



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
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July 5, 2024

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

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, August 8, 2024, 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 take place at the Planning & Building Services Conference Room, located at 860 North Bush Street, Ukiah and virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>. In lieu of personal attendance the public may participate digitally in meetings by sending comments to [pbscommissions@mendocinocounty.gov](mailto:pbscommissions@mendocinocounty.gov) or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

**CASE#:** CDP\_2023-0033

**DATE FILED:** 8/3/2023

**OWNER/ APPLICANT:** Neil Schneider & Jacqueline Desouza

**REQUEST:** Standard Coastal Development Permit to construct a single-family residence, detached garage/workshop, extension of underground utilities, PG&E transformer pad, grading for a driveway, septic system, conversion of a test well to a production well, water tank, and pumphouse.

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**LOCATION:** In the Coastal Zone, 1± miles south of Albion town center, on the west side of State Route 1 (SR1) at its intersection with Nonella Lane (private), located at 2380 Nonella Lane, Albion; APN 123-280-16.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** Shelby Miller

The Draft Mitigated Negative Declaration, Staff Report, and Notice will be available 30 days before the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

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.gov](mailto:pbscommissions@mendocinocounty.gov) no later than August 7, 2024. Individuals wishing to address the Coastal Permit Administrator during the public hearing under Public Expression are welcome to do so via e-mail, in lieu of personal attendance, at [pbscommissions@mendocinocounty.gov](mailto:pbscommissions@mendocinocounty.gov) or via telecomment.

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.gov/departments/planning-building-services/public-hearing-bodies> under the Coastal Permit Administrator tab.

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.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 707-234-6650 or 707-964-5379, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Coastal Permit Administrators decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services



**PROJECT PLANNER CONTACT**

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**PROJECT SUMMARY**

**OWNER/ APPLICANT:** Neil Schneider & Jacqueline De Souza  
2441 Prince Street  
Berkeley, CA 94705

**REQUEST:** Standard Coastal Development Permit to construct a single-family residence, detached garage/workshop, extension of underground utilities, PG&E transformer pad, grading for a driveway, septic system, conversion of a test well to a production well, water tank, and pumphouse.

**LOCATION:** In the Coastal Zone, 1± miles south of Albion town center, on the west side of State Route 1 (SR1) at its intersection with Nonella Lane (private), located at 2380 Nonella Lane, Albion; APN 123-280-16.

**TOTAL ACREAGE:** 10.5± Acres

**GENERAL PLAN:** Rural Residential 10-Acres Minimum (RR10)  
General Plan (Chapter 7 – Coastal Element)

**ZONING:** Rural Residential 10-Acres Minimum (RR-10), Floodplain (FP) Combining District  
Mendocino County Code Title 20, Division II

**CODE REFERENCE:** Single-family residence  
Mendocino County Code (MCC) Section 20.376.010

**APPEALABLE** Yes

**SUPERVISORIAL DISTRICT:** District 5 (Williams)

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

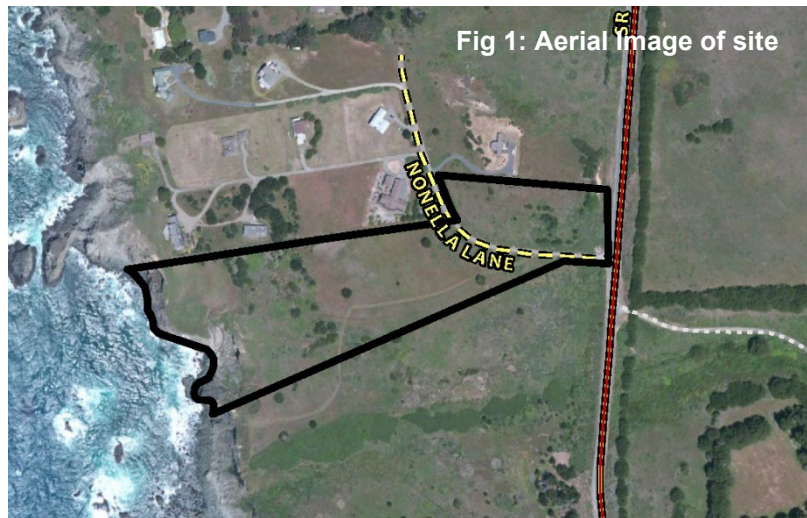
**RECOMMENDATION:** Approve with Conditions

## PROJECT BACKGROUND & INFORMATION

**PROJECT DESCRIPTION:** Standard Coastal Development Permit to grade a driveway to the west of Nonella Lane, construct a 2,366 square-foot three-bedroom single-family residence, a 1,016 square-foot detached garage/workshop, construct a PG&E transformer pad, extend underground utilities 500 feet from pad to building site, install a septic system, water tank, pumphouse, and convert a test well to a production well.

**SITE CHARACTERISTICS:** The project site is located in the Coastal Zone, 1± miles south of Albion town center, on the west side of State Route 1 (SR1) at its intersection with Nonella Lane, located at 2380 Nonella Lane, Albion. The project site is situated on a blufftop parcel west of SR1 and within the Dark Gulch to Navarro River Planning Area (Albion Planning Area). The subject parcel is undeveloped with the exception of a test well (WW5908). The property is relatively flat with a steeper hill between Nonella Lane and SR1. Elevation on the site ranges from 226 feet above sea level at the eastern boundary to 123 feet above sea level to the western bluff bank, with slopes ranging between 0° to 72° degrees. The blufftop parcel is mapped as a “High Fire” hazard area and would be served by the Albion Little River Fire Protection District.

The project site is predominantly vegetated with non-native grasslands, dominated by sweet vernal grass, velvet grass, and bracken fern. Non-native and native trees are sparsely scattered throughout the property. The western portion of the property contains an Estuarine and Marine Wetland.<sup>1</sup> The project site would be situated on Cabrillo-Heeser complex soil types which contain mainly perennial grasses and forbs.<sup>2</sup> The main limitations affecting residential development are the moderately slow permeability and the seasonally saturated soil conditions of the Cabrillo soil and the poor filtering capacity of the Heeser soil. A Geotechnical Study was conducted to provide design recommendations for the residential development and shall be discussed below. In addition, the eastern portion of the parcel is designated as Highly Scenic, while the project site, west of Nonella Lane is not considered Highly Scenic.<sup>3</sup>



### **Public Services:**

Access: Private driveway from Nonella Lane via State Route 1  
Water District: None  
Sewer District: None  
Fire District: Albion Little River Fire Protection District

**RELATED APPLICATIONS:** The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

### **Subject Parcel Projects:**

- **CDP 84-02** Single-family residence. Expired.
- **BF\_2004-0673** Single-family residence. On hold pending CDP approval.

<sup>1</sup> Wetlands Map.

<sup>2</sup> Soil Survey of Mendocino County, California, Western Part.

<sup>3</sup> Highly Scenic Map.

- **BF\_2004-0674.** Garage. On hold pending CDP approval.
- **Septic (ST23035).** Septic. Approved.

**AGENCY COMMENTS:** On September 15, 2023, and again on May 1, 2024, following the increase of project scope, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions are discussed in this staff report and contained in Conditions of Approval. A summary of the submitted agency comments are listed below.

