



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

September 19, 2022

PUBLIC NOTICE OF PENDING ACTION
COASTAL DEVELOPMENT ADMINISTRATIVE PERMIT

The Mendocino County Coastal Permit Administrator will report proposed issuance of the below described project located in the Coastal Zone to the Board of Supervisors at its meeting to be held on October 4, 2022, at 9:00 a.m. or as soon thereafter as the item may be considered.

This meeting will be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, and virtual attendance will be available via Zoom (pursuant to Government Code section 54953(e)(1)(A)). Meetings are live streamed and available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

CASE#: CDP_2022-0003

DATE FILED: 1/27/2022

OWNER/APPLICANT: WILL & KY RUSSELL

REQUEST: Administrative Coastal Development Permit to construct a 543± square foot single family residence, septic system, water storage tank, and vegetation removal of 15± trees.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 1.30± miles southeast of Mendocino Town Center, lying on the southside of Comptche Ukiah Rd. (CR 223), 0.75± miles southeast of its intersection with State Route 1 (SR 1), located at 44001 Comptche Ukiah Rd., Mendocino; APN: 119-410-20.

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: LIAM CROWLEY

The staff report, notice, and related materials will be available for public review 10 days prior to the scheduled hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/public-notices>

All persons are invited to appear and present testimony in this matter. Oral comments may be presented to the Board of Supervisors during the public hearing.

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings in lieu of personal attendance. Comment may be made in any of the following ways: via written comment using our online eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, through voicemail messaging by calling 707-234-6333, or by telephone via telecomment. Information regarding telecomment participation can be found here: <https://www.mendocinocounty.org/government/board-of-supervisors/agendas-and-minutes>. All submitted eComments will be made available to the Supervisors, staff, and the general public immediately upon submittal.

For details and a complete list of the latest available options by which to engage with agenda items, please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

Coastal Development Administrative Permits are considered on the consent calendar, and the Board of Supervisors will not conduct a public hearing on this item.

If, at the meeting, at least one (1) member of the Board of Supervisors so requests, the permit shall not go into effect, and it shall be referred back to the Department of Planning and Building Services to be scheduled for a hearing by the Coastal Permit Administrator. Public notice for the time and place of the public hearing will be provided.

Action on this permit is not appealable to the Coastal Commission. Therefore, the permit will become effective, and action will be final upon approval by the Board of Supervisors. If the permit is referred to the Coastal Permit Administrator the decision of the Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within ten calendar days of the Administrator's action.

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 Board of Supervisors or the Department of Planning and Building Services at, or prior to, any hearing. Additional information regarding the above noted case may be obtained prior to the Board of Supervisors meeting by calling the Department of Planning and Building Services at 964-5379, Monday through Friday.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department by calling 463-4441 at least five days prior to the meeting.

Additional information regarding the above noted item may be obtained by calling the Clerk of the Board of Supervisors at 707-463-4441, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Board's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Clerk of the Board of Supervisors.

JULIA KROG, Director of Planning and Building Services



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

**SEPTEMBER 14, 2022
CDP_2022-0003**

SUMMARY

OWNER/APPLICANT: WILL & KY RUSSELL
120 5TH AVE
SANTA CRUZ, CA 95062

REQUEST: Administrative Coastal Development Permit to construct a 543 square foot single family residence, septic system, water storage tank, and vegetation removal of 15± trees.

LOCATION: In the Coastal Zone, 1.3± miles southeast of Mendocino Town Center, lying on the southside of Comptche-Ukiah Rd (CR 223), 0.75± miles southeast of its intersection with State Route 1 (SR 1), located at 44001 Comptche-Ukiah Rd., Mendocino; APN: 119-410-20.

TOTAL ACREAGE: 3.4± Acres

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

ZONING: Rural Residential (RR)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: LIAM CROWLEY

BACKGROUND

PROJECT DESCRIPTION: Administrative Coastal Development Permit to construct a 543 square foot single family residence, septic system, water storage tank, and vegetation removal of 15± trees.

RELATED APPLICATIONS:

- CDP_2007-0052: Coastal Development Permit approved construction of a single-family residence, septic system, and improvements to an existing well but expired in 2010
- CDPR_2007-0052: Renewal of CDP_2007-0052, residence and septic system were constructed but the residence was destroyed by fire
- CC21-05: Certificate of Compliance, established 2 lots including the subject lot
- MS65-77: Minor Subdivision created what is now APN 119-410-19 and 119-410-16
- CE26-2008 for a test well
- Septic Permit ST24786 expires 9/30/2022

SITE CHARACTERISTICS: The project site is located on a marine terrace south of Big River Estuary. The site is flat and heavily forested with second growth redwoods. There is an existing driveway, small pump house, and well on the property. The site is accessed via Comptche-Ukiah Road (CR 223). According to the application, a single-family residence was formerly located on the property, but was destroyed by fire. The site borders Mendocino Headlands State Park to the south.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential 10-Acre Minimum (RR:10)	RR	32± Acres	Vacant
EAST	RR:10	RR	32± Acres	Vacant
SOUTH	Open Space Department of Parks and Recreation (OS-DPR)	OS	113± Acres	Open Space
WEST	Rural Residential 2-Acre Minimum (RR:2)	RR	2± Acres	Residential

PUBLIC SERVICES:

Access: Comptche-Ukiah Road (CR 223)
 Fire District: Mendocino Fire Protection District
 Water District: None
 Sewer District: None
 School District: Mendocino Unified

AGENCY COMMENTS: On June 22, 2022, project referrals were sent to the following agencies with jurisdiction over the project. Any comment that would trigger a project modification, denial, conditions of approval, or required permits are discussed in full in the following section.

REFERRAL AGENCIES	COMMENT
Air Quality Management District	No Response
Assessor's Office	No Response
Building Division (Fort Bragg)	No Response
County Addresser	No Comment
Department of Transportation (DOT)	Comments
Environmental Health (Fort Bragg)	Comments
Mendocino Fire Protection District	No Response
Planning Division (Fort Bragg)	No Response
CALFIRE (Land Use)	No Response
CALFIRE (Resource Management)	No Response
California Coastal Commission	No Response
California Dept. of Fish & Wildlife	Comments
California Dept. of Parks & Recreation	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 subject lot is classified as Rural Residential 10-Acre Minimum (RR:10) as outlined by the Mendocino County Coastal Element Chapter 2.2: Land Use Classifications (see attached *General Plan Classifications*). 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.

Principal Permitted Use: Residential and associated utilities, light agriculture, home occupation."

The proposed project includes development of the lot with a single-family residence, septic system, water storage tank, redevelopment of an existing well, and vegetation removal. This scope of work falls within the

principal permitted use as residential and associated utilities. The site is dominated by the second growth redwood forest, and existing agricultural viability is low. There is no known agricultural use existing on the property. Based on the application materials, the total proposed lot coverage would be 643 square feet on a parcel 148,104 square feet in size (0.4%). This indicates that the proposed project would have little impact on the agricultural viability of the lot. The site of the proposed development would likewise have minimal impact. Therefore, the project is consistent with the intent of the RR:10 classification.

Zoning: The subject lot is within the Rural Residential (RR) zoning district as outlined in Mendocino County Code (MCC) Chapter 20.376. The RR 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.”*

The proposed project preserves the integrity of the zoning district for the same reasons mentioned above. The small size of development and low existing agricultural viability indicates there would be minimal impact on agricultural viability. The proposed single-family residence matches the definition of the “Family Residential: Single-family” use type, which is a permitted use in the RR district. The associated development (well, water tank, septic system) is considered an accessory use encompassed by the primary residential use per MCC Section 20.456.010. The proposed project meets all other requirements of the Rural Residential zoning district, including dwelling density, setbacks, height limit, and lot coverage (see attached *Site Plan*). In addition, CDP_2007-0052 previously approved a single-family residence on this lot which was found to be consistent with the intent of the RR district. Therefore, the project is consistent with the intent and regulations of MCC Chapter 20.376.

Visual Resources: Mendocino County Coastal Element Policy 3.5-1 and 3.5-3 establish review criteria for visual resources and “highly scenic areas” in the Coastal Zone. In addition, MCC Section 20.504.015 mirrors language in the Coastal Element and establishes the extent of Highly Scenic Areas. The following description of a Highly Scenic Area appears in both the Coastal Element and MCC Section 20.504.015: *“portions of the coastal zone within the Highly Scenic Area west of Highway 1 between the Ten Mile River estuary south to the Navarro River as mapped with noted exceptions and inclusions of certain areas east of Highway 1.”* These noted exceptions and inclusions east of Highway 1 are considered a “Highly Scenic Area (Conditional).” The project site is within this area (see attached *Highly Scenic & Tree Removal Areas*). However, the following is noted on the Highly Scenic/Tree Removal LCP map: *“Between Big River and Little River everything within view easterly of Highway 1 is designated Highly Scenic”* (see attached *Highly Scenic LCP Map*). Based on this information, it is clear this language establishes the condition upon which the project site may or may not be considered a Highly Scenic Area. On June 30, 2022, staff visited the entrance to the project site and determined that Highway 1 could not be seen from the site. On the same day, staff noted that the project site could not be seen from Highway 1 from a point near its intersection with Comptche-Ukiah Road. Therefore, staff determined that the project site is not within a Highly Scenic Area and the development criteria for Highly Scenic Areas within the Coastal Element and Coastal Zoning Code do not apply.

Coastal Element Policy 3.5-9 states *“the location of all new access roads and driveways in rural areas shall be reviewed prior to any grading work to ensure safe location and minimum visual disturbance.”* The provided site plan shows the location of an existing driveway. However, the applicant shall be required to construct a new residential driveway approach onto Comptche-Ukiah Road as explained further in the section of this staff report titled “Transportation, Utilities, and Public Services.” Presumably, the new driveway approach would replace the existing approach. This location would have minimal visual disturbance as it would involve paving an area of the existing driveway which is currently shielded by the dense forest, and which cannot be seen from Highway 1.

Per MCC Section 20.504.025, the project site is located further than 200 feet from Highway 1 and is not within the scenic corridor. The project site is not located within a special treatment area (see attached *LCP Land Use Map 17: Mendocino*).

The application states there will be *“two exterior lights. One located at the front door and one at the back door, to be downcast, shielded, and operated with a motion sensor.”* This indicates the project would be consistent with the Exterior Lighting Regulations of MCC Section 20.504.035. **Condition #16** memorializes this.

The scenic and visual qualities of the Mendocino County coastal areas have been considered. There are no views from the site to the ocean, there would be little change in existing natural landforms, and the development would be compatible with the character of the surrounding area. The project involves construction of a single-family residence and associated utilities, which is in keeping with existing residential development in the surrounding area. Some vegetation removal would occur, but most of the forested site would remain. As such, the project is consistent with Coastal Element Policy 3.5-1.

Staff finds the proposed project to be consistent with Coastal Element and Coastal Zoning Code policies and regulations regarding Visual Resources.

Hazards Management: Per Coastal Element Policy 3.4-1, the application has been reviewed to determine potential threats from and impacts on the following geologic hazards:

- Seismic events: The project site is not within a mapped earthquake fault zone. The project is classified as Beach Deposits and Stream Alluvium and Terraces according to LCP mapping (see attached *LCP Land Capabilities & Natural Hazards*). According to LCP mapping, this zone produces only intermediate shaking. The project is not expected to increase or worsen any impacts from seismic events as there will be relatively little ground disturbance.
- Tsunami runup: LCP mapping does not associate the project site with threats of tsunami flooding.
- Landslides: LCP mapping includes a landslide icon near the project site which points north-northeast. This is likely because the general area surrounding the parcel is a marine terrace which slopes toward Big River to the north. However, the site itself is relatively flat (see attached *Estimated Slope and Biological Scoping Survey*). Though there will be some soil disturbance from construction, Best Management Practices should be sufficient to prevent any impacts that would worsen an already low risk of landslide due to low slope.
- Beach Erosion: The project site is not located near a beach and is therefore not expected to be impacted by or have any impact on beach erosion.
- Expansive Soils: Expansive soils are those that contain large amounts of swelling clay minerals. The project site is underlain by Quinliven-Ferncreek complex soils (see attached *Western Soil Classes*). For this soil complex, the amount of clay present varies depending on depth. For example, at 0-10cm deep, Quinliven soil contains 10% clay, while at 46-130cm deep it contains 47.5% clay. Ferncreek soil can contain between 9% and 47.5% clay. Based on this information, there is a possibility the project site could contain expansive soil. However, staff finds that no further soil investigation or geotechnical report is necessary prior to action being taken on the Coastal Development Permit because standard compliance with the California Building Code would minimize potential impacts from expansive soil.
- Subsidence: Cohesive soils, such as those that contain higher amounts of clay and silt, are more susceptible to subsidence. Subsidence is often caused by removal of groundwater. However, use of the existing well to extract groundwater is not expected to have much impact on subsidence, as residential use is not a major source of groundwater extraction.

The project site is not a blufftop location and is not otherwise known to be an area of existing or prehistoric landslide. The project site is not within a mapped FEMA flood hazard area. The site is within a High Fire Hazard area and is within both the State Responsibility Area and jurisdiction of the Mendocino Fire Protection District (MFPD) (see attached *Fire Hazard Zones & Responsibility Areas*). On June 22, 2022, a request for comment on the project was sent to CALFIRE and MFPD. As yet, neither agency has responded.

