
Forester, RPF #2989

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FORT BRAGG CA



April 30, 2021

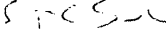
To whom it may concern

I am a forester employed by James Schmidt and Kristen Williams. We are preparing a Less than 3 Acre Conversion Exemption on a parcel of land owned by my client the intent of the conversion is to create a home site the conversion area will be less than 3 acres. The purpose of this notification is to provide Native Americans an opportunity to disclose the existence of any Native American archaeological or cultural sites that may be within or adjacent to the area which will be surveyed and provide an opportunity to comment on the project. By sending you this letter we are requesting information concerning the potential existence of any Native American archaeological or cultural sites within or within 100 feet of the potential project boundaries.

The proposed project is located in Mendocino County. Its legal description is Section 20 of Township 17 North, Range 17 West Mount Diablo base meridian. The project is approximately 1 mile east of the town of Mendocino off of Little Lake road on Gurley Lane. A map is provided with this notification it is a general location map that will allow you to determine the travel route to the project area from the nearest landmark it is a copy or digital equivalent of the Mendocino 7 ½ minute quadrangle which shows the approximate boundary of the plan area.

Any replies, comments, questions or other information which you wish to submit regarding this project should be directed to the Registered Professional Forester (RPF) Steve Severi PO Box 1817 Fort Bragg Ca. 95437; tel. (707) 357-9663. Alternatively, you may contact the RPF via e-mail at [7severi@gmail.com](mailto:7severi@gmail.com). If you do respond to this letter, please include a reference to the Schmidt Williams less than 3 acre Conversion project.

We anticipate that this less than 3 acre conversion will be submitted to the Director on or around May 26, 2021. The earliest possible date the Director may approve the plan is 15 calendar days after it is submitted to the Director. Native American groups may participate in the plan review process by submitting written comments to the Director, at the following address: California Department of Forestry and Fire Protection, 135 Ridgeway Avenue, Santa Rosa, CA 95401. Comments may also be submitted to The Department via e-mail. The e-mail address is: [santarosapubliccomment@fire.ca.gov](mailto:santarosapubliccomment@fire.ca.gov). However, Native American groups should not use email when submitting confidential information to CDF. An example would include the disclosure of the specific location of a cultural resource. In such instances Native American groups should notify CDF via a formal letter (or in person over the phone) but not via email because CDF cannot ensure the confidentiality of information transmitted via email. The locations of any sites you choose to disclose as a result of this notification will be kept confidential.

Steve Severi   
Registered Professional Forester  
License No. 2989

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PLANNING & BUILDING SERV  
FORT BRAGG CA



April 30 2021

**Re: Schmidt Williams less than 3 acre conversion.**


To whom it may concern.

Legal Description

**Township 17 North Range 17 W Section 20** Mount Diablo Base Meridian, Mendocino 7.5min Quad.

Per 14CCR1104.1(a)(3). This document is being sent to adjacent landowners with 300 feet of the of the boundaries of the conversion exemption, for the purpose of giving notification of the landowner intent to harvest timber. This notification is being mailed in conjunction with the submittal of the conversion exemption of timber operations to CALFIRE. Said conversion shall be from timberland use to a residential use (this less than three acre conversion will be to create a homesite). The maximum size of this conversion is less than three acres.

Any replies, comments, questions or other information which you wish to submit regarding this project should be directed to the Registered Professional Forester (RPF) Steve Severi PO Box 1817 Fort Bragg Ca. 95437: tel. (707) 357-9663. Alternatively, you may contact the RPF via e-mail at [7severi@gmail.com](mailto:7severi@gmail.com). If you do respond to this letter, please include a reference to the Schmidt Williams less than 3 acre Conversion project.

Sincerely 

Steve Severi RPF 2989

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## 5. SURVEY RESULTS

Biological field surveys were performed that identified the following: plants, plant communities, wetlands, animals, and animal habitat in the study area.

### 5.1. Plants

The CDFW's California Native Diversity Database (CNDDDB) BIOS, *Version 5* (2016), was used to inform the search on special status flora previously reported in the vicinity of the project area. Fifty-eight species of herbs, grasses, sedges, rushes, ferns, shrubs, and trees were identified in the study area and are listed in **Appendix E**. No special status plant species were observed during the floristic surveys.

### 5.2. Plant Communities

#### 5.2.1. Redwood forest (*Sequoia sempervirens* Forest Association G3 S3)

The entirety of the study area was vegetated with a second-growth redwood forest (**Figure 7**). The overstory of the forest was largely dominated by redwood trees; however, other tree species present in this community included Douglas fir (*Pseudotsuga menziesii*), tanoak (*Notholithocarpus densiflorus*), Bishop pine (*Pinus muricata*), grand fir (*Abies grandis*), western hemlock (*Tsuga heterophylla*), cascara buckthorn (*Frangula purshiana*), and red alder (*Alnus rubra*). The understory was sparse in some areas and overgrown with thick brush in other areas. Dominant understory vegetation included sword fern (*Polystichum munitum*), salal (*Gaultheria shallon*), evergreen huckleberry (*Vaccinium ovatum*), and redwood sorrel (*Oxalis oregana*). Other understory species present included redwood violet (*Viola sempervirens*), vanilla grass (*Anthoxanthum occidentale*), sweet vernal grass (*A. odoratum*), Pacific rhododendron (*Rhododendron macrophyllum*), modesty (*Whipplea modesta*), blue bead lily (*Clintonia andrewsiana*), California blackberry (*Rubus ursinus*), Himalayan blackberry (*R. armeniacus*), hairy cats ears (*Hypochaeris radicata*), English plantain (*Plantago lanceolata*), Douglas iris (*Iris douglasiana*), bracken fern (*Pteridium aquilinum*), thimbleberry (*Rubus parviflorus*), spreading rush (*Juncus patens*), rough hedgenettle (*Stachys rigida*), western trillium (*Trillium ovatum*), red huckleberry (*Vaccinium parvifolium*), pacific starflower (*Lysimachia latifolia*), wax myrtle (*Morella californica*), and hairy honeysuckle (*Lonicera hispidula*).

Old-growth redwood forests are considered presumed ESHAs; however, the redwood forest identified in the study area is second growth. Large redwood stumps and wildlife snags are absent, indicating this forest is relatively young. Early to mid-seral redwood forest, like that on the parcel occupies approximately 900,000 acres in California, which far exceeds the membership rule to qualify as a state ranked population with S3 status. The redwood forest delineated area in the study area was determined by staff biologists to not exhibit rare plant community characteristics of a mature redwood forest and was not classified as an ESHA.



*Figure 7. Redwood forest onsite.*

### **5.3. Wetland Delineation – (Coastal Act Wetland) presumed ESHA**

On November 30<sup>th</sup>, 2021 a routine level study of hydrology, soils, and vegetation indicators were conducted within the study area. The results were recorded from sampling points on data sheets (**Appendix D**) from the Regional Supplement to the Army Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0). Locations of sampling points are depicted on the Wetland Delineation Map (**Figure 8**). The wetland hydrology, hydric soils, and hydrophytic vegetation indicators used to make wetland determinations are summarized below. Sampling points are marked in the field with 24-inch wooden stakes with colored flagging and labeled in a Sharpie marker. A 30-foot plot size was studied for trees present, a 20-foot radius for shrubs present, a 10-foot radius for herbs present, and a 10-foot radius for vines present. **Sample Point SP01 and SP02 were determined by the surveyors to be upland** as no hydric soil, hydrology, or hydrophytic vegetation indicators were observed. Protocol level sample points were conducted in areas that both showed potential for being wetland and occurred in locations with the potential to affect the project proposal.