<b>TABLE 1: Referral Agency Responses</b>	
<b>REFERRAL AGENCIES</b>	<b>COMMENT</b>
Planning – Fort Bragg	No Comment
Department of Transportation	No Comment
Environmental Health – Fort Bragg	No Comment
Building Inspection – Fort Bragg	No Comment
Assessor	No Response
Archaeological Commission	Comments
Northwest Information Center	Comments
Caltrans	No Response
CAL FIRE	Comments
California Department of Fish and Wildlife	No Comments
California Coastal Commission	No Comments
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Mendocino Unified School District	No Response

**Northwest Information Center (NWIC):** Following the review of two (2) Archaeological Surveys that covered approximately 100% of the proposed project area, there were no cultural resources identified. No further study for archaeological resources is recommended. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified archaeologist has evaluated the situation and provided appropriate recommendations.

**Archaeological Commission:** The Archaeological Commission accepts NWICs determination and recommendations provided by the Archaeological Survey from 2023 and requires the inclusion of the Discovery Clause as a condition of approval.

**CAL FIRE:** CAL FIRE Mendocino Unit has reviewed this application and stated that the driveway must meet the CAL FIRE driveway standard, address standards, and maintain defensible space and the fuel modification standard. These recommendations, in further detail, were added as conditions of approval below.

**California Coastal Commission (CCC):** The CCC recommends the conditions of approval include restricting future development in geologic setback areas and within ESHA and ESHA buffer areas. Since the building envelope appears to border the 50-foot ESHA setback, symbolic fencing shall be installed at the 50-foot ESHA and geologic buffer as a visual reminder of areas restricted to open space where the use and enjoyment of the property is limited. Landscaping, vegetation removal such as mowing, patios, or trails or other uses in the ESHA, ESHA buffer areas, and geologic setback areas are prohibited past the symbolic fencing. A Deed Restriction is recommended from the symbolic fencing to prevent encroachment into the geologic and ESHA buffer area. Landscaping should include only native, regionally appropriate, drought tolerant species to be planted on the property. In addition, shoreline armoring is prohibited in the future, and if the proposed development is threatened by bluff erosion and/ or retreat in the future, landowner must remove all authorized development. Landowner must waive all rights to shoreline armoring. These recommendations were added as conditions of approval #14, 15, and 20-26.

**California Department of Fish and Wildlife (CDFW):** CDFW provides the following recommendations in the Trustee Agency role: CDFW concurs with the CCC recommendations and in addition, any native tree and shrub species that are naturally regenerated should be retained, and the landscaping recommendation should apply to planting of trees and shrubs as well as herbaceous species. CDFW recommends all planting be locally native and contributes to the surrounding natural communities. These recommendations were added as conditions of approval #14, 15, and 20-26.

## PROJECT ANALYSIS

### LOCAL COASTAL PROGRAM CONSISTENCY:

**Land Use and Planning Areas:** The project site is located within the boundaries of the Local Coastal Program (LCP) area and currently classified as Rural Residential. The Rural Residential classification intends 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, microclimate, 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 development to grade a driveway, construct a single-family residence, a detached garage, a PG&E pad, a pumphouse, install a septic system and water tank, and convert a test well to production well would be consistent with the principal permitted uses of the Rural Residential classification. Low-density developments, such as a single-family residence, would create a minimal impact on agricultural viability.

**Zoning:** The subject parcel is within the Rural Residential (RR) Zoning District as outlined in the Mendocino County Coastal Zoning Code (MCC) Chapter 30.376. Per MCC Section 30.376.005, the RR District is intended to...

*“...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.”*

In addition, MCC Section 20.456.015 prescribes the following regulations for accessory uses:

*“Subject to the restrictions and limitations of this Chapter, including the granting of a Coastal Development Permit, where applicable, the following accessory buildings and uses shall be permitted in all zoning districts which allow a single-family residence...”*

(A) Private Garages.

The proposed development to grade a driveway, construct a single-family residence, a driveway, and accessory structures would have a minimal impact on the agricultural viability. The proposed single-family residence, driveway, and utility structures are a principal permitted use in the RR District. The proposed garage would be subordinate and accessory to the single-family residence. The proposed development would be consistent with the intent of the RR District.

**Grading, Erosion, and Runoff:** The proposed development would be situated approximately 50 feet from the bluff edge. The proposed earthwork includes 400± cubic yards of cut, 300± cubic yards of fill, 3± feet maximum height of fill slope, and 5± feet of maximum height of cut slope. Several Geotechnical Investigations were conducted on the subject parcel. A 2002 Geotechnical Investigation states grading should be avoided near the bluff to minimize the risk of adversely affecting slope stability. Areas to be graded should be cleared of designated brush, rubble, debris and old fills. Material generated by the clearing operations should be removed from the site. Wells, cesspools, and other voids encountered or generated during clearing should be either backfilled with granular material or compacted soil or capped

with concrete. Areas to be graded should be stripped of the upper soils containing root growth and organic matter. The 2002 Geotechnical Investigation recommends intermittent geotechnical engineering observations, along with necessary field and laboratory testing during removal of weak soils, fill placement and compaction, preparation and compaction of subgrade, installation of subdrainage, and excavation of foundations.

The on-site soils should be suitable for reuse as general fill provided that: 1) all rock sizes greater than 6 inches in largest dimension and perishable materials are removed, and 2) the fill materials are approved by us prior to use. Imported, non-expansive fill, should be free of organic matter, and should conform to the following requirements:

Sieve Size	Percent Passing
6-inch	100
4-inch	90-100
No. 200	15-60

Fill should be placed in thin lifts (normally 6 to 8 inches depending on compaction equipment), moisture conditioned to above optimum, and compacted to at least 90 percent relative compaction. Generally, granular backfill should be vibrated in-place. All surfaces should be finished to present a smooth, unyielding subgrade. Fill and cut slopes should be constructed no steeper than 2: 1. Fill and cut slopes should be planted with erosion-resistant vegetation or protected from erosion by other measures upon completion of grading. Ground cover should be maintained on all slopes. Ponding water will be detrimental to slope stability, therefore the site should be graded to provide positive drainage away from foundations and slopes. Roofs should be provided with gutters, and the downspouts connected to non-perforated pipes discharging in erosion resistant areas well away from the structures and slopes. Drainage outlets should be located well away from the ocean bluff nearest the residence. Drainage should not be outletted into the 'slumped area'.

Crawl space areas beneath the structure should be graded to drain and be provided with a means to outlet any water which may accumulate. Outlets should be provided in the slab rock to reduce the risk of water build up in the slab rock. Subdrains should be at least 12 inches wide. Subdrains should consist of 4-inch diameter, perforated pipe, installed perforations down, placed at the bottom of the drain and sloped to drain to outlets by gravity. The subdrain pipe should consist of PVC Schedule 40 or ABS with a SDR of 35 or better. The top of the pipe should be at least 8 inches below the lowest adjacent interior floor elevation. The trench should be backfilled with clean, free-draining, 3/4 or 1-1/2-inch crushed drain rock separated from adjacent soil/rock by a non-woven filter fabric. As an alternative, Class II permeable material complying with Section 68, "Caltrans" may be used without fabric. The upper 12 inches of the drain should be backfilled with compacted clayey soil to exclude surface water. If groundwater seepage is encountered during grading, additional subdrains should be installed. In addition, Bauer shall be contacted to observe the installation of subdrains. Periodic land maintenance will be required. Surface and subsurface drains, and walls should be checked frequently, and cleaned and maintained as necessary. Sloughing, landsliding or erosion that occurs should be repaired before it can enlarge. A dense growth of deep-rooted ground cover should be maintained on all exposed slopes.