Based on the minimal potential threats from and impacts to geologic hazards, staff recommends **Condition #11** requiring standard Best Management Practices (BMPs) to be implemented during construction to minimize impacts. In addition, standard **Condition #4** requires the applicant to secure all necessary permits for development, including any necessary permit from CALFIRE to comply with State Fire Safe Regulations. With these conditions implemented, staff finds the proposed project to be consistent with Coastal Element Chapter 3.4 and MCC Chapter 20.500.

Habitats and Natural Resources: Per LCP maps, the project site is within a Coastal Forest habitat. The applicant provided a Biological Scoping Survey conducted by Wynn Coastal Planning & Biology (WCPB)

dated June 23, 2021. A survey was conducted by WCPB biologists on May 7th and June 10th of 2021 to determine if special status plant communities, plants, wetlands, and/or special status wildlife habitat that could be considered Environmentally Sensitive Habitat Area (ESHA) occur within 100 feet of the proposed development. The results of the survey concluded that no rare plants, plant communities, or wildlife habitat were observed within the study area that would be considered ESHA in the professional opinion of WCPB biologists (see attached *Biological Scoping Survey*). The survey noted that the proposed development will be built in a previously disturbed area of the forest where the previous residence burned down. Despite no discovery of ESHA, the survey provides recommendations to minimize impacts from development to wildlife that may be seasonally or temporarily present within the study area. Staff concurs with the findings of the Biological Scoping Survey and recommends the associated recommendations be added as conditions of approval.

On June 22, 2022, a request for comment on the project was sent to the California Department of Fish and Wildlife (CDFW) with the Biological Scoping Survey attached. CDFW responded with the following comments on July 6, 2022:

1. *The biological report disclosed no sensitive habitats which would be threatened by this development.*
 - a. *Tree Clearing. The trees proposed to be removed are not sensitive species and no habitat will be lost due to development.*
2. *Cal Fire Guidelines. Was the Cal Fire Defensible space taken into account as part of the assessment of impacts? If not, the County should include that in this permit to ensure consideration of all potential impacts to resources associated with this development.*
3. *Legacy trash removal. CDFW recommends that the project include removal of invasive species and any legacy debris/trash that may occur on the parcel be removed.*

Given the available information, staff finds that the project site is not within a wetland, ESHA, or any other relevant resource area outlined in MCC Chapter 20.496. In response to comments from CDFW, staff notes that the Biological Scoping Survey found no sensitive habitat within 100 feet of the proposed project site. Therefore, vegetation removal in association with defensible space requirements (typically 30 feet from the structure) would likewise not have any impact on a wetland, ESHA, or any other relevant resource area. With implementation of **Condition #13**, any potential impacts from defensible space vegetation removal on seasonal or temporarily present species would likewise be minimized.

Therefore, staff finds the proposed project to be consistent with Coastal Element Chapter 3.1 and MCC Chapter 20.496.

Archaeological/Cultural Resources: In accordance with Coastal Element Policy 3.5-10 and MCC Chapter 22.12, the applicant provided an Archaeological Survey Report prepared by ALTA Archaeological Consulting dated August 2021. The survey report notes that a field survey was conducted on July 23, 2021. No cultural resources were identified as a result of the archaeological field survey. Despite the negative results of the investigation, the report notes the existing potential for unanticipated discovery of cultural resources and identifies management recommendations should any resources be discovered during project activities.

The survey report was presented at the Mendocino County Archaeological Commission meeting on April 13, 2022. The survey was accepted on the condition that the Discovery Clause shall be adhered to per MCC Section 22.12.090 for any unanticipated discoveries. The project was also referred to three local tribes on June 22, 2022, including Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. As yet, no response has been received from these tribes.

Staff therefore finds that the proposed project, as conditioned, is consistent with Coastal Element Policy 3.5-10 and MCC Chapter 22.12.

Groundwater Resources: The project site is not within the jurisdictional boundaries of a local water district. The project site mapped as Sufficient Water Resources (see attached *Ground Water Resources*). Coastal Element Policy 3.8-1 states that "*Highway 1 capacity, availability of water and sewage disposal*

system and other known planning factors shall be considered when considering applications for development permits.”

Coastal Element Policy 3.8-9 states that *“approval of the creation of any new parcels shall be contingent upon an adequate water supply during dry summer months which will accommodate the proposed parcels, and will not adversely affect the groundwater table of contiguous or surrounding areas. Demonstration of the proof of water supply shall be made in accordance with policies found in the Mendocino Coastal Groundwater Study dated June 1982, as revised from time to time and the Mendocino County Division of Environmental Health’s Land Division requirements as revised. (Appendix 6)...*

Commercial developments and other potential major water users that could adversely affect existing surface or groundwater supplies shall be required to show proof of an adequate water supply, and evidence that the proposed use shall not adversely affect contiguous or surrounding water sources/supplies. Such required proof shall be demonstrated prior to approval of the proposed use.” MCC Section 20.516.015(B) mirrors this policy.

Coastal Element Policy 3.9-1 states that *“one housing unit shall be authorized on every legal parcel existing on the date of adoption of this plan, provided that adequate access, water, and sewage disposal capacity exists and proposed development is consistent with all applicable policies of this Coastal Element and is in compliance with existing codes and health standards. Determination of service capacity shall be made prior to the issuance of a coastal development permit.”*

The proposed project is not a subdivision and would not create any new parcels. In addition, the proposed project is not commercial in nature, and the residential development is not expected to be a major water user. Therefore, Coastal Element Policy 3.8-9 would not apply to this project.

The 1982 Mendocino Coastal Ground Water Study, *“though not site specific, has identified coastal areas of differing ground water availability...from this information, general guidelines can be drawn to aid the planner in reviewing proposed development.”* The Study goes on to state that *“areas designated SWR (Sufficient Water Resources) shall have a minimum lot size of 2 acres (ac); “proof of water” not required.”*

According to Coastal Element Policy 3.9-1, the proposed project shall be compliant with existing health standards. These standards are outlined in the County of Mendocino Coastal Groundwater Development Guidelines prepared for the Environmental Health division. This document contains *Table 1: Groundwater Investigation Requirements for Land Development*. This table states that for single-family residences on existing lots of record, no proof of water or groundwater investigation is necessary. The proposed project includes development of a single-family residence on an existing lot of record.

The project was referred to the Mendocino County Environmental Health Division (EH) on June 22, 2022. EH responded on June 30, 2022, but did not provide any comments regarding water supply or the existing well.

Coastal Element Policy 3.9-1 goes on to state that the determination of adequate water service capacity shall be made prior to issuance of a Coastal Development Permit. The existing well served the previously existing residence and would serve the proposed project. To demonstrate adequate water service capacity, the applicant provided a Well Test Report which included information on the recovery rate of the existing well. The report noted a recovery rate of 0.8 Gallons per minute, or 1,152 gallons in a twenty-four hour time period. Staff finds that this production rate is adequate to support the proposed project. Given the referral response from EH and compliance with applicable Coastal Groundwater Development Guidelines, staff finds that the proposed project is consistent with Policy 3.9-1. **Condition #4** ensures that further development of the well shall comply with EH standards.

Staff finds that the demonstration of adequate water service capacity in compliance with Coastal Element Policy 3.9-1 is likewise sufficient to demonstrate that availability of water has been considered for this Coastal Development Permit in compliance with Coastal Element Policy 3.8-1.

Therefore, staff finds that the proposed project is consistent with relevant Coastal Element Policies regarding water supply in addition to MCC Section 20.516.015(B).

Grading, Erosion, and Runoff: Effects of the proposed project on drainage patterns, erosion, runoff, and sedimentation are expected to be minimal due to the relatively flat nature of the site, though some impacts are expected due to ground disturbance from construction, paving, and other project activities. However, staff finds that standard BMPs are sufficient to address potential impacts and recommends conditions of approval requiring the applicant to follow BMPs during construction. Therefore, staff finds the proposed project, as conditioned, is consistent with MCC Chapter 20.492.

Transportation, Utilities, and Public Services: Coastal Element Policy 3.8-1 requires Highway 1 capacity and availability of sewage disposal systems to be considered when reviewing applications for development permits. Policy 3.8-8 states that new or expanded sewage disposal systems should be designed to serve development consistent with that permitted by the Land Use Plan. The proposed project involves a principal permitted use and accessory uses. The site is accessed sufficiently by Comptche-Ukiah Road, a publicly maintained road (CR 223). The project may have minor incremental impacts on Highway 1. However, these impacts were considered when a land use classification was assigned to the site.

The project was referred to EH and the Mendocino County Department of Transportation (DOT) on June 22, 2022. EH responded on June 30, 2022, with the following comment: “ST24786 to be renewed by 9/30/22.” This comment indicates that there is an existing permit for a septic system at this site. This indicates that there is an adequate sewage disposal system on the site to serve the proposed development. No other comments were received from EH. DOT responded on July 6, 2022, with the following recommended conditions of approval:

1. *Prior to commencement of construction activities or issuance of a building permit, the applicant shall construct a residential driveway approach onto Comptche Ukiah Road (CR 223), in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.*
2. *Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County rights-of-way.*

Staff concurs that increased intensity of use because of the proposed project warrants compliance with DOT standards. As such, **Conditions #14 and 15** are recommended to address DOT comments.

Staff therefore finds the proposed project, as conditioned, is consistent with Coastal Element Chapter 3.8 and MCC Chapter 20.516.

Public Access: Existing shoreline access occurs adjacent to the project site along the Comptche-Ukiah Road Inland Trail (see attached *LCP Land Use Map 17: Mendocino*). Therefore, staff finds that existing coastal access is sufficient, and the proposed project would not have any other significant impact on access per Coastal Element Chapter 3.6 and MCC Chapter 20.528

Coastal Planning Areas: The project site is in the Russian Gulch to Van Damme State Park Planning Area as outline in Coastal Element Chapter 4.7. However, the policies of this Planning Area do not apply to the project because it is east of Highway 1 and is not related to power transmission lines (Policy 4.7-1, -2, -3). The project site is adjacent to the Comptche-Ukiah Road Inland Trail, but there are no policies within the LCP pertaining to this trail. Therefore, staff finds the proposed project to be consistent with the policies of Coastal Element Chapter 4.7.

ENVIRONMENTAL DETERMINATION

The California Natural Resources Secretary has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. Staff finds that the project is categorically exempt from the California Environmental Quality Act (CEQA) per California Code of Regulations (CCR) Section 15303 and 15304, Class 3(a), Class 3(d), and Class 4(i). Class 3(a) involves “one single-family residence, or a second dwelling unit in a residential zone.” Class 3(d) involves “water main, sewage,

electrical, gas, and other utility extension, including street improvements, of reasonable length to serve such construction.” Class 4(i) involves “Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters.” The project includes construction of a single-family residence, septic system, redevelopment of an existing water well, and vegetation removal. Though the project does not involve utility extension specifically, the activities closely resemble utility extension and therefore should also be found to not have a significant effect on the environment. As discussed elsewhere in the staff report, the proposed vegetation removal would not impact any endangered, threatened, or rare species.

PROJECT FINDINGS AND CONDITIONS

FINDINGS:

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified local coastal program. As evidenced in the staff report and supplemental materials, the proposed project is consistent with the relevant policies of the Mendocino County Coastal Element. The project is within the RR land use classification. The proposed project involves development of a single-family residence, a principal permitted use, and associated utilities as accessory uses, including a well, septic system, and water storage tank; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage, and other necessary facilities. The proposed project would be served by an existing septic system for which there is an existing permit issued by the division of Environmental Health. The proposed project would be served by a well that has been demonstrated to have a production rate of 0.8 gallons per minute. Adequate access to the project site exists via Comptche-Ukiah Road, and conditions of approval would ensure that the project is consistent with health standards, Department of Transportation standards, and will utilize Best Management Practices to ensure adequate drainage; and
3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district. The small size of the proposed project in relation to the total size of the parcel indicates minimal impact to agricultural viability, and the proposed single-family residence is a principal permitted use. The associated utilities are permitted accessory uses within the RR zoning district; and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. The project is categorically exempt from the California Environmental Quality Act (CEQA) per California Code of Regulations (CCR) Section 15303 and 15304, Class 3(a), Class 3(d), and Class 4(i); and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource. An archaeological survey was conducted on the project site which found no evidence of cultural resources. This survey was determined to be acceptable to the Mendocino County Archaeological Commission with the application of the Discovery Clause should any unanticipated discovery of cultural resources occur; and
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 development. The project involves a principal permitted use and accessory uses, the incremental impacts of which (to roadway capacity) were considered when the RR land use classification was applied to the project site. There are no operating solid waste landfills within Mendocino County, and the nearest transfer stations are considered adequate to serve the proposed project.

CONDITIONS OF APPROVAL:

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 Coastal Code. This Coastal Development 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 (MCC).
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 Local, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required Building Permits for the proposed project as required by the Building 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 nuisance.
 - d. A final judgement 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 Coastal Development 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 applicant shall cease and desist from all further excavation and disturbances within one hundred (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. Conditions approving this Coastal Development Permit shall be attached to any building permit application and shall be a part of on-site construction drawings.
10. Standard erosion control Best Management Practices (BMPs) shall be employed during construction activities to avoid or minimize erosion and sedimentation from construction activities. BMPs shall be shown on submitted site plans for all building permits associated with the project.
11. Prior to issuance of the building permit, the applicant shall specify BMPs to be implemented to reduce erosion and sedimentation from construction activities. If the amount of grading on the site exceeds fifty (50) cubic yards, the applicant shall cease construction activities and develop a

Grading and Erosion Control Plan for the site and submit it to the Department of Planning & Building Services for review and approval.