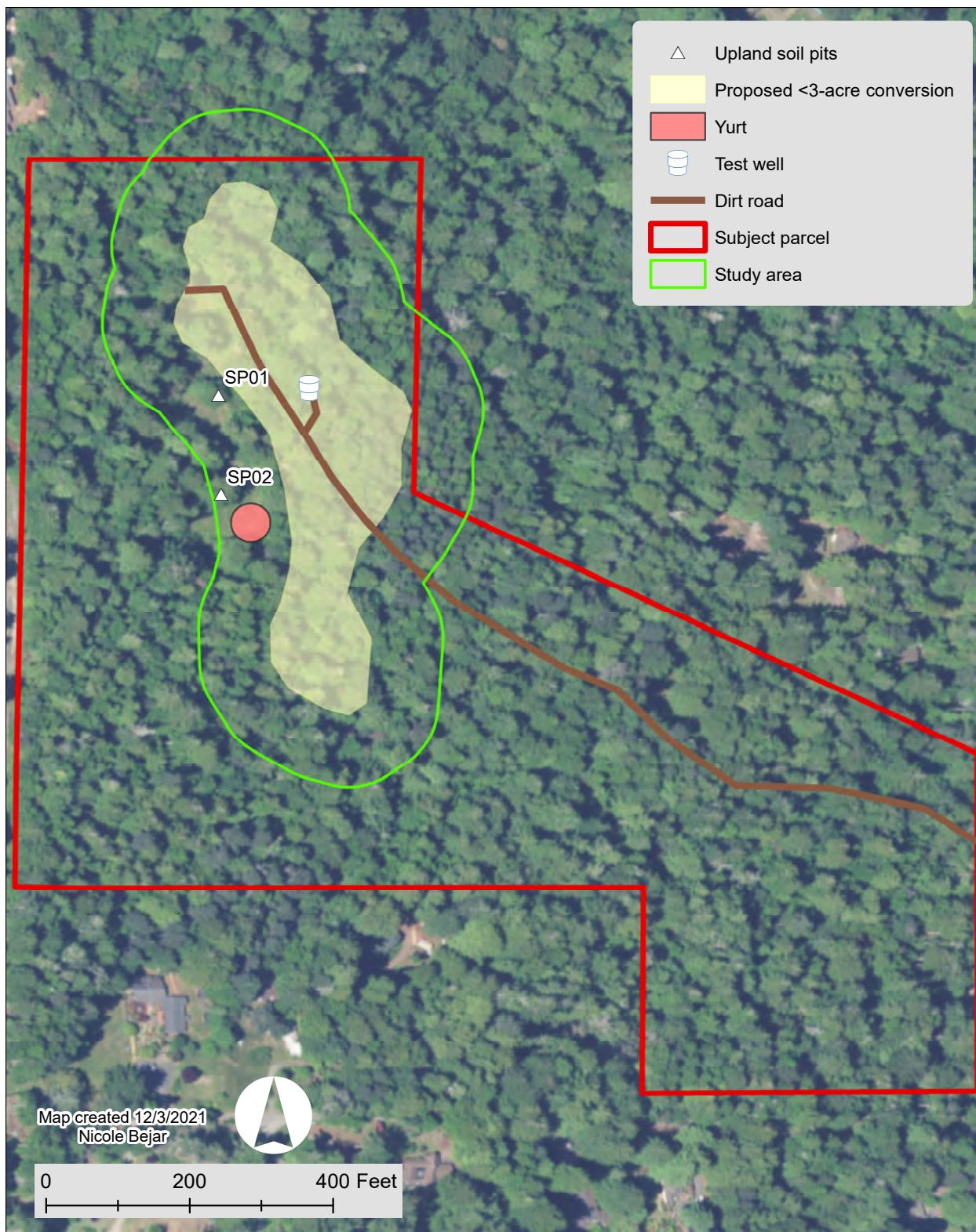
#### **5.3.1. Sampling Point SP01 – Upland**

This sample point was examined due to the presence of spreading rush in an approximate 400ft<sup>2</sup> area in a clearing. Dominant plant species at this sample point were redwood (NI/UPL), Douglas fir (FACU), spreading rush (FACW), hairy cats ear (FACU), and Douglas iris (NI/UPL). The hydrophytic vegetation parameter was not met. No wetland hydrology indicators and no hydric soil indicators were observed within the pit dug to 20-inches deep. *As no wetland parameters were met, SP01 was determined to be upland.*

#### **5.3.2. Sampling Point SP02 – Upland**

This sample point was examined because it was another location in the clearing where spreading rush is more abundant. Dominant plant species at this sample point were Douglas fir (FACU) and Douglas iris (NI/UPL). The hydrophytic vegetation parameter was not met. No wetland hydrology indicators and no hydric soil indicators were observed within the pit dug to 20-inches deep. *As no wetland parameters were met, SP02 was determined to be upland.*





CLIENT: Schmidt-Williams  
APN: 119-020-35-00  
ADDRESS: 11100 Gurley Lane  
Mendocino, CA

## Wetland Delineation Points

Figure 8. Wetland delineation map depicting wetland sample points.

#### 5.4. Wildlife - Potential Occurrences

The California Department of Fish and Wildlife (CDFW) California Native Diversity Database (CNDDDB) BIOS, Version 5 (2016), was used to inform the search on fauna previously reported in the vicinity of the project area (**Figure 6**). No species of special-status wildlife was observed during the field biological surveys and suitable habitat for special status wildlife species was identified. Descriptions below are for wildlife species with moderate to high potential to occur, and for State or Federally Endangered or Threatened Species with potential to occur. A complete list of special status wildlife with the potential to occur at the project site can be found in **Table 3 of Appendix C**.

##### 5.4.1. Invertebrates

###### 5.4.1.1. Lotis Blue butterfly (*Lycaeides argyrognomon lotis*) (G5TH SH)

This Federally Endangered butterfly species has not been seen since 1983, it is primarily from Mendocino County but historically recorded in northern Sonoma and possibly Marin Counties. This species inhabits wet meadows, damp coastal prairie, and potentially bogs or poorly-drained sphagnum-willow bogs where soils are waterlogged and acidic. The presumed larval host plant, Harlequin lotus (*Hosackia gracilis*), was not observed onsite. No further surveys are recommended for this species.

###### 5.4.1.2. Western Bumblebee (*Bombus occidentalis*) (G2G3 S1)

Western bumblebee (*Bombus occidentalis*) is not a Federal or State protected species but is listed as a California Natural Diversity Database S1 species, an indication that there are limited known occurrences in California. The project area is in the former historical range of this species. Bumblebees observed during botanical surveys did not demonstrate the field markings of the western bumblebee, which include a conspicuous white tip of the abdomen. No further surveys are recommended at this time.

##### 5.4.2. Fish

###### 5.4.2.1.

No aquatic habitat capable of supporting fish was observed within the study area.

##### 5.4.3. Amphibians

###### 5.4.3.1. Northern red-legged frog (*Rana aurora*) (G4 S3)

Northern red-legged frog (*Rana aurora*) is listed as a California Department of Fish and Wildlife Species of Special Concern. The range extends from the southwest British Columbia coast to central Mendocino County. Often found in woods adjacent to streams and streamsides with plant cover, the northern red-legged frog breeds in permanent water sources, including lakes, ponds, reservoirs, slow streams, marshes, bogs, and swamps. No potential breeding habitat was present in the study area and the rest of the parcel has the potential for the presence of the frog during their overland movements between water sources. Mitigation measures in Section 7 address how to minimize impacts to all potentially occurring amphibians. It is recommended that the contractor be trained to recognize amphibians and contact a qualified biologist if any are found onsite during construction activities.

###### 5.4.3.2. Southern Torrent Salamander (*Rhyacotriton variegatus*) (G3G4 S2S3)

This Species of Special Concern occurs primarily in cold, well-shaded permanent streams and spring seepages in redwood, Douglas fir, mixed conifer, montane riparian, and montane hardwood-conifer habitats. On land, it normally occurs only within the splash zone or on moss-covered rock rubble with trickling water. Because it does not stray far from the splash zone of streams and seeps suitable habitat was not present in the study area and no further studies are warranted for this species.

**5.4.3.3. Red-bellied newt (*Taricha rivularis*) (G2 S2)**

This Species of Special Concern inhabits primarily redwood forest but is also found within mixed conifer, valley-foothill woodland, montane hardwood, and hardwood-conifer habitats. Rapid-flowing, permanent streams are required for breeding and larval development. No suitable breeding habitat was present within the study area. This species may range up to a mile from streams and may therefore be found in upland habitats during some times of the year. Identification and avoidance training for construction workers should include a discussion of this species.

**5.4.3.4. Pacific tailed frog (*Ascaphus truei*) (G4 S3S4)**

This Species of Special Concern occurs in montane hardwood-conifer, redwood, Douglas-fir, and ponderosa pine habitats. There is a CNNDDB record of Pacific tailed frog within Russian Gulch approximately 1 mile northeast of the study area. Pacific tailed frogs are found on the coast from Anchor Bay to the Oregon border. The species requires rocky high-gradient streams and is therefore unlikely to occur at the project site. No further surveys are recommended for this species.