An updated Geotechnical Investigation, conducted on April 6, 2022, suggests that observations in the 2002 Investigation are similar to the 2022 investigation. The following supplemental recommendations include, "During grading and foundation construction, Bauer Associates should provide intermittent geotechnical engineering observations, along with necessary field and laboratory testing, during 1) removal of weak soils; 2) fill placement and compaction; 3) preparation and compaction of subgrade; 4) excavation of foundations; and 5) materials special inspections. These observations and tests would allow Bauer to check that the contractor's work conforms with the intent of our recommendations and the project plans and specifications. These observations also permit Bauer to check that conditions encountered are as anticipated, and modify our recommendations, as necessary. Upon completion of the project, Bauer should perform a final observation prior to occupancy. Bauer Associates should summarize the results of this work in a final report. All Geotechnical Investigations are kept on file at Mendocino County Planning and Building. See **Exhibit C** for all mitigation measures regarding Grading, Erosion, and Runoff.

With the recommendations and mitigation measures GEO-1 and GEO-2 provided in the 2002 and 2022

Geotechnical Investigations as conditions of approval, the project would be in compliance with MCC Chapter 20.492 – Grading, Erosion, and Runoff.

**Environmentally Sensitive Habitat and Other Resource Areas:** The LCP Habitats and Natural Resources map indicates the western edge of the parcel contains “Rocky Intertidal Marine and Freshwater Habitats” while the remaining portion of the parcel is “Barren” land. Several biological surveys were conducted on subject parcel from 2002 to 2022, including a Wetland Delineation Investigation, Biological Report of Compliance, a Botanical Study, and updated versions that encompass existing conditions and mitigation measures. The biological surveys were conducted by WRA Environmental Consultants. The 2010 Biological Report indicated that the project site is predominantly vegetated with non-native perennial grasslands, dominated by sweet vernal grass (*Anthoxanthum odoratum*), Velvet Grass (*Holcus lanatus*), and bracken fern (*Pteridium aquilinum*). The sloped portion of the site adjacent to SR1 supports a coastal scrub community mixed with non-native grassland. The shrub layer is strongly dominated by coyote brush (*Baccharis pilularis*) with scattered coffeeberry (*Rhamnus californica*), Carmel ceanothus (*Ceanothus griseus*), and shore pine. The understory and grassy openings are dominated by bracken fern, California blackberry, and hairy oatgrass.

The 2010 Biological Scoping Report indicated that several types of environmentally sensitive habitat areas (ESHAs) were identified and mapped within the project site, including coastal waters, wetlands, host plants for the federally endangered Lotus blue butterfly, special status plants, and rare natural communities.

The ESHAs identified were:

- Western dog violet (*Viola adunca*). Host plant.
- Northern Coastal Bluff Scrub
- Coastal Terrace Prairie
- Short leaved evax (*Hesperervax sparsiflora* var. *brevifolia*),
- Mendocino paintbrush (*Castilleja mendocinensis*)
- Harlequin lotus
- Tidal shoreline
- Seasonal wetlands
- Seep wetlands

Three hydrology observation points were established by WRA on January 6, 2008, in areas dominated by hydrophytic vegetation. The wetlands onsite appear to be groundwater/seep-fed, and the seasonal wetlands are not in obvious topographic lows. Seasonal wetlands (ESHA) are located in the western portion of the property and are vegetated almost exclusively with slough sedge (*Carex obnupta*) and California blackberry, with subdominants including giant horsetail (*Equisetum telmateia*), sword fern (*Polystichum munitum*), tall fescue (*Festuca arundinacea*), and bog rush (*Juncus effusus*). Scattered wax myrtle (*Myrica californica*) are present along the edges of the wetlands. A large and possibly perennially saturated wetland drainage on the neighboring property includes a smaller side drainage, the top of which extends onto the Study Area with characteristics similar to other seasonal wetlands onsite.

The updated Biological Report dated August 2022 stated, “the only significant change of ESHA since the 2009 survey is the absence of Mendocino paintbrush... and the impacts analysis and mitigation measures provided in the January 2010 report are sufficient in protecting ESHA”.

The proposed development would be located greater than 50 feet from any ESHA. The 2010 Biological Scoping Report included a Reduced Buffer Analysis that indicates the potential impacts and mitigation measures that would create a minimal impact on ESHAs. The special status plant ESHAs are located within natural community ESHAs, so their entire suitable/potential habitat was included as ESHAs. The seasonal wetlands and rare natural communities would not be significantly disturbed by impacts to vegetation greater than 50 feet from the ESHAs. These buffer areas are already degraded by invasive and nonnative species.

The project was referred to the California Coastal Commission (CCC) and California Department of Fish and Wildlife (CDFW) for comments. The CCC stated that “*future development in geologic setback areas, within ESHA, and ESHA buffer areas shall be prohibited. Symbolic fencing should be installed as a visual reminder of areas restricted to open space where the use and enjoyment of the property is limited. Prohibit*



*landscaping, vegetation removal (such as mowing), patios, trails or other uses in the ESHA, ESHA buffer areas, and geologic setback areas (though invasive species removal with hand tools and restoration and enhancement efforts should be allowed for this CDP and future development. A deed restriction should be implemented as a condition of approval with a map that depicts areas subject to open space restrictions, the applicant should landscape with native, regionally appropriate, and drought tolerant species only. In addition, the County impose its typical conditions requiring waiver of any rights to shoreline armoring, prohibiting the construction of any shoreline armoring in the future, and requiring removal of the authorized development if/when threatened by bluff erosion and retreat.”*

CDFW concurs with buffer reductions conducted by WRA and the recommended conditions. In addition, CDFW recommends that any native tree and shrub species that are naturally regenerated should be retained. The landscaping recommendation should apply to planting of trees, shrubs, and herbaceous species. CDFW recommends targeting and removing invasive species for a period of five years and create a landscaping plan that includes all locally native plants and those that are appropriate to the surrounding natural community. The landscaping plan shall be submitted to the County of Mendocino Planning and Building Services Department within one year of construction. See Exhibit C for the Mitigation, Monitoring, and Reporting Plan. In addition, all CDFW and CCC’s recommendations were incorporated into conditions of approval #14, 15, and 20-26.

With the inclusion of mitigation measures produced by WRA and recommended conditions of approval by CDFW and CCC, the proposed development would be consistent with MCC Chapter 20.496 – Environmentally Sensitive and Other Habitat Areas.

**Hazards Areas:** The LCP Land Capabilities and Natural Hazards map associates the project site with Bedrock (Zone 1) Seismicity. Pursuant to the Mendocino County General Plan Coastal Element Policy 3.4-7, the proposed development would be situated 50 feet from the bluff edge. Several Geotechnical Investigations were conducted on the subject parcel. A Geotechnical Investigation was conducted by Bauer Associates, Inc. on May 20, 2002, to provide recommendations associated with the proposed development. Bauer stated, *“based on the results of our investigation, we conclude that, from a geotechnical engineering viewpoint, the site can be used for the proposed development.”* The nearest fault considered seismically active is the San Andreas, mapped about 5 miles to the southwest. The intensity of the shaking will depend upon the distance to the earthquake focus, magnitude, and the response of the structure to the underlying soil and/or rock. The 2002 Geotechnical Investigation states that the primary concerns are sea cliff retreat and the presence of relatively weak surface soils which are porous and compressible.