12. In accordance with MCC Chapter 20.492, a building permit, or grading permit exemption, shall be required for any grading, including but not limited to, any excavation or filling or combination thereof involving transfer of more than two (2) cubic yards of material. The Coastal Permit Administrator, or their designee, shall review and approve grading permits to determine their consistency with MCC Chapters 20.492, 20.496, and 20.500 regulations. Grading activities, including maintaining driveway and parking areas, and any work associated with an Encroachment Permit, shall comply with MCC Chapters 20.492, 20.496, and 20.500 regulations.
13. The applicant shall adhere to the recommendations of the Biological Scoping Survey prepared for the project and dated June 23, 2021, in order to minimize impacts from development to species that may be seasonally or temporarily present within the study area.
14. Prior to commencement of construction activities or issuance of a building permit, the applicant shall construct a residential driveway approach onto Comptche Ukiah Road (CR 223), in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
15. The applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County rights-of-way.
16. Exterior lighting installed as part of the project shall conform to the following standards:
 - a. No light or light standard shall be erected in a manner that exceeds either the height limit designated in this Division for the zoning district in which the light is located or the height of the closest building on the subject property whichever is the lesser.
 - b. Where possible, all lights, whether installed for security, safety or landscape design purposes, shall be shielded or shall be positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel on which it is placed.
 - c. Security lighting and flood lighting for occasional and/or emergency use shall be permitted in all areas.
 - d. Minor additions to existing night lighting for safety purposes shall be exempt from a coastal development permit.
 - e. No lights shall be installed so that they distract motorists.

9/19/22

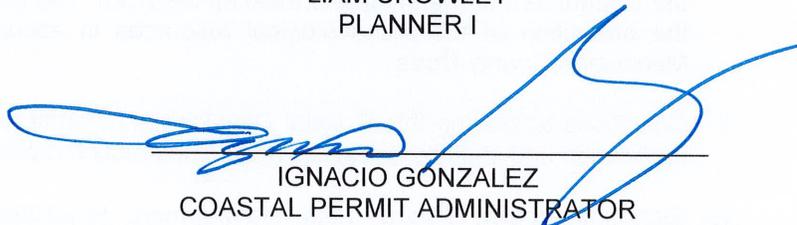
DATE



LIAM CROWLEY
PLANNER I

9-19-22

DATE



IGNACIO GONZALEZ
COASTAL PERMIT ADMINISTRATOR

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

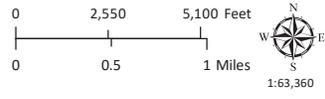
ATTACHMENTS:

- A. Location Map
- B. Aerial Imagery (Vicinity)
- C. Aerial Imagery (Detail)
- D. Topographic Map
- E. Site Plan
- F. Zoning Display Map
- G. General Plan Classification
- H. LCP Land Use Map 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. Wetlands
- P. Ground Water Resources
- Q. Highly Scenic & Tree Removal Areas
- R. Estimated Slope
- S. Western Soil Classes
- T. Biological Scoping Survey
- U. Structural Plans



CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

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



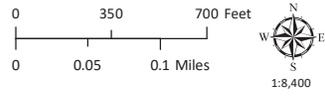
LOCATION MAP

MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2023



CASE: CDP 2022-0003
OWNER: RUSSELL, Ky & Will
APN: 119-410-20
APLCT: Ky Russell
AGENT: Ky & Will Russell
ADDRESS: 44001 Comptche Ukiah Road, Mendocino

Public Roads
Private Roads



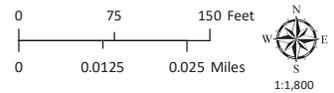
AERIAL IMAGERY



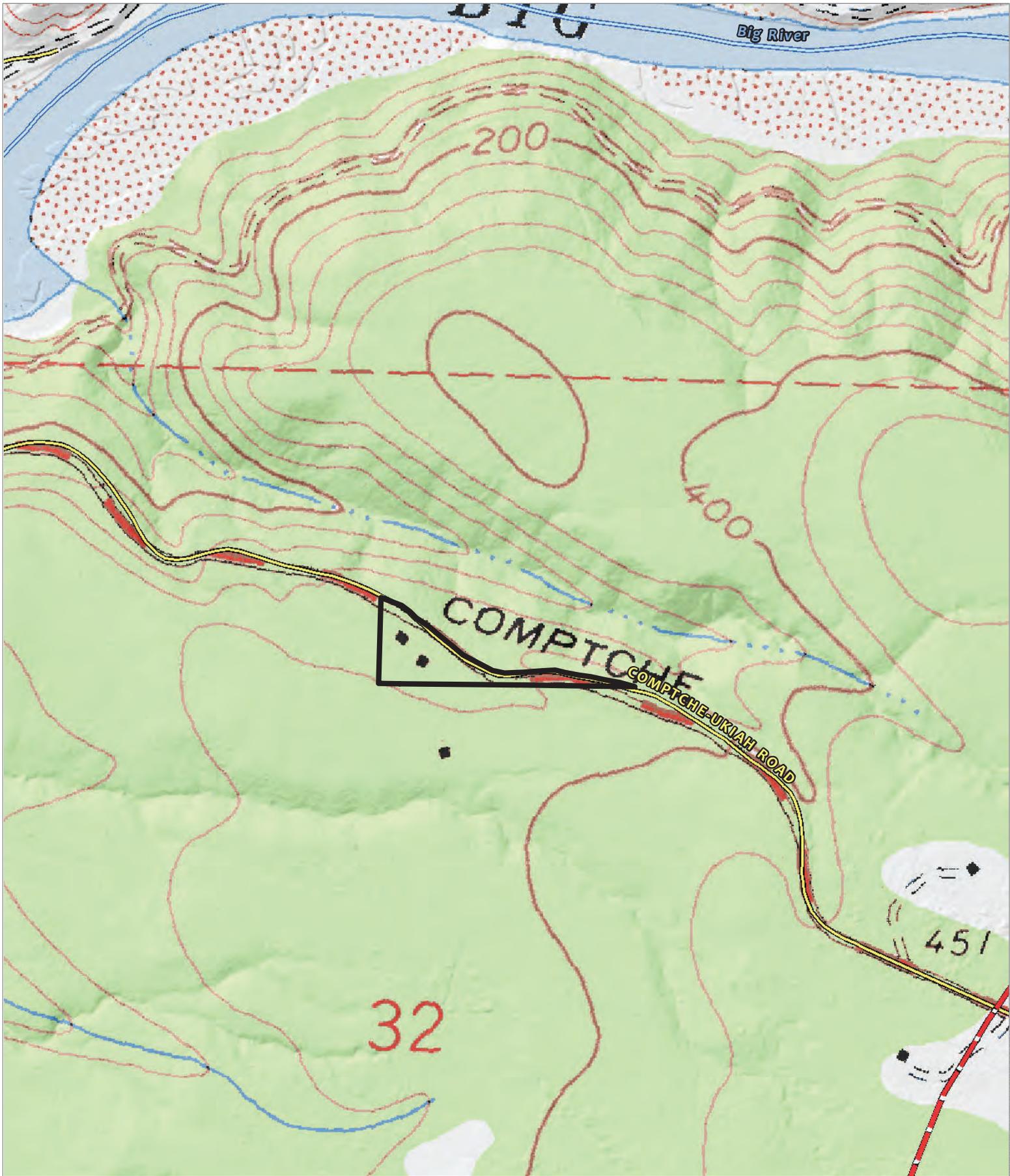
MENDOCINO COUNTY PLANNING DEPARTMENT - 2/29/2022

CASE: CDP 2022-0003
OWNER: RUSSELL, Ky & Will
APN: 119-410-20
APLCT: Ky Russell
AGENT: Ky & Will Russell
ADDRESS: 44001 Comptche Ukiah Road, Mendocino

 Public Roads

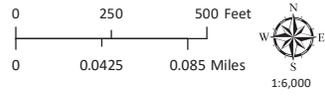


AERIAL IMAGERY



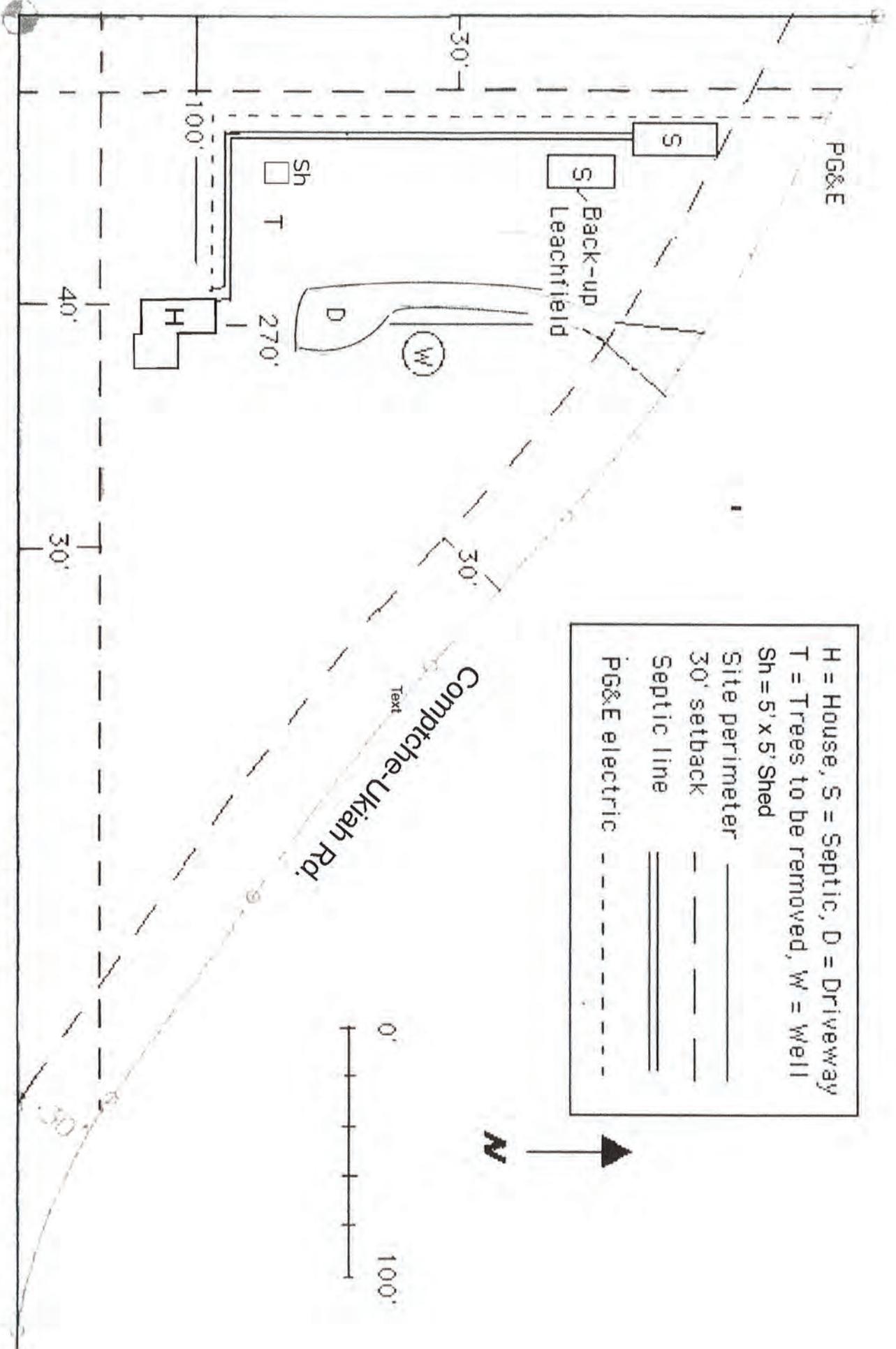
CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

- Coastal Zone Boundary
- Public Roads



TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

MENDOCINO COUNTY PLANNING DEPARTMENT 11/27/2022



H = House, S = Septic, D = Driveway
 T = Trees to be removed, W = Well
 Sh = 5' x 5' Shed
 Site perimeter _____
 30' setback - - - - -
 Septic line = = = = =
 PG&E electric - - - - -

SITE PLAN: RUSSELL CABIN - 44001 COMPTCHE-UKIAH RD.