**5.4.4. Birds**

**5.4.4.1. Nesting birds**

Resident and migratory birds that are present during the nesting season may nest in the habitat present within the study area. Nesting requirements are highly variable. Some birds nest in burrows, others on the ground, in vegetation, brush, trees, rocky outcrops, or on man-made structures. The bird nesting season typically extends from February to August. The Migratory Bird Treaty Act protects special status and common birds and their nests while they are in the process of nesting. If construction is to occur during the breeding season (February to August), a pre-construction survey is recommended to ensure that no nesting birds will be disturbed during development (**Table 1**). No nesting surveys are recommended if activity occurs in the non-breeding season.

**5.4.4.2. Northern spotted owl (*Strix occidentalis caurina* G3G4T3 S2)**

The northern spotted owl (NSO) is federally threatened under the Endangered Species Act and state listed as threatened. The northern spotted owl historically inhabited forests from southwestern British Columbia to San Francisco Bay, California. This special status species lives in older forest stands with dense canopy closure and multi-layered canopies. In the Spring and Summer of 2019 and 2020, NSO surveys were conducted by consultant Steve Severi, a Registered Professional Forester for Lyme Redwood Forest Company, to determine the presence of presence/absence of NSO on the parcel. Detections of NSOs were negative during the surveys and NSO are presumed to not utilize the forest habitat onsite. No further surveys are recommended.

**5.4.4.3. Marbled murrelet (*Brachyramphus marmoratus* G3 S2)**

The marbled murrelet is federally threatened under the Endangered Species Act and is state listed as endangered. The breeding range of this special status bird ranges along the coastline from Bristol Bay, Alaska to Monterey Bay, California. Marbled murrelets spend most of their lives at sea, but nest in old-growth redwood and Douglas fir forests. Marbled murrelet surveys were completed in the Spring and Summer of 2020 by consultant Steve Severi to determine the presence of presence/absence of marbled murrelets on the parcel. Detections of marbled murrelets were negative during the surveys and they are presumed to not utilize the forest habitat onsite. No further surveys are recommended.

**5.4.4.4. Tufted puffin (*Fratercula cirrhata* G5 S1S2)**

This Species of Special Concern winters on the open ocean and nests on rocky islands and cliffs along the coastline from northern California to Alaska and across the Pacific Ocean in northeastern Asia. The birds have periodically been seen resting or nesting on the islands off



the coast of Mendocino Headlands State Park. This property is not a bluff top property and therefore, appropriate habitat is not present. No further surveys are recommended for this species.

#### **5.4.4.5. Purple martin (*Progne subis* G5 S3)**

This Species of Special Concern is the largest swallow in North America and the breeding range extends throughout temperate North America. Purple martins live in colonies and nest in natural cavities, such as woodpecker holes, near water and open areas. No purple martins were observed during the field surveys and appropriate habitat is not present in the study area. No further surveys are recommended for this species.

### **5.4.5. Mammals**

#### **5.4.5.1. Sonoma tree vole (*Arborimus pomo*) (G3 S3)**

This Species of Special concern requires fresh Douglas fir (*Pseudotsuga menziesii*), grand fir (*Abies grandis*), Sitka spruce (*Picea sitchensis*), Monterey pine (*Pinus radiata*), or Bishop pine (*P. muricata*) needles for food. The majority of trees in the project area are coast redwoods, which are not a Sonoma tree vole (STV) food plant. While no occurrences of STV were recorded on the CNDDDB map, WCPB is aware of STVs in Jack Peters Gulch, which extends past the property to the north. During scoping surveys the tree canopy and ground were visually inspected for evidence of the vole. No evidence of this species, such as clumps of tree-needle resin ducts was observed on site. Because STV can move into new areas, and the project has a relatively high potential to impact STV if they are present, protocol level STV surveys should be conducted within 14 days prior to the commencement of the vegetation removal.

## **6. MITIGATION MEASURES**

The proposed project has been analyzed relative to its proximity to natural resources to determine its potential disturbance to sensitive species, utilizing the methods and results gathered above. As a result of those analyses, we believe that potential impacts to potential ESHAs can be avoided if the project utilizes the mitigation measures we recommend below. The following mitigation measures are recommended to minimize impacts from development to potential habitat for birds, bats, and amphibians. These measures will serve to prevent negative impacts to potential resources located within 100 feet of the proposed less than 3-acre conversion.

### **6.1. Potential Impact to Nesting Birds**

Vegetation removal in the study area has the potential to disturb birds during the nesting season.

#### **6.1.1. Avoidance Measure: Seasonal avoidance**

No nesting bird surveys are recommended if activity occurs in the **non-breeding season** (September to January). If development is to occur during the **breeding season** (February to August), a pre-vegetation removal survey is recommended within 14 days of the onset of vegetation removal to ensure that no nesting birds will be disturbed during this process (**Table 1**).

#### **6.1.2. Avoidance Measure: Nest Avoidance**

If active special status bird nests are observed, no vegetation removal activities shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

#### **6.1.3. Avoidance Measure: Vegetation removal activities only during daylight hours**

Vegetation removal should occur during daylight hours to limit disturbing noise and minimize

artificial lights.

**6.2. Potential Impact to Bats**

Vegetation removal in the study area has the potential to impact special status bat species. Bats are vulnerable when roosting for reproduction when young are not yet able to fly, and during hibernation, because they can die of cold or malnutrition if hibernation is disturbed. No special features such as hollow trees, abandoned buildings, or other cave analogs, which could serve as roosting or hibernation refugium, are present; therefore, the potential for negative impacts to bats is minimal. Temperatures on the Mendocino Coast usually do not drop low enough to necessitate bat hibernation.

**6.2.1. Avoidance Measure: Pre-construction surveys for bats**

Vegetation removal will ideally occur between September 1st and October 31 after the young have matured and prior to the bat hibernation period. **If it is necessary to disturb potential bat roost sites between November 1 and August 31**, pre-construction surveys should be performed by a qualified biologist 14 days prior to the onset if development activities.

Pre-vegetation removal bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

*Table 1. Months surveys are or are not needed for birds and bats.*

Months During Which Pre-Construction Surveys Are Not Required For Birds & Bats												
	January	February	March	April	May	June	July	August	September	October	November	December
Birds	Green	Red	Red	Red	Red	Red	Red	Red	Green	Green	Green	Green
Bats	Red	Red	Red	Red	Red	Red	Red	Red	Green	Green	Red	Red
	Green	Pre-Construction Surveys Are NOT Needed										
	Red	Pre-Construction Surveys Are Needed										

**6.2.1. Avoidance Measure: Roost buffer**

If active bat roosts are observed, no vegetation removal activities shall occur within a minimum 50-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

**6.2.2. Avoidance measure: Vegetation removal activities only during daylight hours**

Vegetation removal should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

**6.3. Potential Impact to Special Status Amphibians**

Vegetation removal activities will involve walking across areas where amphibians may be traveling. Staging of materials and removal of vegetation removal debris could also disturb special status amphibians that may be hiding underneath these materials. To minimize impacts to amphibians, the following avoidance measures should be followed.

**6.3.1. Avoidance Measure: Contractor education**

Within two weeks prior to vegetation removal activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special

status amphibians are observed during construction.

**6.3.2. Avoidance Measure: Pre-construction search**

During vegetation removal crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

**6.3.3. Avoidance Measure: Careful debris removal**

During vegetation removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

**6.3.4. Avoidance Measure: No construction during rain event**

If a rain event occurs during the vegetation removal, all vegetation removal activities with the potential to impact amphibians will cease for a period of 48 hours, starting after the rain stops.

Prior to resuming vegetation removal activities, trained construction crew member(s) will examine the site for the presence of special status amphibians.

If no special status amphibians are found during inspections, vegetation removal activities may resume.

If a special status amphibian is detected, vegetation removal crews will stop all vegetation removal work with the potential to negatively impact amphibians and will contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW will then be needed prior to reinitiating work. CDFW will need to be consulted and will need to be in agreement with protective measures needed for any potential special status amphibians.

**6.4. Potential impact to Sonoma Tree Vole**

Vegetation removal will involve cutting trees that could be food and shelter for Sonoma tree voles if they are present. Removal of trees can change the local microclimate of the forest canopy adjacent to the tree removed by changing the amount of sunlight, humidity, and wind exposure, which has the potential to change the suitability of trees in the adjacent canopy for tree voles.

**6.4.1. Avoidance Measure: STV survey**

Within 14 days prior to the commencement of vegetation removal/logging activities. A qualified biologist will conduct protocol level STV surveys within the area where trees will be removed and within areas with tree canopy microclimate that could be affected by the tree removal. If STV nests are detected the biologist will consult with CDFW for further guidance and no tree removal will occur within 100 feet of the STV nests unless and until approved by CDFW.