An additional Geotechnical Investigation was performed on April 6, 2022, regarding the subject parcel. The property slopes gently to the southwest at about 10:1 to 15:1 (horizontal to vertical). Bauer did not observe evidence of recent landslide debris within the bluff during reconnaissance. No surface water or groundwater seepage was observed on the upper bluffs. Bauer stated surface conditions during the March 11, 2022, site visit appeared to be similar as the 2002 investigation. Based off of reconnaissance, Bauer determined that the bluff edge is relatively stable and there was no fresh evidence of erosion or land sliding within the bluff during observations. The investigation concluded that the bluff retreat rate averaged less than one inch per year. However, the California Coastal Commission 2018 sea level rise guidance provides a sea level rise of 40 inches over the next 75 years or to the year 2100. Bauer assumes the bluff retreat rate would increase over time due and would increase to about 2 inches per year. Using a retreat rate of 2 inches per year over the next 75 years, the bluff would erode an estimated horizontal distance of about 13 feet eastward from its current location.

Bauer states *“since surface rupture generally follows the trace of the most recent rupture, we judge that the risk of surface fault rupture through the site to be low”*. Impact or inundation from a severe storm surge or tsunami event is also low. It is anticipated that future earthquakes would cause severe ground shaking. The applicant shall request geotechnical engineering observations and field and laboratory testing during grading and foundation construction, removal of weak soils, fill placement and compaction, preparation and compaction of subgrade, excavation of foundations and materials special inspections”. In addition, Bauer recommends, Title 24, Part 2, Section 1613.2.2, of the 2019 CBC indicates that site categorization for seismic design should be based on the average soil values within the upper 100 feet of the site. Although the scope of our investigation was limited to relatively shallow test holes (ranging to about 27 feet deep),

we estimate that a Site Classification “D” will be appropriate for design. Upon request, we could perform supplemental calculations or exploration to determine the site-specific subsurface conditions ranging to 100 feet.”

The proposed project was referred to CAL FIRE for comments. CAL FIRE responded to a CAL FIRE State Fire Safe Regulation application and recommends conditions of approval to be included. CAL FIRE recommends specific driveway standards, address standards, and defensible space and fuels modification standards. All CAL FIRE recommendations shall be included in the conditions of approval.

With the inclusion of Bauer’s and CAL FIRE’s recommendations as conditions of approval, the project would be consistent with MCC Chapter 20.500 – Hazard Areas.

**Visual Resources and Special Treatment Areas:** The eastern portion of the subject parcel is considered Highly Scenic. The proposed development would be constructed on the western portion and is not considered Highly Scenic. The subject parcel is not within a Special Treatment Area. Therefore, the proposed project is not subject to MCC Chapter 20.504 – Visual Resources and Special Treatment Areas.

**Transportation, Utilities, and Public Services:** The proposed development of a single-family residence and associated structures would create a minimal impact on transportation within SR1. The proposed development is accessed via Nonella Lane, which intersects with SR1. The project, as proposed, would convert a test well into a production well (WW5908), install a septic system (ST23035), and water tanks. The septic system would hold capacity for a total of three bedrooms. The project was referred to the Department of Transportation, Caltrans, and the Division of Environmental Health on May 1, 2024. As of May 20, 2024, no comments were received.

**Archaeological and Cultural Resources:** Two Archaeology Studies were conducted on the subject parcel to gauge the potential impact on archaeological and cultural resources. The archaeological evaluation found no evidence of prehistoric or historical archaeological deposits within the subject parcel. The project was referred to the Northwest Information Center (NWIC) and Archaeological Commission on May 1, 2024. The Northwest Information Center stated “...based on the results of the two archaeological studies, the proposed project has a low potential of containing unrecorded archaeological sites. Therefore, no further study for archaeological resources is recommended. If archaeological resources are encountered during the construct, work should be halted in the vicinity...” Additionally, the project was referred to Sherwood Valley Band of Pomo Indians, Cloverdale Rancheria, and Redwood Valley Rancheria. As of May 20, 2024, the Archaeological Commission, Cloverdale Rancheria, and Redwood Valley Rancheria have not responded. On May 14, 2024, Sherwood Valley Band of Pomo Indians requested the NWIC report and additional information. As of May 31, 2024, Sherwood Valley Band of Pomo Indians has not responded.

**Public Access:** The blufftop parcel is located within the Dark Gulch to Navarro River Planning Area (Albion Planning Area). The nearest existing public access point is Salmon Creek which is located 0.5± mile northwest of the subject parcel.<sup>4</sup> Salmon Creek is located on Spring Grove Road (CR 401) and provides excellent blufftop views and an unimproved, narrow, one-lane road leading to a sandy beach.

## ENVIRONMENTAL DETERMINATION

**Mitigated Negative Declaration:** An Initial Study for the proposed project was completed by staff in accordance with the California Environmental Quality Act (CEQA). Based on this initial evaluation, it was found that the Project would not produce any significant environmental impacts with mitigation incorporated. As such, a Mitigated Negative Declaration was prepared. It is noted in the Initial Study that the proposed project could result in some environmental impacts, but these were considered less-than-significant with mitigation incorporated.

Title 14, Division 6, Chapter 3, Article 4, Section 15051 of California Environmental Quality Act (CEQA) Guidelines, provides criteria for identifying the Lead Agency where two or more public agencies will be involved with a project. If the project will be carried out by a public agency, that agency shall be the Lead

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<sup>4</sup> County of Mendocino General Plan – Coastal Element.

Agency even if the project would be located within the jurisdiction of another public agency. Considering this, Mendocino County is the Lead Agency with the primary responsibility for carrying out the proposed project. Mendocino County shall act as the Responsible Agency, a public agency other than the Lead Agency with the responsibility for approving the proposed project.

In accordance with Section 15064(f) of CEQA Guidelines and as Lead Agency, Mendocino County prepared an Initial Study (IS) Mitigated Negative Declaration (MND) for the proposed project considering it will not have a significant effect on the environment, see Exhibit A. Based on the available project information and the environmental analysis presented in the IS/MND there is no substantial evidence that the proposed project would have a significant effect on the environment.

## **PROJECT FINDINGS & CONDITIONS OF APPROVAL**

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code, the Coastal Permit Administrator approves CDP\_2023-0033, adopts a Mitigated Negative Declaration, and adopts the following findings and conditions.

### **FINDINGS:**

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed project to grade a driveway to the west of Nonella Lane, construct a 2,366 square-foot single-family residence, a 1,016 square-foot detached garage/workshop, construct a PG&E transformer pad to the southeastern portion of property, extend underground utilities 500 feet from pad to building site, install a septic system, water tank, pumphouse, and convert a test well to a production well is in conformity with the certified local coastal program. Principal permitted uses within the Rural Residential classification includes residential and associated utilities. The RR classification does not intend to be a growth area and residences should be located as to create minimal impact on agricultural viability. The proposed development is principally permitted and intends to create a minimal impact on agricultural viability; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development to construct a single-family residence and associated structures will be provided with adequate utilities, access roads, drainage, and other necessary facilities. The project proposes to convert a test well into a production well, install a septic system, construct a driveway that is accessible to Nonella Lane via State Route 1, and to trench for additional utilities from the proposed PG&E pad; and
3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development to construct a single-family residence, associated features, and a garage is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserve the integrity of the zoning district. The proposed single-family residence and features is a principally permitted use and the detached garage is a permitted accessory use within the RR zoning district; and
4. Pursuant to MCC Section 20.532.095(A)(4) the proposed project could potentially result in impacts associated with biological resources as well as land use and planning that could be significant if left unmitigated. A Mitigated Negative Declaration Initial Study was prepared within the meaning of the California Environmental Quality Act. With the incorporation of Mitigation Measures BIO-1 through BIO-5 any potential impacts from the proposed project would be mitigated to levels that are less than significant; and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development to construct a single-family residence and associated structures will not have any adverse impacts on any known archaeological or paleontological resource. The proposed project was referred to Northwest Information Center (NWIC) and the Archaeological Commission on May 1, 2024. The applicant provided two Archaeological Studies covering approximately 100% of the proposed project area. NWIC responded and stated, "based on the results of the two studies provided, the proposed project has a low potential of containing unrecorded archaeological sites and no further study is recommended". The Archaeological Commission responded and recommended the Discovery Clause to be added as a