MOS

TP

RR10

RR2

FL

OS

RR5:PD

RL

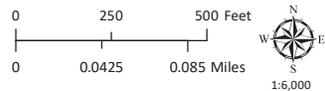
RR5

RMR 20

RR10

RR10

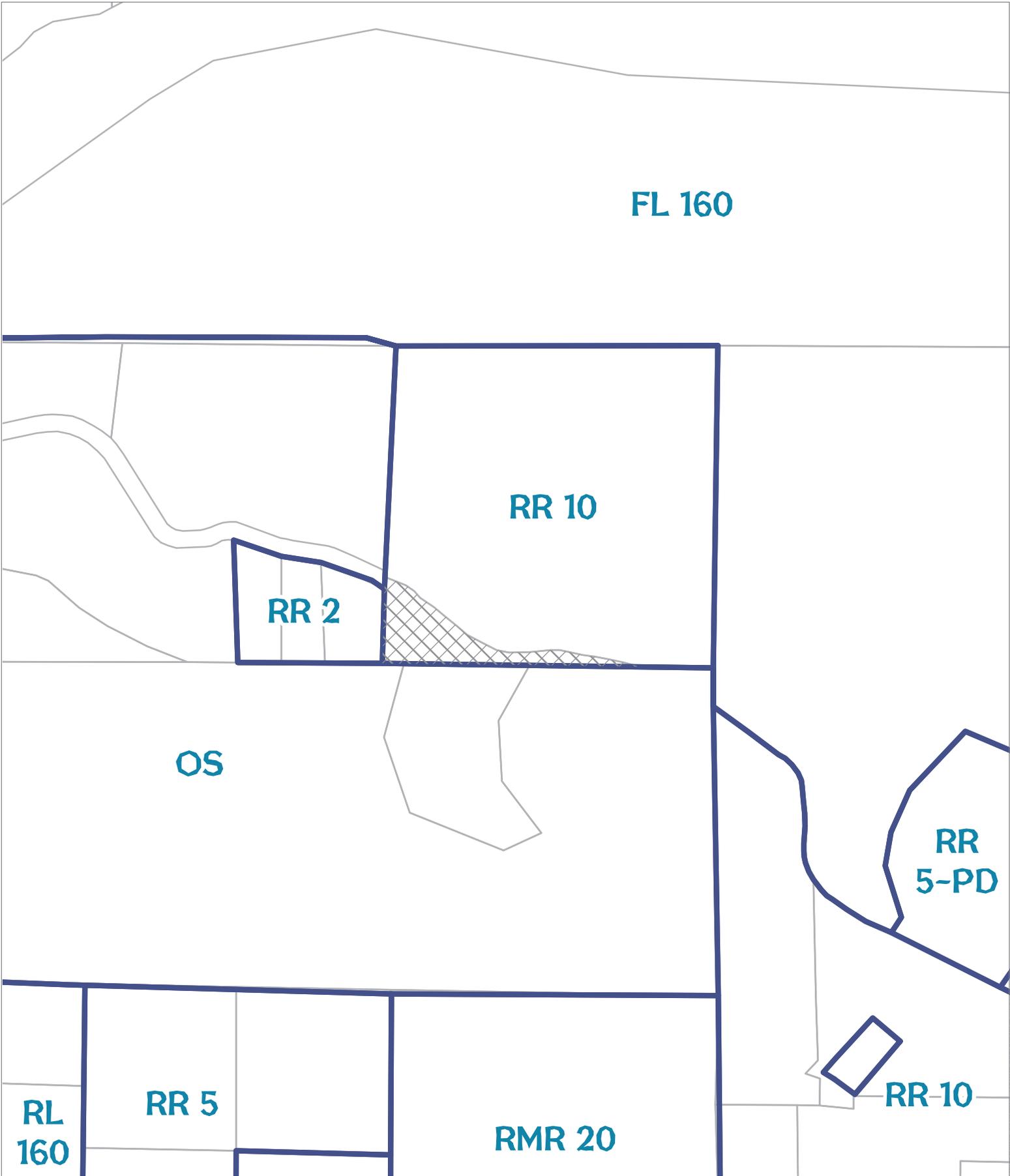
 Zoning Districts



CASE: CDP 2022-0003
OWNER: RUSSELL, Ky & Will
APN: 119-410-20
APLCT: Ky Russell
AGENT: Ky & Will Russell
ADDRESS: 44001 Comptche Ukiah Road, Mendocino

ZONING DISPLAY MAP

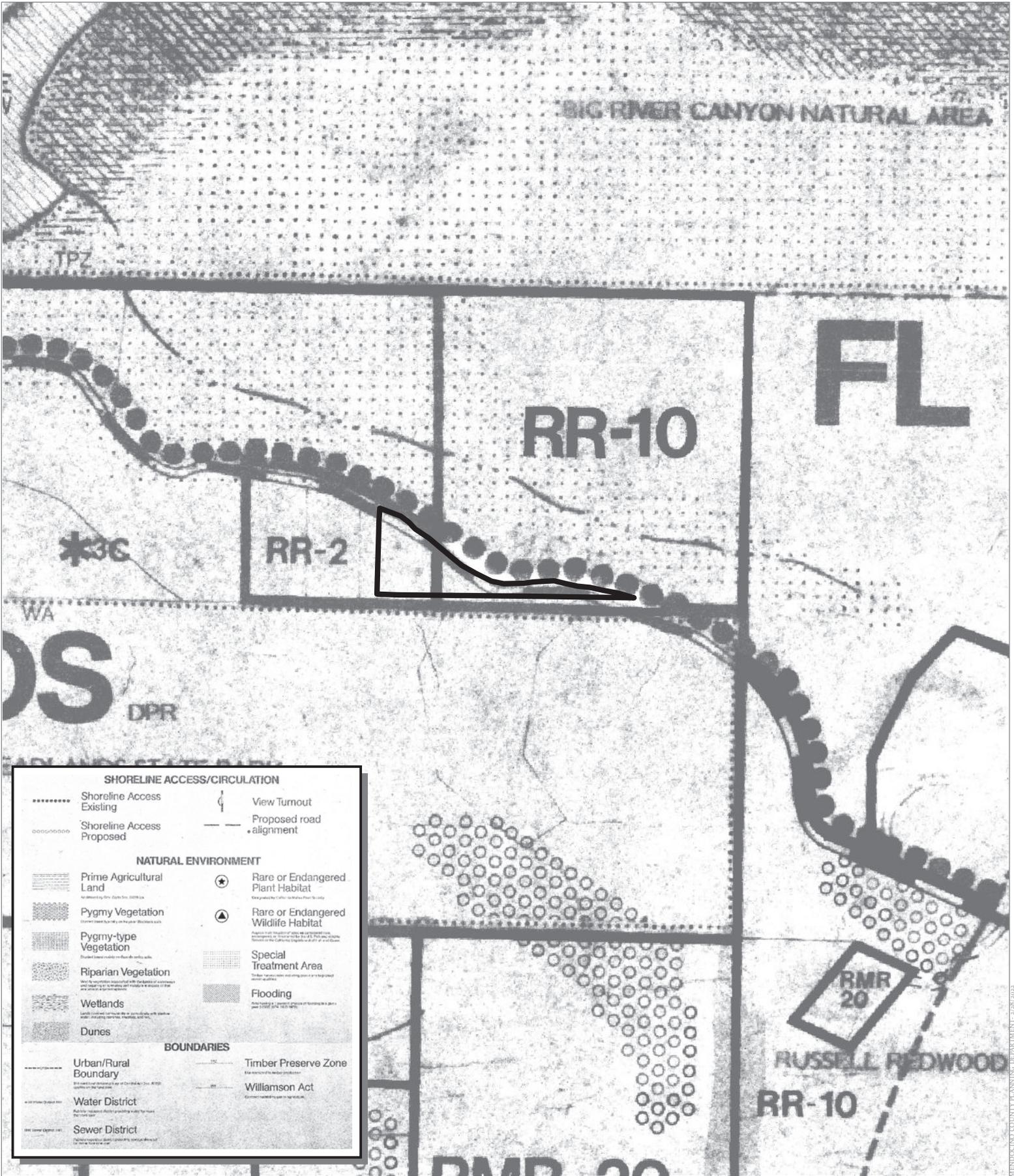
MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/22



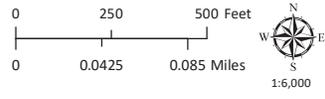
CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022

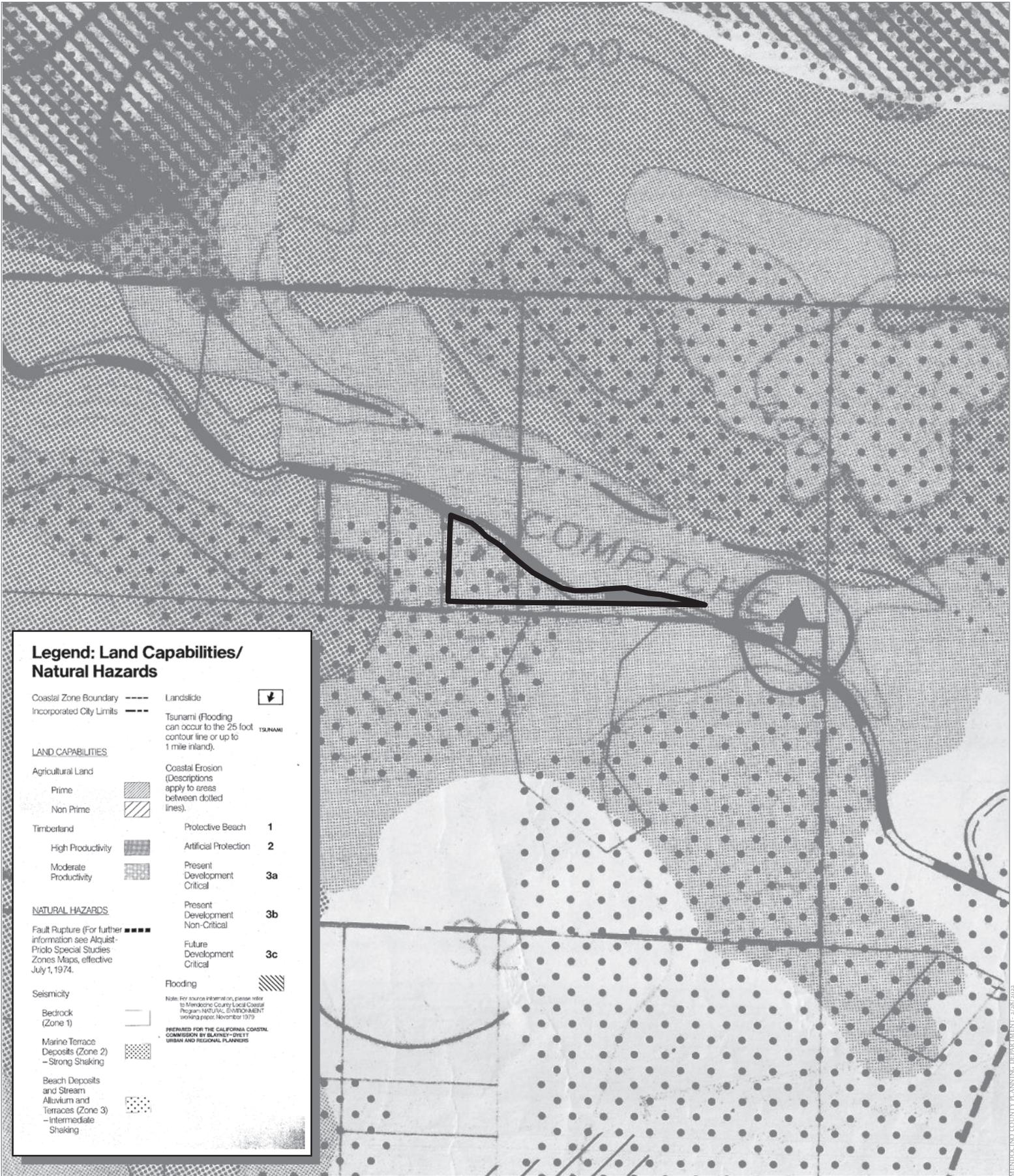
GENERAL PLAN CLASSIFICATION



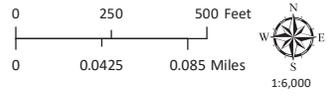
CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