**7. DISCUSSION**

It is the professional opinion of the biologists at WCPB that proposed less than 3-acre conversion will have no significant impacts on special status resources. Biological surveys were conducted by SNRC and WCPB to compile a full floristic list of plants occurring in the study area and to identify any special status resources having the potential to meet the LCP ESHA definitions. Additionally, northern spotted owl and marbled murrelet surveys were conducted by Steve Severi, a Registered Professional Forester for Lyme Redwood Forest Company, to detect the presence of these federally threatened birds in the study area. No presumed ESHAs were identified within the study area. Mitigation measures are recommended to account for special status birds, bats, amphibians, and Sonoma tree voles that have the potential to move into or through the study area.



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## 9. INVESTIGATOR BIOGRAPHIES

### Contributing Biologists

**Asa B Spade** graduated from Humboldt State University with a Bachelor's Degree in Environmental Science, with a concentration in Landscape Ecosystems as well as a minor in Botany. Since that time, he has been working in the natural resources field, first with Mendocino County Environmental Health and later with California State Parks and the Department of Fish and Game. He has been trained in Army Corps wetland delineation by the Coastal Training Program at Elkhorn Slough and in Advanced Wetland Delineation by the Wetland Science and Coastal Training Program. He has been trained in the environmental compliance process for wetland projects in San Francisco bay and outer coastal areas. In 2011 Asa completed training to survey for California red-legged frog held by Elkhorn Slough Coastal Program. In 2015 he attended a Townsend's big eared bat basal hollow habitat assessment and survey methods workshop taught by Michael Baker, Leila Harris, and Adam Hutchins. Asa has trained with the Carex Working Group in identifying grasses and sedges of Northern California as well as a CNPS sedge workshop taught by CA Fish and Wildlife staff biologist Gordon Leppig. In 2019, he completed a training for burrowing owls taught by Dr. Lynne Trulio through the Elkhorn Slough Coastal Training Program and completed foothill yellow legged frog training taught by David Cook and Jeff Alvarez. Asa conducted field work for the Classification and Mapping of Mendocino Cypress Woodland and Related Vegetation using CNPS/CDFW Rapid Assessment/Relevé protocol. In 2021 Asa completed training by Jeff Alvarez and Jeff Wilcox on the eradication of bullfrogs within the range of California red-legged and foothill yellow legged frog. He is on the Fish and Wildlife Service approved list for Point Arena mountain beaver surveys and has done surveys for Behren's silverspot butterfly, Northern spotted owl, Sonoma tree vole, foothill yellow-legged frog and the California red-legged frog. He has contributed natural resources expertise to more than 200 coastal development projects in Mendocino County.

**Nicole Bejar** graduated from Gonzaga University with a Bachelor's Degree in Environmental Studies and a minor in Biology. After graduating, she worked as an intern for The Nature Conservancy conducting vegetation monitoring for the endangered golden-cheeked warbler. She served as an AmeriCorps member for the Watershed Stewards Program which aims to conserve, restore, and enhance anadromous watersheds for future generations. She worked as a fisheries technician conducting salmonid monitoring and habitat restoration for various agencies, including the California Department of Fish and Wildlife, Pacific States Marine Fisheries Commission, and the Bureau of Land Management. She also has experience planning and implementing northern spotted owl, Sonoma tree vole, and amphibian surveys. She is on the U.S. Fish and Wildlife Service's approved list for Point Arena mountain beaver and Behren's silverspot butterfly surveys. She completed the Bullfrog Control in California Field Workshop 2021 led by Jeff Alvarez and Jeff Wilcox held at a UC Berkeley Field Station.



<b>Section I Description Of Project.</b>	
<p><b>DATE:</b> MARCH 14, 2022  <b>CASE#:</b> CDP_2021-0042  <b>DATE FILED:</b> 11/12/2021  <b>OWNER/APPLICANT:</b> JAMES SCHMIDT &amp; KRISTEN WILLIAMS  <b>AGENT:</b> JAY ANDREIS  <b>REQUEST:</b> Standard Coastal Development Permit for major vegetation removal of 2.9± acres of trees, for a planned single-family residence, view shed enhancement, and associated development.  <b>ENVIRONMENTAL DETERMINATION:</b> Mitigated Negative Declaration  <b>LOCATION:</b> In the Coastal Zone, 1± mile northeast of Mendocino, 0.35± miles north of the intersection of Gurley Lane (CR 407Z) and Little Lake Road (CR 408); located at 11100 Gurley Lane (CR 407Z), Mendocino; APN 119-020-35.  <b>STAFF PLANNER:</b> LIAM CROWLEY</p>	
<b>Section II Environmental Checklist.</b>	
<p><i>“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.</i></p>	

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> 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/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities / Service Systems
	<input type="checkbox"/> Mandatory Findings of Significance	

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

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

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

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

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

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

<b><u>I. AESTHETICS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<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"/>

**Thresholds of Significance:** The project would have a significant effect on aesthetics if it would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of public views of the site and its surroundings (if the project is in a non-urbanized area) or conflict with applicable zoning and other regulations governing scenic quality (if the project is in an urbanized area); or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

- a) **No Impact:** A scenic vista is defined as a location that offers a high quality, harmonious, and visually interesting view. No views into and out of the site have been identified as a scenic vista. The Mendocino County Coastal Element and Coastal Land Use Maps identify “highly scenic areas” within which new development shall be subordinate to the character of its setting. These designated areas contain views which would be considered scenic vistas. However, the project is not located in a designated highly scenic area. The proposal to remove trees as well as the reasonably foreseeable future single-family residential development, would not be located in an area designated as a scenic vista.
- b) **No Impact:** California State Assembly Bill 899 designates State Route (SR) 128 as a route in the state scenic highway system. To date, this is the only road within Mendocino County designated as such. The project site lies 8.5± miles from the nearest segment of SR 128. The project site cannot be seen from SR 128, and SR 128 cannot be seen from the project site. As such, the project would not interfere with public enjoyment of scenic resources.
- c) **Less Than Significant Impact:** The existing project site is heavily forested. Removal of 2.9 acres of trees and other vegetation could impact the existing visual character or quality of the site if it is interpreted that the existing trees and vegetation were integral to such a character or quality. However, the project surroundings include areas developed with single-family residences which were constructed on land that was previously not forested or also involved some manner of vegetation removal. As such, the proposed project would be in keeping with the surrounding visual characteristics. In addition, the proposed area of tree removal is located in an area of the lot shielded from the view of the only publicly maintained road with access to the site, Gurley Lane (CR 407Z). This view is shielded by existing trees and vegetation. The reasonably foreseeable future single-family development of the site would also match the surrounding visual character of the location, and would also be shielded by existing vegetation. As such, interference with public enjoyment of the site’s visual resources would be minimal.

- d) **Less Than Significant Impact.** The proposed project involves the removal of approximately 2.9 acres of trees and other vegetation. Tree removal activities would not occur at night, and therefore would not require a substantial source of light. Tree removal activities during the day are not expected to generate any substantial source of light. However, the reasonably foreseeable future development of the site with a single-family residence could include outdoor lighting. The proposal to construct a single-family residence was approved with conditions via Categorical Exclusion Order Number E-91-2 and reported to the California Coastal Commission on June 15, 2021. Categorical Exclusion Order Number E-91-2 identifies coastal areas in Mendocino County that are excluded from the requirement to obtain a Coastal Development Permit for the development of a single-family residence. In order to be excluded from Coastal Development Permit requirements, a project must conform to the Certified Local Coastal Program. Mendocino County’s Certified Local Coastal Program is also known as the Mendocino County Coastal Element. Mendocino County Coastal Element Policy 3.5-15 states that *“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.”* The reasonably foreseeable future development of a single-family residence would therefore not create a new source of substantial light or glare.

<b>II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 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 Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on agriculture and forestry resources if it would 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 of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use.



- a) **No Impact:** The project site is mapped as Grazing Land according to the Farmland Mapping and Monitoring Program. As this is not Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there would be no impact.
- b) **No Impact:** The project site is designated as a Rural Residential zone. The proposed project would not involve any use of the land that is in conflict with agricultural uses permitted within the Rural Residential zone. The project site is not part of a Williamson Act contract.
- c-d) **Less Than Significant Impact:** The project would convert 2.9 acres of timberland to residential use. The project parcel has a zoning designation of Rural Residential, which is intended primarily for residential use rather than forest or timber uses. The conversion to residential use would have a less than significant impact because the project conforms to the requirements of California Code of Regulations Section 1104.1 and is exempt from a Conversion permit or timber harvesting plan from the Department of Forestry and Fire Protection. A conversion of 3 acres or greater would be considered a significant conversion of forest land to non-forest use.
- e) **No Impact.** The project includes reasonably foreseeable future construction and operation of a single-family residence within the area designated for tree removal. The construction and operation of the single-family residence would not occur beyond the area of tree removal identified for the project. Therefore, there would be no additional conversion of forest land beyond what has been discussed in the above response to question (c) and (d).