condition of approval. The proposed project was also referred to Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians and no comments were received; 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 to construct a single-family residence and associated structures. The property would be accessed by a private driveway via State Route 1. The proposed project was referred to Caltrans and the Mendocino County Department of Transportation on May 1, 2024. As of June 3, 2024, no comments were received. In addition, the proposed development would be served by a waste management service for solid waste. The proposed development would create a minimal impact on public services and traffic; and
7. Pursuant to MCC Section 20.532.095(B)(1), the proposed development is located between the first public road and the sea. The blufftop parcel is situated 123± feet above sea level. There is no beach below the cliff. Public access at the property would be inappropriate given the site characteristics and environmentally sensitive habitat areas. The nearest existing public access point is Salmon Creek, located 0.5± mile northwest of the subject parcel.<sup>5</sup> Salmon Creek is located on Spring Grove Road and provides excellent blufftop views and a one-lane road leading to a sandy beach. Therefore, the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.
8. Pursuant to MCC Section 20.532.100(A)(1), the proposed development to construct a single-family residence and associated structures would be located 50 feet from an Environmentally Sensitive Habitat Area (ESHA). Several Biological Assessments were conducted on project site to evaluate project impacts and identify biological resources. The project anticipates to not have direct impacts to ESHAs or their 50-foot buffers. Construction activities are proposed for areas located between 50 and 100 feet from wetland, rare plants, and rare natural community ESHAs. Mitigation measures have been included to reduce and/or eliminate project related impacts on all ESHAs on site. Considering the California Department of Fish and Wildlife approved the reduced buffer analysis and the mitigation measures to avoid significant impacts have been included, the proposed development would be consistent with MCC Section 20.532.100(A)(1).

**CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by “\*\*\*”):**

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 become effective after the ten (10) working day appeal period has expired and no appeal has been filed with the California Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and/or use of the property in reliance on such permit has been initiated prior to its expiration. Such permit vesting shall include approved permits associated with this project (i.e. building permits, septic permits, well permits, etc.) and physical construction in reliance of such permits, or a business license demonstrating establishment of a use proposed under this project.
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. To remain valid, progress towards completion of the project must be continuous. The Applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
4. 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.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from

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<sup>5</sup> Mendocino County General Plan – Coastal Element.

County, State and Federal agencies having jurisdiction.

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. Conditions approving this coastal development permit shall be attached to or printed on any building permit application and shall be a part of on-site construction drawings.
10. Additional excavation should be performed to remove weak soils where fills are planned or where improved slab support is necessary. Contact Bauer to review and approve the extent of the excavation.
11. Driveway Standard: must meet a minimum of 10 feet wide with 14-foot unobstructed horizontal clearance and 15' unobstructed vertical clearance, driveway shall have an all-weather surface, with no more than 16% grade, and a minimum of 50' radius inside curvature on all turns. Driveways exceeding 150' but less than 800' require a turnout near the midpoint. Turn out shall be a minimum of 12' wide, 30' feet long with 25' tapers on each end. A turnaround shall be provided on all building sites on driveways more than 300' in length. Gates shall be a minimum of 14' wide.
12. Address Standards: address must be posted at beginning of construction and maintained thereafter, minimum of 4-inch letter height, ½ inch stroke, reflectorized with contrasting background, visible from both directions of travel, address shall be placed at each driveway entrance.
13. Maintain Defensible Space and Fuels Modification Standard: All parcels shall provide a minimum of thirty (30) feet setback for all buildings from property lines and/or the center of the road. Fuel modification and disposal of flammable vegetation and fuels caused by site development and construction, shall be completed prior to road construction or final inspection of building permit. Maintain defensible space of 100' from each side and front and rear of the structures, but not beyond the property line. The intensity of fuels management may vary within the 100' perimeter of the structure, the most intense being within 30' of the structure. Remove that portion of a tree that extends within 100 feet of a chimney or stovepipe. Maintain a tree, shrub, or other plant adjacent to or overhanging a structure. Maintain the roof structure free of leaves, needles, or other vegetative materials.
14. Prior to the final for any building permit(s) associated with the Coastal Development Permit, the applicant shall execute and record a deed restriction which shall run with the land, and be binding upon any future owners, heirs, or assigns. The deed restriction shall include the following conditions:

- a. A map that depicts areas subject to open space restrictions (ESHAs). ESHA and 50 feet buffer area shall remain open space indefinitely.
  - b. Construct and maintain symbolic fencing around the Environmentally Sensitive Habitat Areas 50-foot buffer to act as a visual reminder to not encroach within the sensitive area. The symbolic fencing must be wildlife friendly and must be maintained indefinitely.
  - c. Future development is prohibited within the ESHAs including mowing, trails, patios, and other uses. Invasive species removal with hand tools and restoration and enhancement efforts shall be allowed.
  - d. Declarants shall not construct any bluff or shoreline protective devices to protect the subject single-family residence, garage, septic system, or other improvements, in the event that these structures are subject to damage, or other erosional hazards, in the future.
  - e. Declarants shall remove the house and its foundations, if and when bluff retreat reaches the point where the structure is threatened. In the event all or portions of the house, garage, foundations, leach fields, septic tank, or other improvements associated with the residence fall to the beach before they can be removed from the bluff top, Declarants shall remove all recoverable debris associated with these structures from the beach and ocean, and lawfully dispose of the material in an approved disposal site. Declarants shall bear all costs associated with such removal.
15. Landscaping should be limited to native, appropriate to the natural community, and drought-tolerant species to be planted on the property, including trees, shrubs, and herbaceous species.
16. Install silt fencing prior to any excavation or construction.
17. Minimize site disturbance by tight control of excavation limits.
18. **\*\*Mitigation Measure GEO-1:** The project shall incorporate applicable design, grading and foundation construction features to reduce the potential for liquefaction and soil erosion in accordance with the Geotechnical Investigation prepared by Bauer Associates dated May 20, 2002, and April 6, 2022. Intermittent geotechnical engineering observations are required, along with necessary field and laboratory testing during removal of weak soils, fill placement and compaction, preparation and compaction of subgrade, installation of subdrainage, and excavation of foundations. “During grading and foundation construction, Bauer Associates should provide intermittent geotechnical engineering observations, along with necessary field and laboratory testing, during 1) removal of weak soils; 2) fill placement and compaction; 3) preparation and compaction of subgrade; 4) excavation of foundations; and 5) materials special inspections. These observations and tests would allow Bauer to check that the contractor’s work conforms with the intent of our recommendations and the project plans and specifications. These observations also permit Bauer to check that conditions encountered are as anticipated, and modify our recommendations, as necessary. Upon completion of the project, Bauer should perform a final observation prior to occupancy. Bauer Associates should summarize the results of this work in a final report.
19. **\*\*Mitigation Measure GEO-2:** All exposed soil shall be mulched with straw or wood chips to minimize soil erosion. No soil shall be left in an exposed condition. The contractor must maintain a stockpile of this material on site for quick application.
20. **\*\*Mitigation Measure BIO-1:** Restricted Activities in ESHAs. No activities should be allowed that would disturb vegetation, topography, or hydrology in the ESHAs, 50-foot buffers, or 200-foot western dog violet buffers, both during and following construction. Some examples of these activities are vehicle parking or storage of other heavy materials, regular foot traffic, and clearing of vegetation. However, certain vegetation removal activities may be permitted, including native plant restoration activities and pruning or removal of hazardous or diseased trees or thinning of trees if deemed beneficial to the ESHA