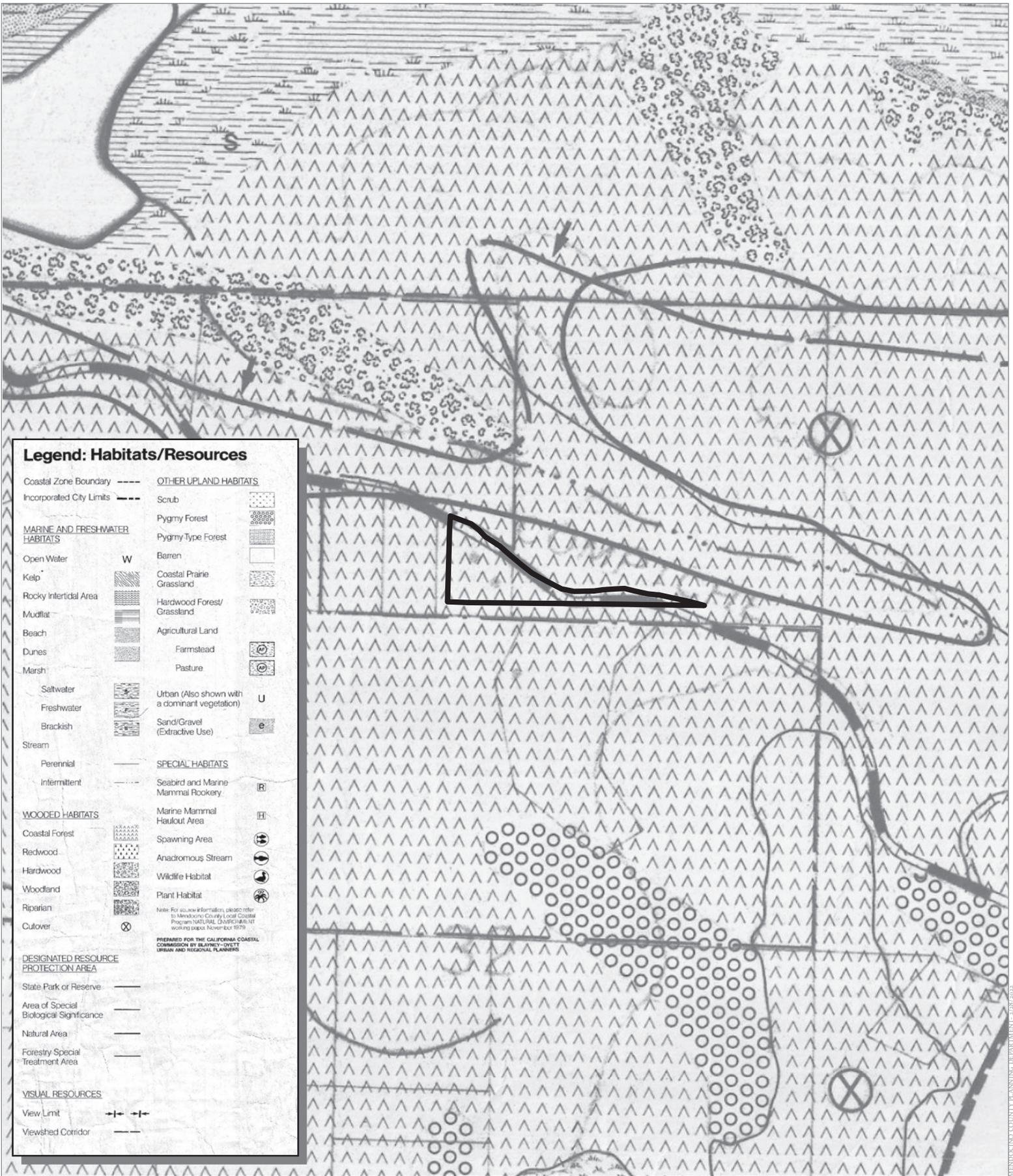


MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022

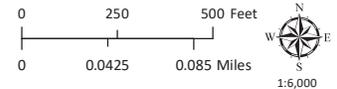


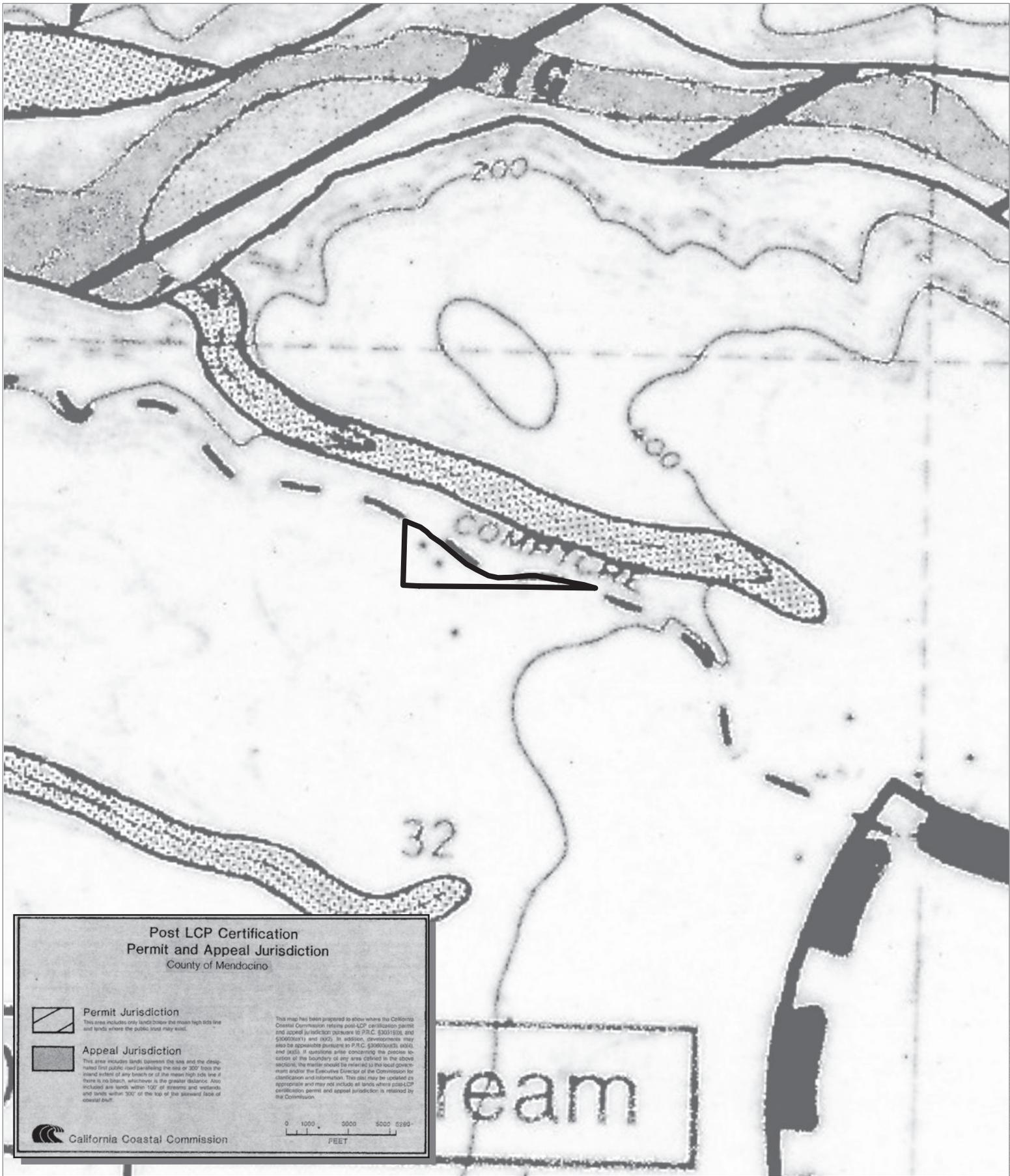
CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino



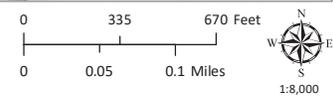


CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino





CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino



MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022

119-290-05
STATE OF
CALIFORNIA

119-410-03
STATE OF
CALIFORNIA

119-410-19
SAVETHE
REDWOODS LEAGUE

119-410-16
SAVETHE
REDWOODS LEAGUE

119-410-05
STATE OF
CALIFORNIA

119-410-06
GRANNELL
ALAN 1/2

119-410-07
GRANNELL
ALAN 1/2

119-410-08
GRANNELL
ALAN 1/2

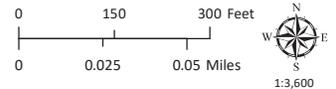
119-410-20
RUSSELL
WILL /

119-410-11
STATE OF
CALIFORNIA THE

119-410-10
STATE OF
CALIFORNIA

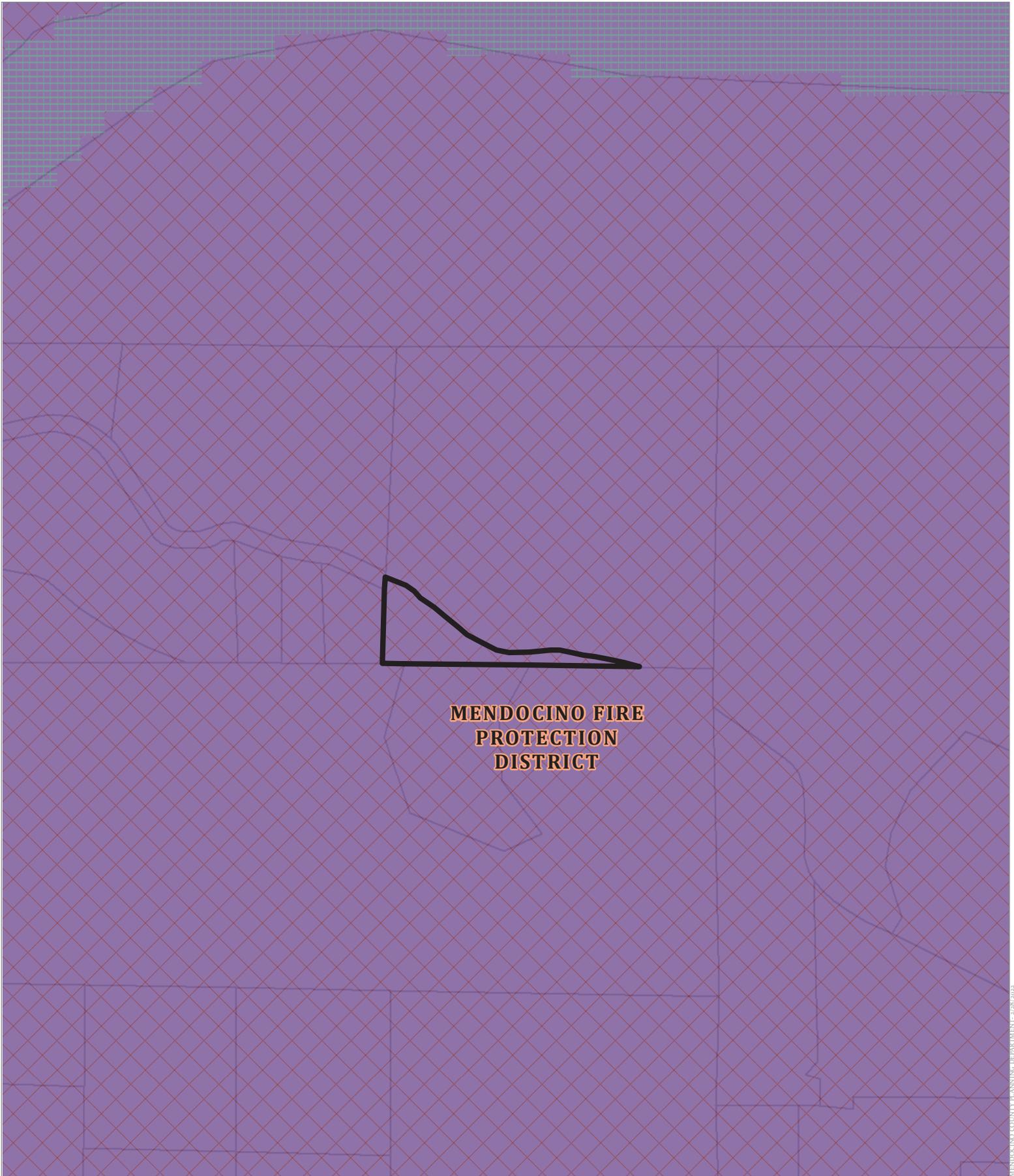
119-410-18
STARKWEATHER
MATTHEW A & K

CASE: CDP 2022-0003
OWNER: RUSSELL, Ky & Will
APN: 119-410-20
APLCT: Ky Russell
AGENT: Ky & Will Russell
ADDRESS: 44001 Comptche Ukiah Road, Mendocino



MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2023

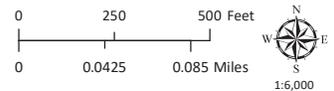
ADJACENT PARCELS



**MENDOCINO FIRE
PROTECTION
DISTRICT**

CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

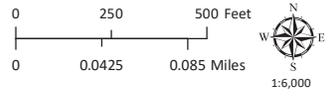
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts



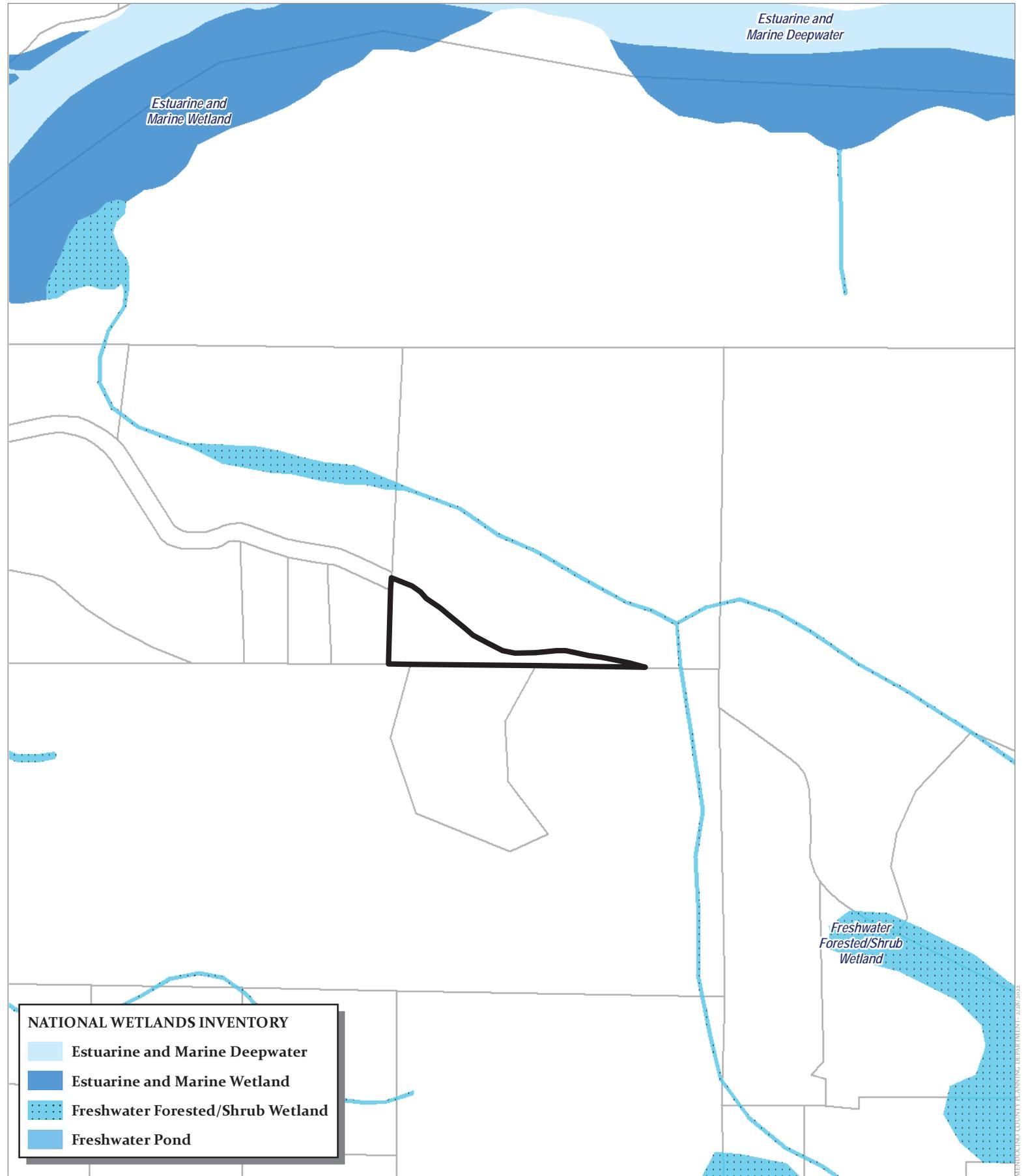
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA WETLANDS



CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino



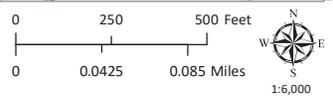
MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022



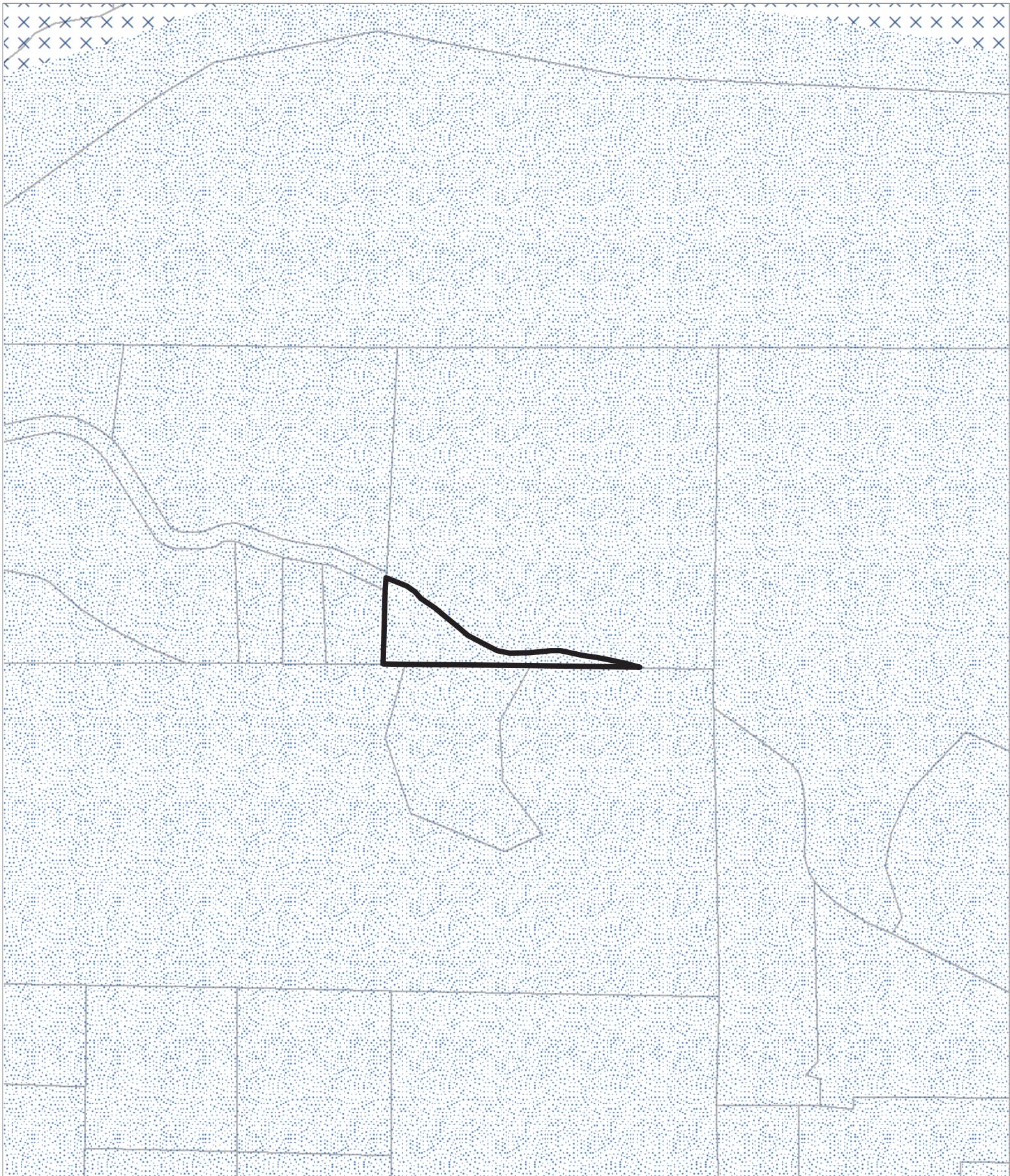
NATIONAL WETLANDS INVENTORY

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino



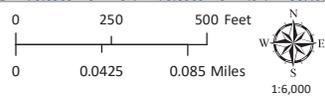
MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022



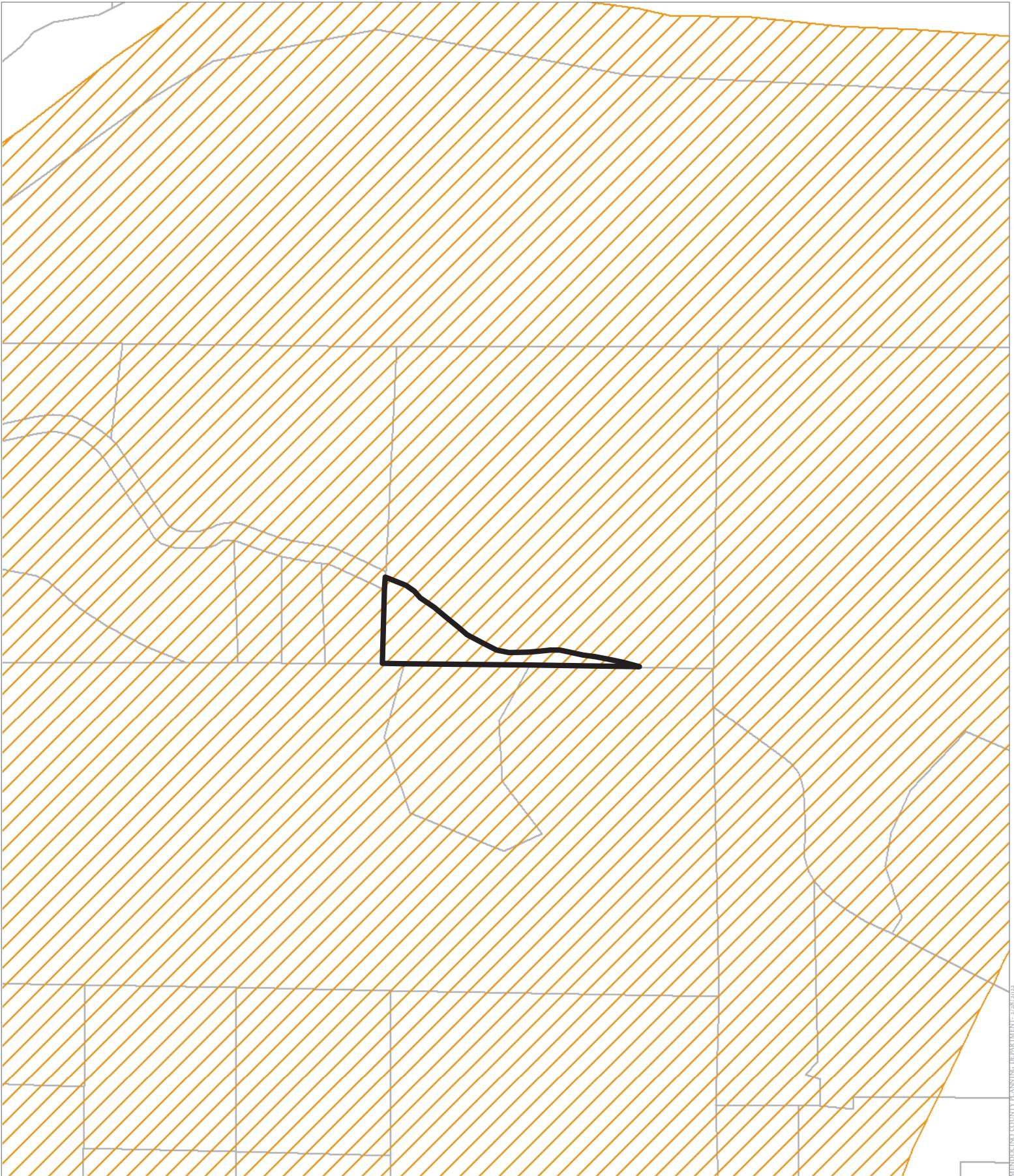
MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022

CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

-  Critical Water Areas
-  Sufficient Water Resources

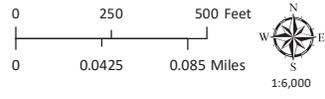


GROUND WATER RESOURCES



CASE: CDP 2022-0003
OWNER: RUSSELL, Ky & Will
APN: 119-410-20
APLCT: Ky Russell
AGENT: Ky & Will Russell
ADDRESS: 44001 Comptche Ukiah Road, Mendocino

 Highly Scenic Area (Conditional)



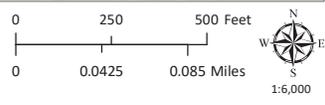
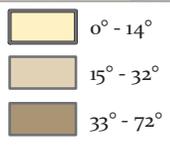
HIGHLY SCENIC & TREE REMOVAL AREAS

MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2022

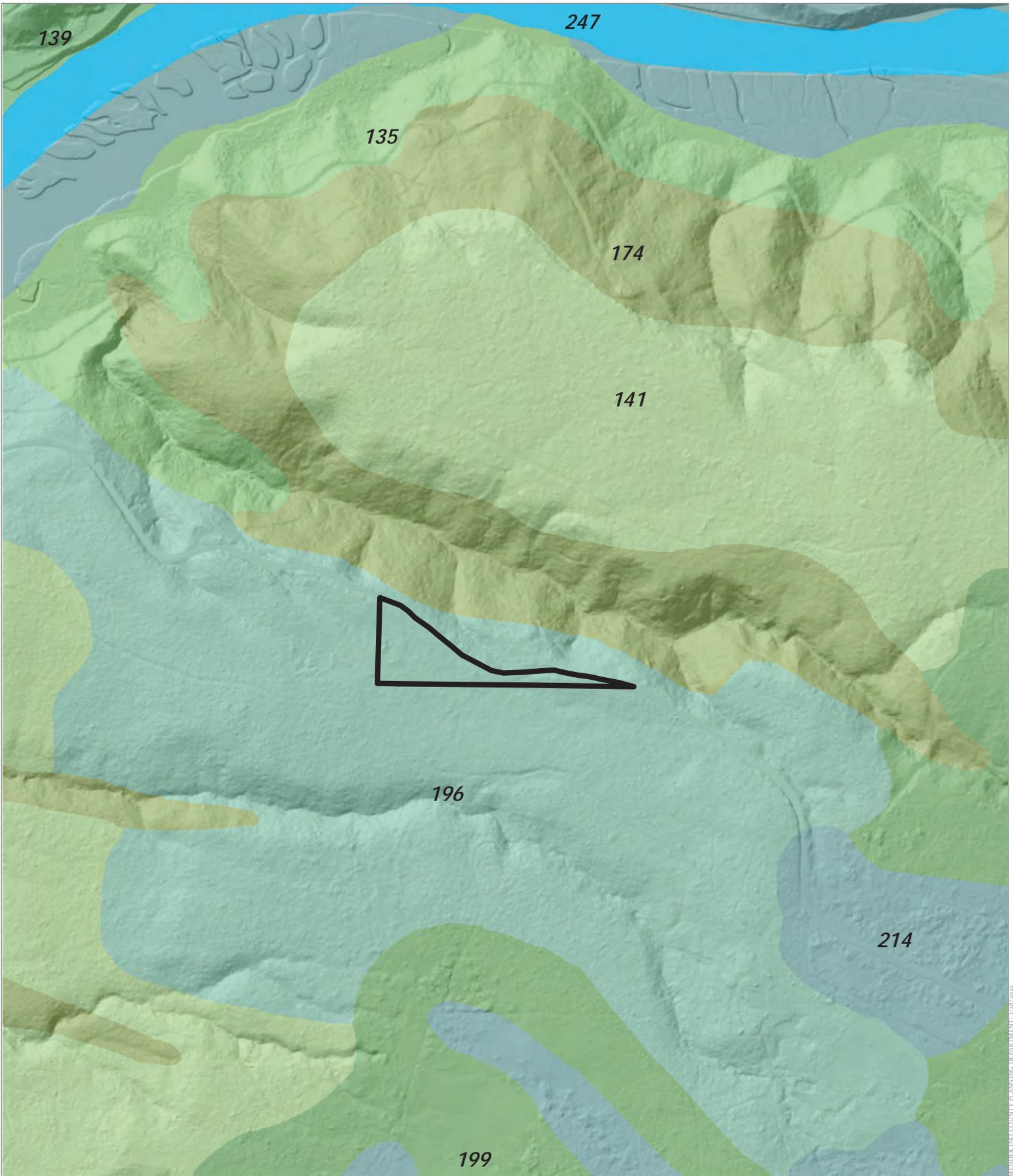


MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2023

CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

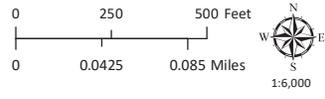


ESTIMATED SLOPE



CASE: CDP 2022-0003
 OWNER: RUSSELL, Ky & Will
 APN: 119-410-20
 APLCT: Ky Russell
 AGENT: Ky & Will Russell
 ADDRESS: 44001 Comptche Ukiah Road, Mendocino