<b>III. AIR QUALITY.</b>				
<b>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Thresholds of Significance:** The project would have a significant effect on air quality if it would conflict with or obstruct implementation of any applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people.

- a) **Less Than Significant Impact:** Applicable air quality plans include the State and Federal Clean Air Acts as well as local air quality regulations. These acts and regulations are enforced by the Mendocino Air Quality Management District (MCAQMD), who publishes District Rules and Regulations. The project can be

considered in two phases. The first phase involves construction whereby trees and vegetation are removed and a single-family residence is constructed along with a detached shop, driveway improvements, and a septic system. The second phase involves normal operation of the single-family residence. Removal of trees and other vegetation and operation of a single-family residence is not expected to significantly increase regional vehicle miles traveled (VMT). The majority of pollutant emissions would occur only during the construction phase and would be temporary in nature. No new long-term point source of emissions would be created. The disposal of vegetative matter grown on a property is excluded from MCAQMD Open Outdoor Burning Procedures pursuant to Rule 2-130(a)(1). The proposed project is consistent with other MCAQMD Rules and Regulations. Residential use is a principally permitted use within the Rural Residential district. As such, air quality impacts related to residential use of the site have been considered during environmental review for the adoption of the Mendocino County General Plan in 2009. Therefore, the impact is less than significant.

b-c) **Less Than Significant Impact:** As of October 2020, Mendocino County is in attainment for all State criteria air pollutants except for Particulate Matter less than 10 microns in size (PM<sub>10</sub>). The County is unclassified in regard to the criteria pollutants Hydrogen Sulfide and Visibility Reducing Particles. As of October 2018, the County is in attainment for all Federal criteria pollutants except for PM<sub>10</sub>, for which the County is unclassified. The MCAQMD Rule 1-430(b) states that “the following airborne dust control measures shall be required during all construction operations, the grading of roads, or the clearing of land;

- (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 truck 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 work hours.
- (7) The operator shall keep a daily log of activities to control fugitive dust.”

Operation of a single-family residence would not create an on-site stationary source of emissions beyond what has been addressed in environmental review of the County General Plan, which anticipates residential development in the project parcel's zoning district. The majority of emissions would be limited to construction activities related to tree removal and the residential structure. These activities include exhaust emissions from vehicles, use of heavy equipment, dust emissions from vehicle travel, and emissions related to chipping and burning wood from removed trees within the conversion area. Exhaust emissions during tree removal would vary daily as activities change. The use of equipment would create localized emissions in the limited conversion area. The project and associated activities could result in fugitive dust emissions, which contributes to PM<sub>10</sub> nonattainment. However, short-term emissions from grading and construction were considered during environmental review of the Mendocino County General Plan. The Mendocino County General Plan EIR proposed policies and action items that would provide mitigation for such impact which were considered significant and unavoidable. These policies and action items were adopted as part of the Resource Management Element of the General Plan. Approval of this Coastal Development Permit would require findings of consistency and possible conditions of approval related to General Plan policies, which would ensure that the project does not contribute substantially to nonattainment and would not surpass thresholds set by MCAQMD. Therefore, the impact is less than significant.

d) **Less Than Significant Impact:** Examples of land uses which can contain sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential neighborhoods. The project site is surrounded by existing single-family homes, and as such has the potential to expose sensitive receptors to pollutants. However, as discussed in response “b-c)” above, consistency with General

Plan policy would ensure that the project would not surpass air quality emissions thresholds. Impacts to sensitive receptors would be less than significant if the emissions do not surpass such thresholds.

- e) **Less Than Significant Impact:** On-site disposal of trees, including burning, may create objectionable odors. In addition, the project site is adjacent to several residences. However, the short-term nature of the project and limited area of conversion indicate that these potential odors would have a less than significant impact. Operation of the single-family residence is not expected to create any objectionable odors.

<b><u>IV. BIOLOGICAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 Wildlife 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, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on biological resources if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or have a substantially adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or 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; or conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan.



**Discussion:** Mendocino County Coastal Element Policy 3.1-2 states that *“Development proposals in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource.”*

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

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

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

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

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

A biological scoping, wetland delineation, and botanical survey report was prepared for the project by Wynn Coastal Planning & Biology on December 14, 2021. The report includes information from floristic and Environmentally Sensitive Habitat Area (ESHA) surveys conducted on June 9<sup>th</sup> & 10<sup>th</sup> and July 25<sup>th</sup> of 2019 and April 21<sup>st</sup> of 2020. Biologists also conducted surveys on September 20<sup>th</sup> and 30<sup>th</sup> of 2021. The report includes survey results for locating potential ESHAs, special status plants and communities, wetlands and riparian areas, and special status animals and/or their habitats. The report also includes recommended mitigation measures for any potential impacts from the proposed project.

a, d, e) **Less Than Significant Impacts With Mitigation Incorporated:** No special status plant species were observed during floristic surveys of the site. No special status wildlife species were observed during the field biological surveys of the site. However, suitable habitat for special status wildlife species was identified. Potential impacts to nesting birds, bats, special status amphibians, and the Sonoma Tree Vole were identified within the biological report prepared for the project. Vegetation removal has the potential to impact special status bat species because bats are vulnerable when roosting for reproduction when young are not yet able to fly, and during hibernation, because they can die of cold or malnutrition if hibernation is disturbed. Vegetation removal activities would also involve walking across areas where amphibians may be traveling. Staging of materials and removal of debris could also disturb special status amphibians that may be hiding

underneath these materials. Vegetation removal would involve cutting trees that could be food and shelter for Sonoma tree voles if they are present. Removal of trees can change the local microclimate of the forest canopy adjacent to the tree removed by changing the amount of sunlight, humidity, and wind exposure, which has the potential to change the suitability of trees in the adjacent canopy for tree voles. The project would not conflict with any tree preservation policy or ordinance. The following mitigation measures would reduce these impacts to less than significant levels. These mitigation measures are included as recommended conditions of approval in the staff report prepared for this project. Specifically, Condition 9 and 10 require that the applicant incorporate these measures in order to avoid possible impacts to special status species.

**Mitigation Measure BIO-1:** If development is to occur during the breeding season for nesting birds (February to August), a pre-vegetation removal survey shall be conducted within 14 days of the onset of vegetation removal to ensure that no nesting birds will be disturbed during this process.

**Mitigation Measure BIO-2:** If active special status bird nests are observed, no vegetation removal activities shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

**Mitigation Measure BIO-3:** Vegetation removal shall occur during daylight hours to limit disturbing noise and minimize artificial lights.

**Mitigation Measure BIO-4:** If tree removal will occur between November 1 and August 31, pre-construction surveys for bat roost sites shall be performed by a qualified biologist 14 days prior to the onset of development activities. Pre-vegetation removal bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

**Mitigation Measure BIO-5:** If active bat roosts are observed, no vegetation removal activities shall occur within a minimum 50-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active roost until all young are no longer dependent upon the roost.

**Mitigation Measure BIO-6:** Within two weeks prior to vegetation removal activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special status amphibians are observed during construction.

**Mitigation Measure BIO-7:** During vegetation removal crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

**Mitigation Measure BIO-8:** During vegetation removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.

**Mitigation Measure BIO-9:** If a rain event occurs during the vegetation removal, all vegetation removal activities with the potential to impact amphibians will cease for a period of 48 hours, starting after the rain stops. Prior to resuming vegetation removal activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found during inspections, vegetation removal activities may resume. If a special status amphibian is detected, vegetation removal crews will stop all vegetation removal work with the potential to negatively impact amphibians and will contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW will then be needed prior to reinitiating work. CDFW will need to be consulted and will need to be in agreement with protective measures needed for any potential special status amphibians.

**Mitigation Measure BIO-10:** Within 14 days prior to the commencement of vegetation removal/logging activities, a qualified biologist will conduct protocol level Sonoma Tree Vole (STV) surveys within the area where trees will be removed and within areas with tree canopy microclimate that could be affected by the tree removal. If STV nests are detected the biologist will consult with CDFW for further guidance and no tree removal will occur within 100 feet of the STV nests unless and until approved by CDFW.