by a certified arborist or qualified biologist. Solid materials, including wood, masonry/rock, glass, paper, or other materials should not be stored in the ESHAs, the 50-foot buffers, or 200-foot western dog violet buffers. Solid waste materials should be properly disposed of offsite. Fluid materials, including concrete, wash water, fuels, lubricants, or other fluid materials used during construction should not be disposed of onsite and should be stored or confined as necessary to prevent spillage into natural habitats including the onsite ESHAs. If a spill of such materials occurs, the area should be cleaned immediately, and contaminated materials disposed of properly. The affected area should be restored to its natural condition.

21. **Mitigation Measure BIO-2: Work Windows.** All activities that require substantial ground disturbance should take place only during the summer months (generally April 15 through October 31) to minimize potential erosion and sedimentation. Activities that do not require construction vehicles to access the site or ground disturbance other than planting may take place outside of this window as long as Mitigation Measure 1c is implemented prior to construction.
22. **Mitigation Measure BIO-3: Limit of construction impacts.** Prior to any ground disturbance and vegetation clearing, combination silt fence and construction fence should be installed around the limit of construction impacts. Fencing should be placed outside of all 50-foot ESHA buffers and 200-foot western dog violet buffers. Fence locations and any ESHA boundaries in the vicinity of construction should be determined and flagged by a qualified biologist. The fencing (and therefore the construction impact limit) should be placed more 100 feet from ESHAs whenever feasible and should be placed to minimize construction impacts on slopes leading to wetlands or other ESHAs. No grading, placement of fill material, or other ground disturbance should occur beyond the construction fencing. This fencing should only be removed once all construction activities are completed.
23. **Mitigation Measure BIO-4: Staff Education.** Prior to construction, the project contractors should be informed of the sensitive resources within the Study Area. Furthermore, the significance of the limits of construction impacts and fencing should be clearly explained to all parties working within the Study Area both during and following construction.
24. **Mitigation Measure BIO-5: Vegetation Protection.** Areas of disturbed soil should be mulched, seeded, or planted and covered with vegetation as soon as possible. If erosion control seeding is performed, a qualified biologist should be consulted to ensure use of a native seed palette, as many seed mixes commonly contain invasive species. Existing native vegetation should be maintained in the impact area to the maximum extent feasible. Trees should be protected from damage by proper grading techniques.
25. **Mitigation Measure BIO-6: Pre-Construction Surveys.** The bird breeding season typically extends from February to August. Ideally, the clearing of vegetation and the initiation of construction can be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 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 disturbances.

As with birds, bat roost sites can change from year to year, so pre-construction surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition 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. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree.

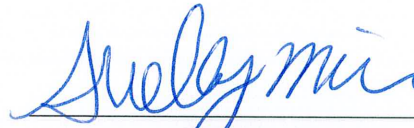
Removal of roost trees should occur in September and October, or after the bats have left the roost.

In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year.

26. \*\*Mitigation Measure BIO-7: Vegetative Barrier. A vegetative barrier or fence should be installed along the outer boundary of the buffers, or closer to the development where possible, to prevent disturbance of the ESHAs following construction. The barrier should be maintained and replaced as necessary to be well-established within three to five years and should be adequate to prevent activities such as vehicle use, repeated foot traffic, use by pets, and general landscape maintenance. The planted barrier should consist of medium-sized or tall shrubs or trees planted at approximately eight to ten foot spacing, using native species appropriate to the habitats and present in the vicinity (see Appendix C). Recommended species include coyote brush, coffeeberry, wax myrtle (in moister areas), shore pine, and Douglas-fir (*Pseudotsuga menziesii*).
27. \*\*Mitigation Measure BIO-8: Vegetation Removal. Damage or removal of vegetation shall not be allowed in ESHAs or established buffer areas with the exception of invasive species removal, native plant restoration, and pruning or removal of hazardous or diseased trees when deemed necessary or beneficial by a certified arborist or qualified biologist.
28. \*\*Mitigation Measure BIO-9: Revegetation. All disturbed ground remaining after construction within 100 feet of ESHAs should be replanted with locally native species appropriate to native coastal grassland or coastal scrub (see Appendix C for a list of plants present in the Study Area). If septic fields are installed, they should be revegetated with native perennial grasses and herbaceous species such as common rush (*Juncus patens*), bracken fern, red fescue, California oatgrass, Douglas iris (*Iris douglasiana*), mugwort (*Artemisia douglasiana*), and beach strawberry. Planting should occur in the winter months to reduce the need for irrigation, and irrigation near ESHA buffers should not be continued once the native species are established (typically after 1 to 2 years).
29. \*\*Mitigation Measure BIO-10: Landscaping Restrictions. No landscaping or irrigation may be installed within the ESHAs or 50-foot buffers, unless related to native habitat restoration activities. Irrigation near the ESHA buffers and bluff slopes should be monitored to ensure that there are no additional inputs of water to the ESHAs that could cause erosion or changes in hydrology. No non-native plants should be planted on the property, with the exception of gardens used for food production. Plant species listed as invasive (“High”, “Moderate”, and “Limited” impacts) on the California Invasive Plant Council’s California Invasive Plant Inventory (Cal-IPC 2006) shall not be installed anywhere in the Study Area as it would pose a risk to onsite ESHAs and buffers. Any new or existing occurrences of invasive species that threaten the preservation of the native plant community in the mitigation area (generally those species listed as “High” or “Moderate”) should be a target for removal in perpetuity, when feasible. Landscaping and revegetation both during and following construction will ideally include species native to CTP, NCBS, or wetland communities similar to the ESHAs already present in the Study Area. Otherwise, they should be native coastal species typical of the native communities already present in the Study Area (Appendix C). When possible, planting should be of local stock to preserve local genetic diversity. The local CNPS chapter 1, a qualified biologist, or a landscaper with knowledge of native plant communities should be consulted to identify appropriate species for planting.
30. \*\* Mitigation Measure BIO-11: Site grading for construction should be restricted between approximately May 1 and September 30. Site grading during these drier months will reduce the possibility of soil erosion and sediments flowing into natural habitats. Other construction, such as the erection of structures or minor landscaping, is not restricted to this time period.