 Shinglemill-Gibney Complex
 Bishop Pine



WESTERN SOIL CLASSES

MENDOCINO COUNTY PLANNING DEPARTMENT - 2/28/2023



703 North Main Street, Fort Bragg, CA 95437
ph: 707-964-2537 | fx: 707-964-2622 | www.WCPlan.com

June 23, 2021

Ky and Will Russell
6413 Ashley St.
Felton, CA 95018

RE: Russell – Biological Scoping Survey
44001 Comptche Ukiah Road
Mendocino, CA 95460
APN: 119-410-20-00

Dear Mr. & Mrs. Russell,

Thank you for the opportunity to assist you with your natural resources needs for your property at 44001 Comptche Ukiah Road in Mendocino, CA.

Wynn Coastal Planning & Biology (WCPB) conducted a Biological Scoping Survey within 100ft of the subject parcel. The Biological Scoping Survey addresses presumed Environmentally Sensitive Habitat Areas (ESHAs) within 100ft of the proposed project that could be identified at the time of the site visits. No ESHAs were identified within the study area according to the definitions by the California Coastal Act (CCA) and Mendocino County Local Coastal Plan (LCP).

It is the professional opinion of the biologists at WCPB that the proposed project will not result in significant negative impact to any special status resources.

Please let us know if you have any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Nicole D. Bejar".

Nicole Bejar
Biologist
Wynn Coastal Planning & Biology

Encl: Russell Biological Scoping Survey; Russell Appendix A – USDA NRCS - Custom Soil Resource Report;
Russell Appendix B – USFWS National Wetlands Inventory Map

CC: Ky & Will Russell, applicant; file

Biological Scoping Survey

Investigators: Nicole Bejar (B.A. Environmental Studies, Gonzaga University) & Asa B Spade (B.S. Environmental Science: Landscape Ecosystems, Humboldt State)

Property Address: 44001 Comptche Ukiah Road, Mendocino, CA 95460

APN: 119-410-20-00

Survey Date: May 7 and June 10, 2021

Study Area Size: ~8.15 acres

Parcel Size: 3.4 acres

Site Description:

The subject parcel is located at 44001 Comptche Ukiah Road, Mendocino, CA (**Figure 1**). The parcel is on a marine terrace 2 miles southeast of the town of Mendocino, west of Highway One, and within the Coastal Zone. The parcel can be accessed from Comptche Ukiah Road and is surrounded by timberland, including State Park land, and rural residential development. The study area is relatively flat with an elevation of approximately 360 feet above sea level with a gentle, northwest facing slope of approximately 0-1%. The property owners informed WCPB biologists that a single-family residence used to exist on the property decades ago; however, burned down sometime in the past. The parcel is currently developed with two small sheds, two wells, an old fence, and an unpaved driveway (**Figure 2, Figure 3, & Figure 4**). The two dilapidated sheds were a part of the historical development on site. A stand of ornamental and fruit trees was observed on the western side of the property around one of the sheds as a remnant from the previous house on this property. The two existing wells were observed on both sides of the driveway. The well closer to Comptche Ukiah Road on the east side of the driveway is a developed hand dug well with a pump and well cover. The other well west of the driveway is capped with a concrete rounded top.

Proposed Development:

The proposed development consists of building a single-family residence with associated infrastructure including: a septic system and connection to utilities. The owners plan to build their proposed SFR generally within the same area as the previous house that burned down. **Figure 5** displays existing and proposed development on the subject parcel.

Methodology:

Prior to visiting the site, WCPB biologists compiled a list of sensitive and natural species of plants, animals, and communities occurring within the 9 quads centered on the project site (**Table 2**). This list was used to identify species and communities with the greatest potential for occurring at the project site, but the survey was not strictly limited to this list of potential rare and sensitive species. Maps were also created using the California Natural Diversity Database (CNDDDB) for records within one mile of the study area (**Figure 6 and Figure 7**). A USFWS National Wetlands Inventory (NWI) map and a U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) soil map were generated as well. Total vascular cover was determined using the guidelines described in the *CDFW-CNPS Protocol for the Combined Vegetation Rapid Assessment and Relevé Field Form (2019)*.

On May 7th and June 10th of 2021, WCPB biologists visited the site for 2.5 hours to examine the plant communities and vegetation on, and within 100ft of, the subject parcel. The focus of the study area was to determine if, and to what extent, special status plant communities, plants, wetlands, and/or special status wildlife habitat that could be considered Environmentally Sensitive Habitat Area (ESHA) occur within 100ft of the proposed development. The survey was limited to areas that were safely and legally accessible.

Survey Results:

No rare plants, plant communities, or wildlife habitat that, in WCPB's professional opinion should be considered ESHA, were observed within the study area.

One type of soil has been mapped by the Natural Resource Conservation Service (NRCS) in the study area: Quinliven-Ferncreek complex, 2 to 15 percent slopes. Quinliven-Ferncreek complex, 2 to 15 percent slopes, is formed in marine sediments and is found on marine terraces. Permeability is slow. According to

the NRCS mapping results, the soil type within the study area does not meeting hydric soil criteria (USDA Natural Resource Conservation Service, 2001; **Appendix A**). It should be noted that when a given soil is listed on the National Hydric Soils List as a hydric soil, that does not necessarily mean a wetland is present. Soil complexes are mapped at a coarse resolution and contain a number of components, any one of which may or may not be hydric, and may or may not be present in the particular mapped location.

The NWI map was consulted (**Appendix B**) and showed no mapped wetlands within the study area. A shallow drainage ditch was observed near the southern property line, however, no wetland indicators (hydrophytic vegetation, hydric soils, or hydrology) were observed at the site. The ~2ft wide ditch is ~2ft lower in elevation than the surrounding area and appears to be manmade for drainage running through upland habitat (**Figure 8**). The drainage starts off property to the west and runs along the southern property line until it wraps north towards the driveway where it eventually flattens out. No indications of wetland habitat were observed in the ditch demonstrating that it is only for draining this small area during rain events, and not a continuation of off-site hydrology.

The entirety of the study area was vegetated with a second growth coast redwood forest (*Sequoia sempervirens* Forest Association G3 S3) (**Figure 9 & Figure 10**). The total vascular cover of this plant community, considering porosity, was approximately 80%. The overstory of the community was largely dominated by coast redwood, however, other tree species occasionally dispersed throughout the canopy included: Douglas fir (*Pseudotsuga menziesii*), western hemlock (*Tsuga heterophylla*), grand fir (*Abies grandis*), red alder (*Alnus rubra*), and tanoak (*Notholithocarpus densiflorus*). Tan oak and grand fir saplings were observed regenerating in the understory. The understory of this community was dominated by salal (*Gaultheria shallon*) and sword fern (*Polystichum munitum*). Other species present included: wax myrtle (*Morella californica*), pacific rhododendron (*Rhododendron macrophyllum*), evergreen huckleberry (*Vaccinium ovatum*), red huckleberry (*Vaccinium parvifolium*), hardy fuchsia (*Fuchsia magellanica*), English ivy (*Hedera helix*), California blackberry (*Rubus ursinus*), Pacific trillium (*Trillium ovatum*), Andrew's clintonia (*Clintonia andrewsiana*), Pacific starflower (*Lysimachia latifolia*), common pacific pea (*Lathyrus vestitus*), redwood violet (*Viola sempervirens*), modesty (*Whipplea modesta*), curly dock (*Rumex crispus*), bracken fern (*Pteridium aquilinum*), vanilla grass (*Anthoxanthum occidentale*), candy flower (*Claytonia sibirica*), foxglove (*Digitalis purpurea*), redwood sorrel (*Oxalis oregana*), woodland strawberry (*Fragaria vesca*), Henderson's sedge (*Carex hendersonii*), and spreading rush (*Juncus patens*), and broadleaf forget-me-not (*Myosotis latifolia*), and northwest twayblade (*Listeria banksiana*). Ornamental and domestic tree species were observed on the western portion of the parcel including: plum (*Prunus domestica*), apple (*Malus domestica*), and cotoneaster (*Cotoneaster franchetii*).

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 an ESHA.

A small patch of approximately eight fringed cornlily individuals (*Veratrum fimbriatum* CRPR 4.3) were observed along the western property line. Fringed cornlily has a California Rare Plant Rank of 4.3 indicating that it is a plant of limited distribution and it is not very threatened in California. Proposed construction will not directly impact the population. List 4 plants are not considered ESHAs under the Local Coastal Plan and therefore, should not be given ESHA status and buffers.

Special status plants and plant communities with recorded CNDDDB occurrences within a 0.25 mile of the study area were further analyzed to rule out the possibility of their presence in the study area. Seacoast ragwort (*Packera bolanderi* var. *bolanderi*) is a perennial herb that usually occurs in coastal strand, northern coastal scrub, or north coast coniferous forest. It grows up to 2 feet tall and would have been evident and identifiable at the time of the site visit. Since no evidence of the plant was observed during its blooming window, it is assumed to not be present. Bluff wallflower (*Erysimum concinnum*) is a perennial herb that usually occurs in northern coastal bluff scrub, coastal dunes, or coastal prairies. The bloom window is from March to May and WCPB biologists observed the bluff wallflower at offsite reference sites during the time

of surveys so the plant would have been evident and identifiable at the time of the site visit. Since the appropriate habitat is not within the study area and no evidence of the plant was observed during its blooming window, it is assumed to not be present. Mendocino dodder (*Cuscuta pacifica* var. *papillata*) is an annual, parasitic herb or vine that occurs in coastal dunes. The thin orange stems of this special status plant would have been evident at the time of the site visit and it is presumed to not be present as the subject parcel does not provide the appropriate habitat. Grand fir forests are characterized as having grand fir trees dominant or codominant in the tree canopy with red alder, Sitka spruce (*Picea sitchensis*), Bishop pine (*Pinus muricata*), coast redwood, and western hemlock. In order for a forest to be described as a grand fir forest greater than 60% of the cover in the tree canopy should be grand fir. Grand fir trees are not special status plants in themselves, but as a community it has a state rarity ranking of S2 indicating that it is imperiled in the state due to a restricted range, very few populations, steep declines, or other factors making it vulnerable to extirpation. Although grand fir trees and saplings were observed in the study area, coast redwood accounted for approximately 96% of the cover in the tree canopy clearly demonstrating that it would not be classified as a grand fir forest. Mendocino pygmy forests are rare and only occur on old elevated marine terraces within 1 – 5 miles from the Pacific Ocean with nutrient deprived soils. Mendocino pygmy forests are vegetated with characteristic species including: Mendocino cypress (*Hesperocyparis pygmaea*), Bolander pine (*Pinus contorta* subsp. *bolanderi*), dwarfed Bishop pines (*Pinus muricata*), and pygmy manzanita (*Arctostaphylos nummularia* ssp. *mendocinoensis*). The study area is not mapped in an area with oligotrophic soils and no characteristic pygmy vegetation was observed onsite.