- b) **No Impact:** No aquatic habitat capable of supporting fish was observed within the biological scoping survey study area.
- c) **No Impact:** For the wetland delineation survey prepared for the project, protocol level sample points were conducted in areas that both showed potential for being wetland and occurred in locations with the potential to affect the project proposal. No hydric soil, hydrology, or hydrophytic vegetation indicators were observed.
- f) **No Impact:** The project parcel is not within the boundary of any Habitat Conservation Plan, Natural Community Conservation Plan, or any other habitat conservation plan.

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

**Thresholds of Significance:** The project would have a significant impact on cultural resources if the project would cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations § 15064.5; or cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or directly or indirectly destroy a unique paleontological resources or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries.

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

- a-d) **No Impact:** The project was referred to the Northwest Information Center at Sonoma State University, who responded with comments on December 16, 2021. The Center recommended that an archival and field study of the project site be conducted to identify possible cultural resources. The project was then heard by the Mendocino County Archaeological Commission on January 12, 2022, who determined that an archeological survey is required for the project site. The project was also referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As yet, these tribes have not commented on the project. On February 24, 2022, the applicant provided an Archaeological Survey Report prepared by Alta Archaeological Consulting. This report notes that on January 31, 2022 fieldwork was conducted to identify any archaeological, cultural, or

historical resources on the project site. 21.7 acres of the parcel were surveyed with transects no greater than 20-meter intervals. A total of 22 shovel pits were conducted in low visibility areas throughout the site, and soils were inspected for evidence of cultural materials. No cultural resources were identified as a result of the archaeological survey. Therefore, the project, as designed, is not anticipated to have an adverse effect on historical, archaeological, or cultural resources.

<b>VI. GEOLOGY AND SOILS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
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 Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on geology and soils if it would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure (including liquefaction), or landslides. The project would also have a significant impact if it would result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

a) **Less Than Significant Impact:** The San Andreas Fault is the closest known active fault to the project site. Its closest point to the project is approximately 20 miles south of the site where it continues offshore near Manchester. The San Andreas Fault is capable of generating very strong earthquakes. The last major event



along this portion of the fault occurred in 1906 in San Francisco, with a magnitude (M) of 7.9. This event caused severe shaking in Mendocino County and extensive structural damage. Since the 1906 earthquake, little seismic activity has been recorded along the fault north of San Francisco. The project site is not mapped as a liquefaction zone by the California Geological Survey Earthquake Zones of Required Investigation. Vegetation removal can contribute to landslides, particularly in areas underlain by the Franciscan Formation, which is known to have poor slope stability characteristics. The proposed area of tree removal occurs on soil that has been identified as Ferncreek sandy loam 2 to 9 percent slopes (141) and Caspar-Quinliven-Ferncreek complex 9 to 30 percent slopes (124) per the 2002 Soil Survey of Mendocino County, Wester Part. Ferncreek sandy loam surface runoff is slow or medium, and the hazard of water erosion is slight or moderate if the surface is left bare. The Caspar-Quinliven-Ferncreek complex includes 35 percent Caspar sandy loam, 35 percent Quinliven sandy loam, and 15 percent Ferncreek sandy loam. Surface runoff on the Caspar and Quinliven soil is medium or rapid with a moderate hazard of water erosion if left bare. The majority of the tree removal area occurs on the Ferncreek soil. Low to moderate water erosion indicates a less than significant impact regarding landslides. In addition, the distance from the nearest active fault suggests that there will be no impact regarding exposure to seismic activity.

- b) **Less Than Significant Impact:** The soils present on site exhibit a slight to moderate hazard of water erosion when left bare. The primary forms of erosion resulting from timber harvesting include sheet and rill erosion. However, the project does not propose to remove existing live ground cover on the site, and as such bare soil is not expected to be exposed as a result of tree removal. As such, impacts due to sheet or rill erosion would not be significant.
- c-d) **Less Than Significant Impacts:** As discussed above in response to question (a) and (b), erosion hazards are slight to moderate for soils on the majority of the project site. Additional limitations affecting timber harvesting on these soils include seasonal wetness, sheet, and rill erosion. Other limitations include low bearing strength when soils are saturated, compaction and damage to roots produced by wheeled and tracked equipment, and soft, slippery, or sometimes unpassable roads during rainy periods. Despite this, the project site is located on soils that are not considered unstable, and other geologic hazards are not expected to occur as a result of the project. The project site is not mapped in an area of expansive soils.
- e) **Less Than Significant Impact:** The identified Ferncreek, Caspar, and Quinliven soils can become seasonally saturated and have restricted permeability in the subsoil. This can increase the possibility of failure of septic tank absorption fields. However, the project site has the opportunity to make use of alternative septic systems such as those in which leach lines are placed in a mound above the soil surface. The reasonably foreseeable future development of a single-family residence would likely include a septic tank. Construction of septic tanks are regulated by the Mendocino County Department of Environmental Health. Environmental Health permitting requirements for septic tanks would reduce possible failure of a future septic tank, indicating that any impacts would be less than significant.

<b>VII. GREENHOUSE GAS EMISSIONS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on greenhouse gas emissions (GHGs) if it would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Mendocino County Air Quality Management District (MCAQMD) has issued a recommendation that agencies use the CEQA thresholds of significance for criteria air pollutants and GHGs that have been adopted by the Bay Area Air Quality Management District (BAAQMD). These guidelines include no construction related thresholds. Operational thresholds for stationary sources are 10,000 Metric Tons of CO<sub>2e</sub> per

year (Carbon Dioxide equivalent), while operational thresholds for projects other than stationary sources are 1,100 Metric Tons of CO<sub>2</sub>e per year. In addition, Mendocino County building regulations require new construction to include energy efficient materials and fixtures.

a-b) **Less Than Significant Impacts:** The proposed project is not expected to conflict with any regulations aimed at reducing greenhouse gas emissions. The proposed use as a single-family residence is principally permitted within the Rural Residential zoning district, the environmental impacts of which have been considered under the Mendocino County General Plan EIR. The majority of greenhouse gas emissions would occur during the construction phase of the project, for which MCAQMD does not include emissions thresholds. The removal of trees would occur during the construction phase, and would produce temporary emissions primarily through the use of heavy equipment and vehicular exhaust. No long term impacts are expected to result from the construction phase of the project, and as such the impacts are less than significant.

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

**Thresholds of Significance:** The project would have a significant impact in regards to hazards and hazardous materials if it were to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably

foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

- a-c) **No Impact:** California Health and Safety Code (HCC) Section 25501(n)(1) defines a “hazardous material” as a material “that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.” HCC Section 25501(n)(2) lists various hazardous materials. The project proposal does not include the use of any hazardous materials. Therefore, the transport, use, disposal, or accidental release or emission of hazardous materials is not considered a concern with regard to this project.
- d) **No Impact:** The California Department of Toxic Substances Control EnviroStor database includes a Hazardous Waste and Substances Site List (Cortese List) pursuant to Government Code Section 65962.5. There are three (3) sites within Mendocino County which appear on the list. The project site is not located on any of these sites, and as such there is no impact.
- e-f) **No Impact:** The Mendocino County Airport Comprehensive Land Use Plan, adopted in 1993, identifies several geographic areas of concern within the County where there may be significant airport impacts. The closest airport identified in the plan is the Little River Airport. The closest mapped airport zone for this airport is 2.75± miles from the project site. The project site is not in the vicinity of any private airstrips. This indicates no impact related to airports.
- g) **Less Than Significant Impact:** The Mendocino County General Plan states that the Mendocino County Office of Emergency Services is responsible for administering the Mendocino County Emergency Operations Plan (EOP). Currently, the County of Mendocino has not prepared or adopted an EOP. The Mendocino County General Plan also contains several policies related to emergency response. Policy DE-208 and Policy DE-210 are relevant to this project. Policy DE-208 states that “*land uses, densities and intensities shall be designed to reduce human risk and exposure to hazardous conditions and events.*” The Rural Residential zoning district, which implements the Mendocino County General Plan regarding land uses, densities, and intensities, provides for single-family residential development as a principally permitted use. Thus, the proposed project conforms to this policy. Policy DE-210 states that “*development shall not hinder the maintenance and use of routes and sites critical to evacuation, emergency operations and recovery.*” The proposed tree removal and single-family residence would not be located within any such routes. The project does contain plans to improve an existing driveway on the site, which would require an Encroachment Permit from the Mendocino County Department of Transportation for any work being done within the County right of way (Gurley Lane). This would be the only work done within the County right of way, and as such any impact to emergency or evacuation routes would be temporary and minimal.
- h) **Less Than Significant Impact:** The proposed project would be located within an area CalFire considers to be of high fire hazard. However, the removal of trees would create an area of defensible space surrounding the proposed single-family residence. In addition, the project parcel is located within the jurisdiction of both the Mendocino Fire Protection District and the CalFire State Responsibility Area, who will provide service to the new single-family residence. New residential development must conform to CalFire State Fire Safe Regulations.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater



recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**Discussion:** Regulatory agencies include the State Water Resources Control Board (SWRCB) and the North Coast Regional Water Quality Control Board. The State Water Resources Control Board is responsible for implementing water quality standards in California. Water Code Section 13050(d) defines “waste” as “*sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.*” Typical activities and uses that affect water quality include, but are not limited to, discharge of process wastewater from factories, confined animal facilities, construction sites, sewage treatment facilities, and material handling areas which drain into storm drains.