June 17, 2024



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DATE

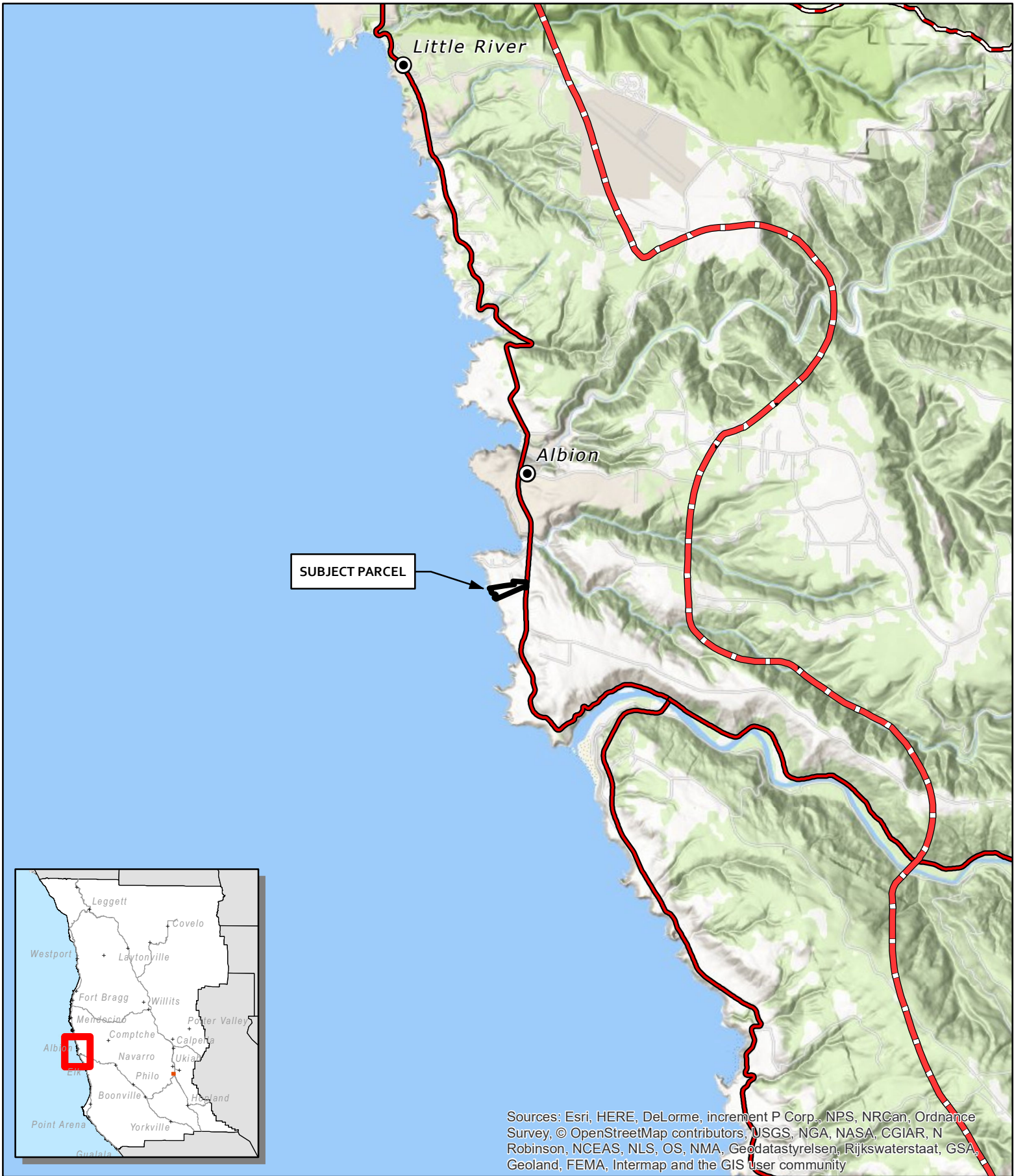
SHELBY MILLER  
PLANNER I

Appeal Period: 10 Days  
Appeal Fee: \$2,674.00

**ATTACHMENTS:**

- |                                     |                               |
|-------------------------------------|-------------------------------|
| A. Location Map                     | I. Fire Hazards Map           |
| B. Aerial Map                       | J. Wetlands                   |
| C. Topographical Map                | K. Slope Map                  |
| D. Site/Tentative Map/Project Plans | L. Soils Map                  |
| E. General Plan Map                 | M. Ground Water Resource Area |
| F. Zoning Map                       | N. Highly Scenic/Tree Removal |
| G. LCP Maps                         | O. Appendix C                 |
| H. Adjacent Owner Map               |                               |

**MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY AVAILABLE ONLINE AT:**  
<https://www.mendocinocounty.gov/government/planning-building-services/meeting-agendas>



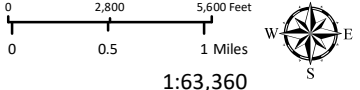
SUBJECT PARCEL



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

**CASE: CDP 2023-0033**  
**OWNER: SCHNEIDER & DESOUZA**  
**APN: 123-280-16**  
**APLCT: Neil Schneider & Jacqueline DeSouza**  
**AGENT:**  
**ADDRESS: 2380 Nonella Ln., Albion**

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



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LOCATION

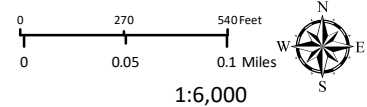
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Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

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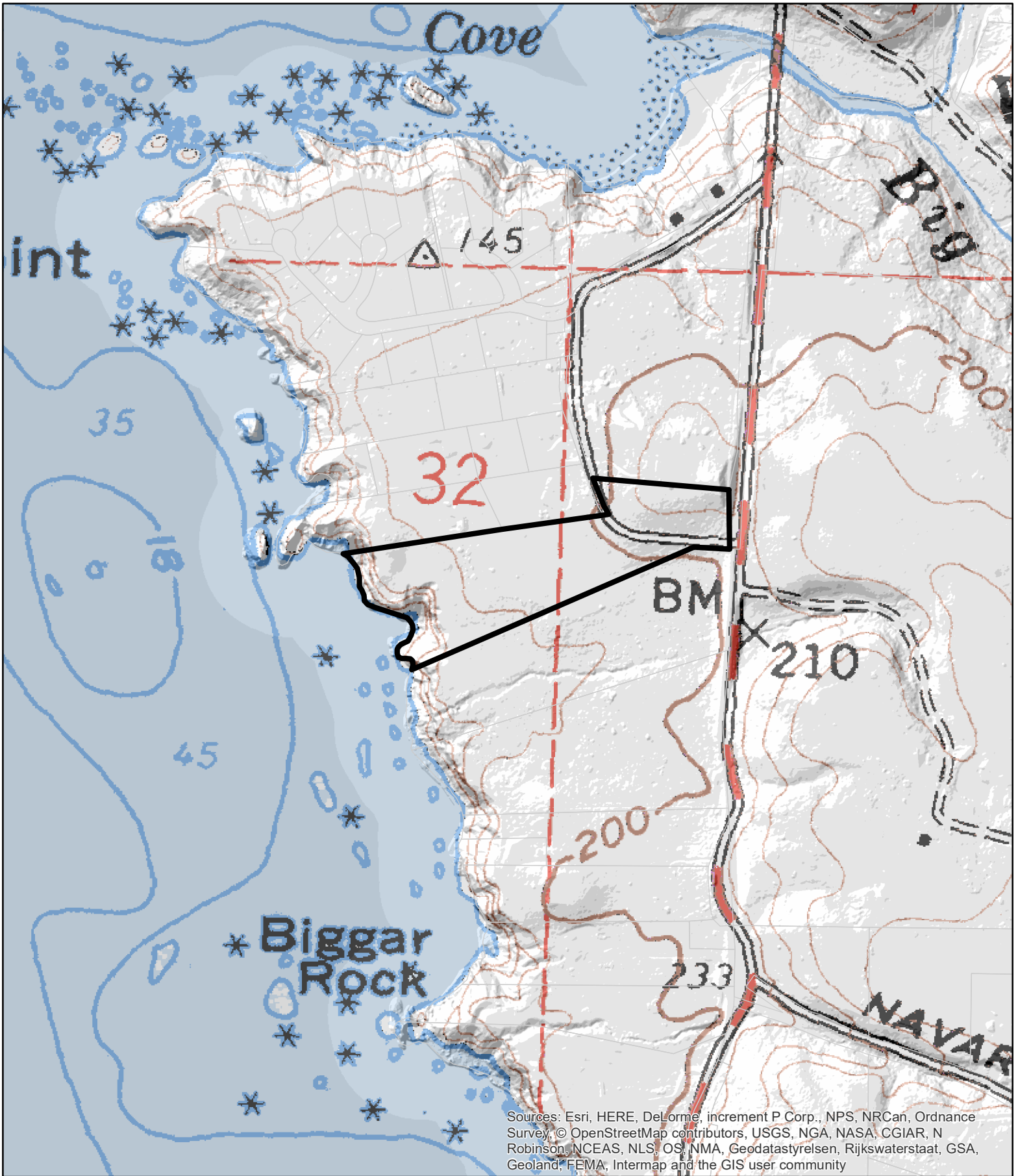
- Highways (2017)
- · · · · · Driveways/Unnamed Roads
- = = Public Roads
- - - - Private Roads