Other special status plants for which redwood forests is appropriate habitat include: swamp harebell (*Campanula californica*), North Coast semaphore grass (*Pleuropogon hooverianus*), Humboldt milk vetch (*Astragalus agnicidus*), coast fawn lily (*Erythronium revolutum*), and thin-lobed horkelia (*Horkelia tenuiloba*). Swamp harebell is a perennial rhizomatous herb that occurs in a variety of habitats including bogs and fens, closed-cone coniferous forest, coastal prairie, marshes and swamps, and North Coast coniferous forest. Swamp harebell occurs almost always in wetlands and may have been identifiable at the time of the June site visit. No Coastal Act wetlands were observed on the property and therefore, swamp harebell is presumed to not be present on the subject parcel. North Coast semaphore grass is a perennial rhizomatous herb that occurs in broadleaved upland forest, meadows, and seeps, and North Coast coniferous forest. It occurs in wetlands and wet meadows and would have been evident and identifiable at the time of the site visits. It is presumed to not be present on the subject parcel since it was not observed and the appropriate habitat is not present within the study area. Humboldt milk vetch is a perennial herb that occurs in disturbed areas, broadleaved upland forest, and North Coast coniferous forest. This special status plant is usually farther inland than the location of the subject parcel. Humboldt milkvetch would have been evident and identifiable at the time of the surveys and no *Astragalus* spp. were observed; therefore, it is presumed to not be present. Coast fawn lily is a perennial bulbiferous herb that occurs in bogs and fens, broadleaved upland forest, North Coast coniferous forest, and along streambanks. WCPB biologists observed the coast fawn lily at an offsite reference site and therefore believe it would have been evident and identifiable at the subject parcel if it were present.

Recommendations:

In the surveyors' experience, special status plants typically occur in relatively uncommon and specialized niche habitats. For example, special status plants are observed on or near bluff tops, pygmy type vegetation, wetlands and perimeter of wetlands, and within certain special status plant communities. Surveyors also search for common indicator species that are often associated with special status plant and/or species of concern. None of these niches habitats or indicator species were observed in the study area.

It is the professional opinion of the biologists at WCPB that based on the current information the project as proposed will not result in a significant negative impact to any special status resources. The subject parcel was previously developed in the recent past and the proposed development will be built within a disturbed area of the forest where the previous residence burned down.

The following mitigation measures are recommended to minimize impacts from development to animals that may be seasonally or temporarily present within the study area.

1.1. Potential Impact to Birds

Construction in the study area has the potential to disturb birds during the nesting season. Removal of vegetation and construction activity near trees and vegetated areas has the potential to disturb birds' nesting process.

1.1.1. 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-construction survey is recommended within 14 days of the onset of construction to ensure that no nesting birds will be disturbed during development.

1.1.2. Avoidance Measure: Nest Avoidance

If active special status bird nests are observed, no ground disturbance 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.

1.1.3. Avoidance Measure: Construction activities only during daylight hours

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

1.2. Potential Impact to Bats

Construction 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.

1.2.1. Avoidance Measure: Pre-construction surveys for bats

Construction will ideally begin 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 of development activities.

Pre-construction 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															
Bats															
	<table border="1" style="width: 100%;"> <tr> <td style="background-color: #90EE90; width: 20px;"></td> <td>Pre-Construction Surveys Are NOT Needed</td> </tr> <tr> <td style="background-color: #FF0000; width: 20px;"></td> <td>Pre-Construction Surveys Are Needed</td> </tr> </table>												Pre-Construction Surveys Are NOT Needed		Pre-Construction Surveys Are Needed
	Pre-Construction Surveys Are NOT Needed														
	Pre-Construction Surveys Are Needed														

1.2.1. Avoidance Measure: Roost buffer

If active bat roosts are observed, no ground disturbance 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.

1.2.2. Avoidance measure: Construction activities only during daylight hours

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

1.3. Potential Impact to Special Status Amphibians

Construction activities will involve walking across areas where amphibians may be traveling. Staging of materials and removal of construction 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.

1.3.1. Avoidance Measure: Contractor education

Within two weeks prior to construction 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.

1.3.2. Avoidance Measure: Pre-construction search

During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.

1.3.3. Avoidance Measure: Careful debris removal

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

1.3.4. Avoidance Measure: No construction during rain event

If a rain event occurs during the ground disturbance period, all ground disturbing activities will cease for a period of 48 hours, starting after the rain stops.

Prior to resuming construction 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, ground-disturbing activities may resume.

If a special status amphibian is detected, construction crews will stop all ground disturbing work 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.

Biologist Biographies:

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 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 as well as a foothill yellow legged frog training taught by David Cook and Jeff Alvarez. 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, and the California red-legged frog. He has contributed to more than 150 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 and amphibian surveys. She is on the U.S. Fish and Wildlife Service's approved list for Point Arena Mountain Beaver Surveys.



Figure 2. Existing structure on property near capped well and fruit trees.



Figure 3. Entrance of existing driveway.



Figure 4. Existing well.



Proposed & Existing Development

Note: Parcel lines are approximate.

Figure 5. Map of proposed development and presumed ESHA identified in the study area with 50ft and 100ft buffers.

Wynn
CONSULTING & PLANNING

CLIENT: Russell
APN: 119-410-20-00
ADDRESS: 44001 Comptche Ukiah
Mendocino, CA



Figure 8. Manmade ditch running through upland habitat.



Plant Communities & Vegetation

Note: Parcel lines are approximate.

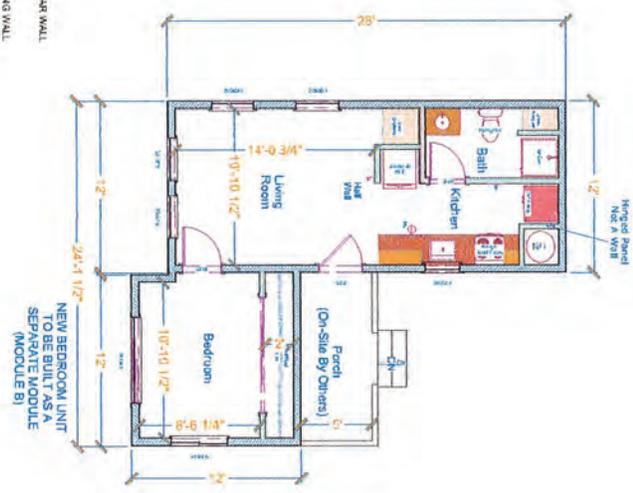
CLIENT: Russell
APN: 119-410-20-00
ADDRESS: 44001 Comptche Ukiah
Mendocino, CA

Figure 9. Plant communities and vegetation map.



Figure 10. Second-growth redwood forest with duff and debris ground cover.

EXISTING STUDIO AUDIO
NO CHANGES TO BE MADE
IN OR BY FACTORY
(MODULE A)

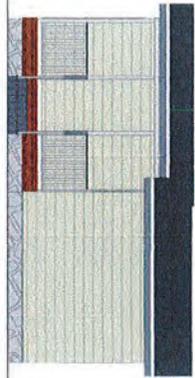


- WALL LEGEND**
- EXTERIOR MODULE WALL
 - INTERIOR PLUMBING WALL
 - INTERIOR WALL
 - MODULE MERGER WALL

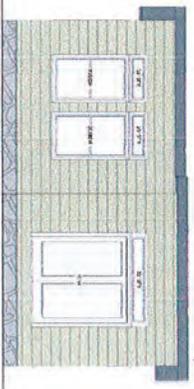
FLOOR PLAN

A-2

DRAWINGS PROVIDED BY: Cutting Edge Homes 270 E Douglas Avenue El Cajon, CA 92020 610 867 2993	PROJECT: Client Name: W & A Russell Property Address: 44101 Comstock/Balwin Road Menlo Park, CA 94025 APN: 119-410-20 Client Phone Number: (415) 562-5866		THESE CONSTRUCTION DOCUMENTS CREATED BY CUTTING EDGE HOMES ARE THE PROPERTY OF SERVICE PROVIDED TO THE OWNER BY THE DESIGNER. THESE DOCUMENTS ARE LOANED BY THE DESIGNER AND CANNOT BE REPRODUCED OR COPIED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE DESIGNER. THESE DOCUMENTS SHALL NOT BE USED FOR ANY PROJECT OTHER THAN THE SPECIFIC PROJECT CONTRACTED FOR, WITHOUT THE DESIGNER'S PERMISSION.	NO. DESCRIPTION BY DATE	DESIGNER: F. WELLS
	DATE: 12/12/2021	SCALE: 1/4" = 1'		SHEET: A-2	



FRONT ELEVATION



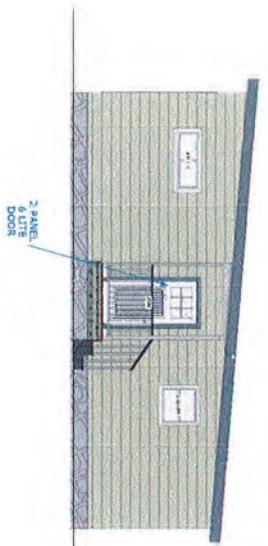
REAR ELEVATION

Not to Exceed Height Above Grade

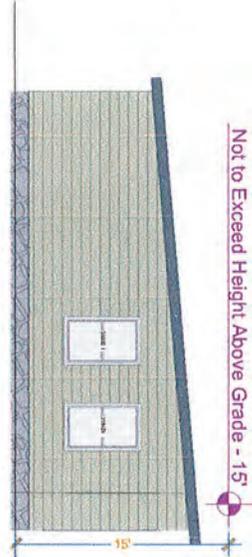
Russell Residence 12/12/2021

ELEVATIONS 1 & 2

DRAWINGS PROVIDED BY: Cutting Edge Homes 270 E Douglas Avenue El Cajon, CA 92020 310 887 3993	PROJECT: Client Name: WB & Ky Rustin Property Address: 4401 Compline/Jurupa Road Mendocino, CA 95464 APN: 119-416-2U Client Phone Number: (415) 562-5866	THESE CONSTRUCTION DOCUMENTS CREATED BY CUTTING EDGE HOMES ARE AN INSTRUMENT OF SERVICE PROVIDED TO THE OWNER BY THE DESIGNER. THESE DOCUMENTS ARE OWNED BY THE DESIGNER AND COPIES FOR APPROPRIATE PLANNING PURPOSES BY A THIRD PARTY SHALL BE PROVIDED TO THE DESIGNER IF AGREED TO BY SEPARATE CONTRACT. THESE DOCUMENTS SHALL NOT BE USED FOR ANY PROJECT OTHER THAN THE SPECIFIC PROJECT IDENTIFIED HEREIN.	<table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DESCRIPTION	BY	DATE																	DESIGNER: F. WELLS
			NO.	DESCRIPTION	BY	DATE																		
DATE: 12/12/2021	SCALE: 1/4" = 1'	SHEET: A-3																						



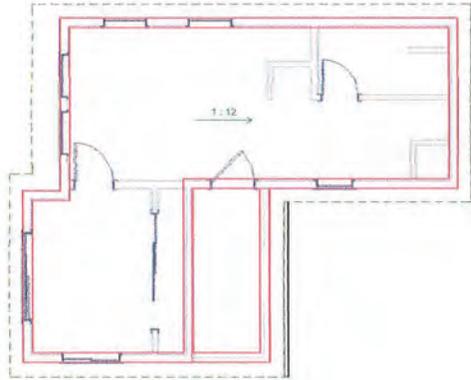
RIGHT ELEVATION



LEFT ELEVATION

ELEVATIONS 3 & 4

DRAWINGS PROVIDED BY: Cutting Edge Homes 270 E Douglas Avenue El Cajon, CA 92020 616 867 3992	PROJECT: Client Name: WB & Ky Russel Property Address: 4401 Comstock/Jurish Road Mendocino, CA 95464 APN: 119-416-20 Client Phone Number: (415) 962-5888	THESE CONSTRUCTION DOCUMENTS CREATED BY CUTTING EDGE HOMES ARE AN INSTRUMENT OF SERVICE PROVIDED TO THE OWNER BY THE DESIGNER. THESE DOCUMENTS ARE OWNED BY THE DESIGNER AND COPIES FOR APPROPRIATE PLANNING PURPOSES OR FOR THE PROJECT SHALL BE PROVIDED TO THE OWNER, IF AGREED TO BY SEPARATE CONTRACT. THESE DOCUMENTS SHALL NOT BE USED FOR ANY PROJECT OTHER THAN THE SPECIFIC PROJECT CONTRACTED HEREON.	NO. DESCRIPTION BY DATE	DESIGNER: F. WELLS																
			<table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DESCRIPTION	BY	DATE												
NO.	DESCRIPTION	BY	DATE																	
DATE: 12/12/2021	SCALE: 1/4" = 1'	SHEET: A-4																		



ROOF PLAN

SHEET: A-5	SCALE: 1/4" = 1'	DATE: 12/12/2021	DRAWINGS PROVIDED BY: Cutting Edge Homes 270 E Douglas Avenue Eugene, CA 97409 310-897-2993	PROJECT: Client Name: WB & Ky Russell Property Address: 44101 Compstoun/UMU Road Medocino, CA 95466 APN: 118-410-01 Client Phone Number: (415) 962-5568	THESE CONSTRUCTION DOCUMENTS CREATED BY CUTTING EDGE HOMES ARE AN INSTRUMENT OF SERVICE PROVIDED TO THE OWNER BY THE DESIGNER. THESE DOCUMENTS ARE LOANED BY THE OWNER AND CANNOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER, THESE DOCUMENTS SHALL NOT BE USED FOR ANY PROJECT OTHER THAN THE SPECIFIC PROJECT IDENTIFIED IN THESE DOCUMENTS.	<table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DESCRIPTION	BY	DATE																	DESIGNER: F. WELLS
		NO.	DESCRIPTION	BY	DATE																						