Water Code Section 1005.1 defines “groundwater” as “*water beneath the surface of the ground, whether or not flowing through known and definite channels.*” Outside of the Ukiah Valley in Mendocino County, groundwater is the main source for municipal and individual domestic water systems. Groundwater also contributes significantly to irrigation in Mendocino County. Groundwater wells are the primary source of water for a vast array of land uses within Mendocino County for which there is not municipal water service. The County’s groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Inland valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, and irrigation. Specific information regarding recharge areas for Mendocino County’s groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification, such as paving, building, and gravel removal, it is anticipated that continued recharge will resupply groundwater aquifers.

- a-b) **Less Than Significant Impacts:** The project includes a proposed water well, which would make use of groundwater and could potentially interfere with groundwater recharge. The Coastal Groundwater Resource Area map produced by Mendocino County identifies the site within a Critical Water Area. This information indicates that the proposed project could have a significant impact on groundwater resources. The proposed well was approved by Categorical Exclusion CE\_2021-0026, which indicated that a well permit would be required from the division of Environmental Health prior to operation. The issuance of a well permit from Environmental Health would ensure that potential impacts to groundwater would not be significant. No other known water quality standards or waste discharge requirements would be violated by the proposed project. The removal of trees and other vegetation would not involve the extraction of any groundwater and would only interfere with groundwater recharge inasmuch as it would leave small amounts of bare soil directly exposed to precipitation. This would not be considered a significant impact.
- c-f) **Less Than Significant Impacts:** The proposal to remove trees would leave bare soil on the project site, which could alter the existing drainage pattern primarily through sheet and rill erosion. The removal of 2.9 acres of trees and other vegetation may also increase the rate of surface runoff on the site. The topography of the project site indicates that surface runoff flows into a small wetland approximately 500 feet to the north of the northern subject parcel boundary. Activities that decrease the permeability of soils on site would further increase the speed of surface runoff which may impact the nearby wetland. The only proposed activities that could decrease permeability on the site include construction of the single-family residence and improvements to the existing driveway. The removal of trees and vegetation is not expected to

significantly alter the existing drainage pattern or increase surface runoff to the extent that it would alter the nearby wetland or impact flooding.

- g-j) **No Impact:** There are no mapped 100-year flood hazard areas designated on the project site. As such, the proposed single-family residence and all other structures would not be placed within the boundary of a mapped 100-year flood hazard area, and would not impede or redirect flood flows or expose people or structures to significant risk due to flooding. The subject parcel is not located within any seiche, tsunami, or mudflow zone.
- k-l) **Less Than Significant Impacts:** Pollutant discharges or impacts to groundwater quality due to tree removal or construction and operation of a single-family residence are expected to be insignificant. The project is not considered a land use which would have potentially significant waste discharge affecting receiving water quality or groundwater quality.
- m) **No Impact:** As discussed in the response to questions (b) and (c) of Section IV Biological Resources of this document, no aquatic habitat or wetlands were observed in the project area. Tree removal, construction, and operation of a single-family residence is not expected to affect any other aquatic, wetland, or riparian habitat off-site.

<b><u>X. LAND USE AND PLANNING.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**Discussion:** All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance with regards to land use, as well as a number of more locally derived specific plans. The subject parcel is within the coastal zone and is subject to the Mendocino County Coastal Element.

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

- a) **No Impact:** The project involves removal of trees and construction of a single-family residence and supporting structures. The land surrounding the subject parcel is primarily developed with single-family residences. As such, the proposed project would match surrounding land uses and would not divide an established community.

b-c) **No Impact:** There are no identified environmental impact mitigation plans with which the proposed project would conflict. The project parcel is not within the boundary of any Habitat Conservation Plan, Natural Community Conservation Plan, or any other habitat conservation plan.

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

**Thresholds of Significance:** The project would have a significant impact on mineral resources if it would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

**Discussion:** The Surface Mining and Reclamation Act (SMARA) of 1975 provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. SMARA also encourages the production, conservation, and protection of the state’s mineral resources. SMARA requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources.

The predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. Three sources of aggregate materials are present in Mendocino County: quarries, instream gravel, and terrace gravel deposits. The demand for aggregate is typically related to the size of the population and construction activities, with demand fluctuating from year to year in response to major construction projects, large development activity, and overall economic conditions.

a-b) **No Impact:** There are no known mineral resources located near the subject parcel, thus there is no loss of availability of regional or locally important mineral resources.

<b><u>XII. NOISE.</u></b> <b>Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exposure of persons to or generation of noise levels 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) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on noise if it would result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or generation of excessive ground-borne vibration or ground-borne noise levels; or expose people residing or working in the project area to excessive noise levels (for a project located within the vicinity of a private airstrip or an airport or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport).

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

a-d) **Less Than Significant Impacts:** The proposed project involves the removal of trees and eventual construction and operation of a single-family residence. Construction of the single-family residence and the removal of trees are expected to generate temporary increases in ambient noise levels and ground vibration. The use of equipment, machinery, and large vehicles during construction and tree removal are examples of activities that would generate temporary noise. The subject parcel is surrounded by several other single-family residences, which are considered sensitive receptors to excessive noise. However, the removal of trees and construction of a single-family residence is not expected to generate temporary noise that is substantially greater than existing levels or in excess of Mendocino County Exterior Noise Limit Standards. The long term residential use of the land is expected to have minimal noise impacts.

e-f) **No Impact:** The project parcel is not within an airport land use plan area or in the vicinity of any known private airstrip.

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



**Thresholds of Significance:** The project would have a significant impact on population and housing if it would induce substantial population growth in an area, either directly or indirectly; or displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

**Discussion:** 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 Governments (MCOG) 2018 Regional Housing Needs Plan prepared a Regional Housing Needs Assessment which calls for an additional 1,845 housing units to be provided between 2019 and 2027. Goals and policies within the 2019-2027 update of the Housing Element were established in order to facilitate the development of these housing units at a range of sizes and types to address this need.

- a) **No Impact:** The proposed tree removal would clear space for the construction of a single-family residence. The single-family residence would only induce population growth related to a single household. According to the U.S. Census Bureau American Community Survey 5-year estimate for 2015-2019, the average number of persons per household in Mendocino County is 2.47. An increase of two (2) to three (3) persons is not considered to be inducing population growth in the area.
- b) **No Impact:** No residential structures currently exist on the site. The proposal to remove trees in anticipation of the construction of a single-family residence would thus increase housing units without displacing any peoples or housing units.

<b><u>XIV. PUBLIC SERVICES.</u></b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, medical services, schools, parks, or other public facilities.

**Discussion:** The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is located within the jurisdiction of the Mendocino Fire Protection District and the California Department of Forestry and Fire Protection (CALFIRE) State Responsibility Area (SRA). The Mendocino Fire Protection District is the governing agency for the Mendocino Volunteer Fire Department, which is often the first to respond to incidents in the area. However, CALFIRE is the primary provider for wildland fire protection service in this area. The Mendocino County Sheriff’s Office is the primary police protection provider for the unincorporated areas of the County. The project is located within the jurisdiction of the Mendocino

Unified School District. The closest medical services are located at the Mendocino Coast District Hospital and Adventist Health Mendocino Coast. Both of these facilities are located in the City of Fort Bragg, approximately 10 miles from the project site by automobile. The project parcel is in the vicinity of numerous public parks and open space, primarily located in the nearby Town of Mendocino and as park of Russian Gulch State Park.

- a) **No Impact:** The proposed project does not include the provision of new or physically altered governmental facilities, and would not create the need for new or physically altered governmental facilities. Existing public services are sufficient to meet the needs of the proposed project. The project location is within an existing residential area with access from a publicly maintained road. The addition of a single-family residence to the general vicinity is not expected to interfere with service ratios or response times for the area. As such, no environmental impacts would occur in association with these services.

<u><b>XV. RECREATION.</b></u>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Would the project 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) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on recreation if it would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

**Discussion:** The County of Mendocino 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 state parks, reserves, and other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The project parcel is located approximately 2 miles east of Mendocino Headlands State Park and 3.5 miles southeast of Russian Gulch State Park by car.

- a-b) **No Impact:** The proposed tree removal would clear space for a single-family residence. The occupation of the single-family residence by a household would increase the population of the area. These new residents could visit nearby recreational areas. However, the impacts to these recreational areas would be minimal. The addition of a single household would not substantially accelerate the deterioration of recreational facilities, nor strain the capacity of such facilities to the extent that new facilities would need to be constructed or expanded. Single-family residential use of the site is principally permitted in the zoning district, and impacts of such a use on recreational facilities were considered when land use classifications were assigned as part of adoption of the General Plan.

<u><b>XVI. TRANSPORTATION/TRAFFIC.</b></u> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**Discussion:** The unincorporated areas of Mendocino County are served by state highways, county roads, and private roads. State highways that pass through or are within Mendocino County include U.S. Highway 101 and State Routes (SR) 1, 20, 128, 162, 175, 222, 253, and 271. The County-maintained road system is primarily a network of two-lane roads for vehicular movement of goods and people and to provide facilities for non-motorized traffic. Roads in the County road system include prescriptive rights or property offered to the County for public road purposes. Not all public roads are in the County-maintained road system. An extensive private road network serves a wide variety of uses within the County, including areas that are not served by a publicly-maintained system. Development has increased traffic on roads with uncoordinated improvements and maintenance, and limited circulation patterns. Conflicting road names, ambiguous or unmapped road locations, and excessive grades hamper emergency services in some areas.

The Mendocino Transit Authority (MTA) provides public transportation services to residents of Mendocino County, both within unincorporated areas and cities. As of 2007, the MTA operated 12 fixed routes serving areas along SR 128 from SR 1 to Ukiah, the Ukiah Valley area, the U.S. 101 corridor between Hopland and Laytonville, and along SR 1 between SR 128 and Fort Bragg, as well as limited connections on the South Coast from SR 128 to Gualala. Other routes extend from SR 1 and U.S. 101 to Bodega Bay and Santa Rosa in Sonoma County.

The Mendocino County General Plan Development Element contains policies related to transportation, road systems, pedestrian and bicycle systems, and transit systems. The Mendocino County Department of Transportation is responsible for the maintenance and operation of County maintained transportation infrastructure. Title 15 of the Mendocino County Code (MCC) regulates vehicles and traffic.

a, c, d) **No Impacts:** The project site is accessed via Gurley Lane, a publicly maintained road (County Road 407Z). A private driveway currently exists on the project site. No comments were provided by the Mendocino County Department of Transportation, CalFire, or the Mendocino Fire Protection District regarding any emergency access issues. The proposed project would not conflict with any County plans related to public transit, pedestrian and bicycle infrastructure, or congestion management standards. The proposed project does not include hazardous transportation design features or incompatible uses.

b) **Less Than Significant Impacts:** The project site is located on a publicly maintained road in an existing residential area. In addition, the project site is located approximately 1± mile from the intersection of Little Lake Road and State Route 1. The project site is approximately 1.2± miles from Mendocino town center, which is a destination of vehicle trips from the surrounding area. The 2018 Governor’s Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA states that projects that generate fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.<sup>1</sup> Per table 2A of the Mendocino Council of Government (MCOG) Travel Demand Forecasting Model, a single-family residence in the Central Coast (Mendocino) area would generate 9.79 trips per day.<sup>2</sup> As such, the project is not expected to generate significant impacts to vehicle miles travels.

<sup>1</sup> State of California. Governor’s Office of Planning and Research. (2018). *Technical Advisory on Evaluating Transportation Impacts in CEQA*.

<sup>2</sup> Mendocino Council of Governments. (2010). *Final Model Development Report: MCOG Travel Demand Forecasting Model*.

<b><u>XVII. TRIBAL CULTURAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 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"/>

**Thresholds of Significance:** The project would have a significant impact on tribal and cultural resources if it would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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 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 Section 5024.1.

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



a-b) **No Impact:** The project was referred to the Northwest Information Center at Sonoma State University, who responded with comments on December 16, 2021. The Center recommended that an archival and field study of the project site be conducted to identify possible cultural resources. The project was then heard by the Mendocino County Archaeological Commission on January 12, 2022, who determined that an archeological survey is required for the project site. The project was also referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As yet, these tribes have not commented on the project. On February 24, 2022, the applicant provided an Archaeological Survey Report prepared by Alta Archaeological Consulting. This report notes that on January 31, 2022 fieldwork was conducted on to identify any archaeological, cultural, or historical resources on the project site. 21.7 acres of the parcel were surveyed with transects no greater than 20-meter intervals. A total of 22 shovel pits were conducted in low visibility areas throughout the site, and soils were inspected for evidence of cultural materials. No cultural resources were identified as a result of the archaeological survey. Therefore, the projects, as designed, is not anticipated to have an adverse effect on historical, archaeological, or cultural resources.

<b><u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Thresholds of Significance:** The project would have a significant impact on utilities and service systems if it would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or have insufficient water supplies available to serve the project from existing entitlements and resources, to the extent that new or expanded entitlements would be needed; or result in a determination by the wastewater treatment provider which serves or may serve the project that is has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; or fail to comply with federal, state, and local statutes and regulations related to solid waste.

**Discussion:** Public sewer systems in Mendocino County area 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 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.

The Development Element of the Mendocino County General Plan (2009) notes there are no remaining operating landfills in Mendocino County. 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 Development Goal DE-21 (Solid Waste) states: *Reduce solid waste sent to landfills by reducing waste, reusing materials, and recycling waste.* Solid Waste and Hazardous Waste and Material Management Policy DE-201 states the County’s waste management plan *shall include programs to increase recycling and reuse of materials to reduce landfilled waste.* Mendocino County’s Environmental Health Division regulates and inspects more than 50 solid waste facilities in Mendocino County, including: 5 closed/inactive municipal landfills, 3 wood-waste disposal sites, 2 composting facilities, and 11 transfer stations.

a-g) **No Impact:** The subject parcel is not served by a wastewater treatment provider. Wastewater for the project will be treated through a septic system and leach field. In addition, the proposed project would be supplied water by an onsite well. The Department of Environmental Health imposes conditions on the construction of septic systems, leach fields, and wells in order to maintain compliance with water provision and wastewater disposal standards. The solid waste facility nearest to the project site is the Caspar Transfer Station, located approximately 1.2± miles north of the site. Transfer of solid waste from project site to the Caspar Transfer Station, and subsequently to the Potrero Hills Landfill, is adequate. The Potrero Hills Landfill is estimated to remain in operation until February 2048, and the solid waste generated by an additional single-family residence would not significantly impact remaining capacity.

<b><u>XVIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u></b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to 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, 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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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**Thresholds of Significance:** The project would have a significant impact on mandatory findings of significance if it would have the potential to 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, 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; or have impacts that are individually limited, but cumulatively considerable, meaning the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects; or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

**Discussion:** Mandatory findings of significance must be made to comply with CEQA Guidelines Section 15065. The proposed project has been analyzed and it has been determined that, with mitigation measures incorporated, 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.

Potential environmental impacts from the approval of vegetation removal and construction of a single-family residence has been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to less than significant levels.

- a) **Less Than Significant Impact With Mitigation Incorporated:** The proposed project, including the removal of trees and other vegetation, has the potential to impact several listed species and/or their habitat. Mitigation measures have been included in this document that would reduce these impacts to less than significant levels.
- b) **Less Than Significant Impacts:** The proposed project includes construction of a single-family residence, which could increase the population of the area. The resulting increase in demand for resources and services brought on by the population increase could create cumulative impacts. In addition, the removal of trees could contribute cumulatively to the removal of trees throughout Mendocino County. However, when assessed at a regional scale, the cumulative impacts of the project would be minimal. The removal of trees and construction of a single-family residence is expected within the Rural Residential land use classification of the parcel as outlined by the Mendocino County General Plan (2009). When considered with past, present, and future projects, the proposed project would not contribute substantially to cumulative environmental impacts.
- c) **No Impact:** The proposed project does not have any component that would impact human beings.

**DETERMINATION:** On the basis of this initial evaluation:

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

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

3/30/22

DATE



LIAM CROWLEY  
PLANNER I