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AERIAL IMAGERY

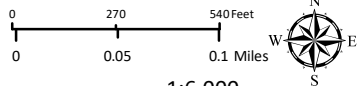
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 Assessors Parcels



1:6,000  
**TOPOGRAPHIC MAP**  
 CONTOUR INTERVAL IS 40 FEET

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**SITE STATISTICS**

PROPOSED NEW HOME : 2366 SQ. FT.  
PROPOSED NEW GARAGE : 1016

**SITE PLAN NOTES:**

1. SITE SURVEY TO BE COMPLETED TO VERIFY PIN LOCATIONS AND HOME LOCATION PRIOR TO EXCAVATION.
2. CALL BEFORE YOU DIG. 800.428.4350

**EROSION CONTROL NOTES:**

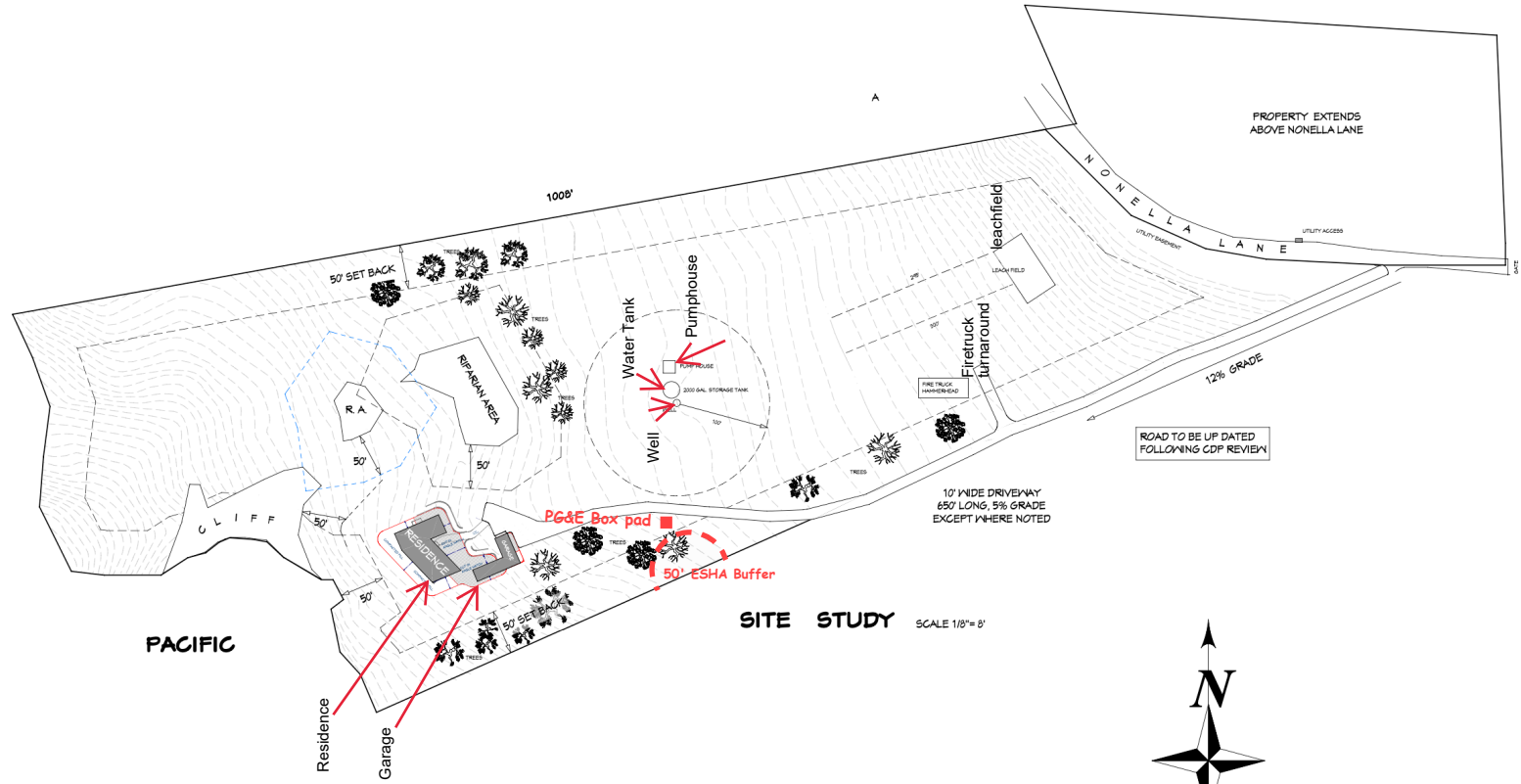
1. INSTALL SILT FENCE PRIOR TO ANY EXCAVATION OR CONSTRUCTION.
2. MINIMIZE SITE DISTURBANCE BY TIGHT CONTROL OF EXCAVATION LIMITS.
3. ALL EXPOSED SOIL SHALL BE MULCHED WITH STRAW OR WOOD CHIPS TO MINIMIZE SOIL EROSION. NO SOIL SHALL BE LEFT IN AN EXPOSED CONDITION. IT IS RECOMMENDED THAT THE CONTRACTOR MAINTAIN A STOCK PILE OF THIS MATERIAL ON SITE FOR QUICK APPLICATION.

**GRADING NOTES:**

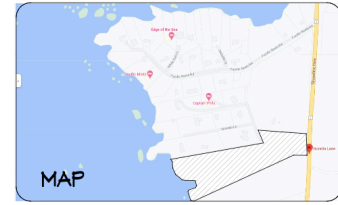
1. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
2. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
3. FINAL GRADE TO CONVEY SURFACE DRAINAGE TOWARD ROCK CHANNELS AND DISPERSION TRENCHES.
4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL, AND STRIPPED OF TOPSOIL.
5. PLACE FILL SLOPES WITH A GRADIENT STEEPER THAN 3:1 IN LIFTS NOT TO EXCEED 8 INCHES, AND MAKE SURE EACH LIFT IS PROPERLY COMPACTED.

**UTILITY LEGEND**

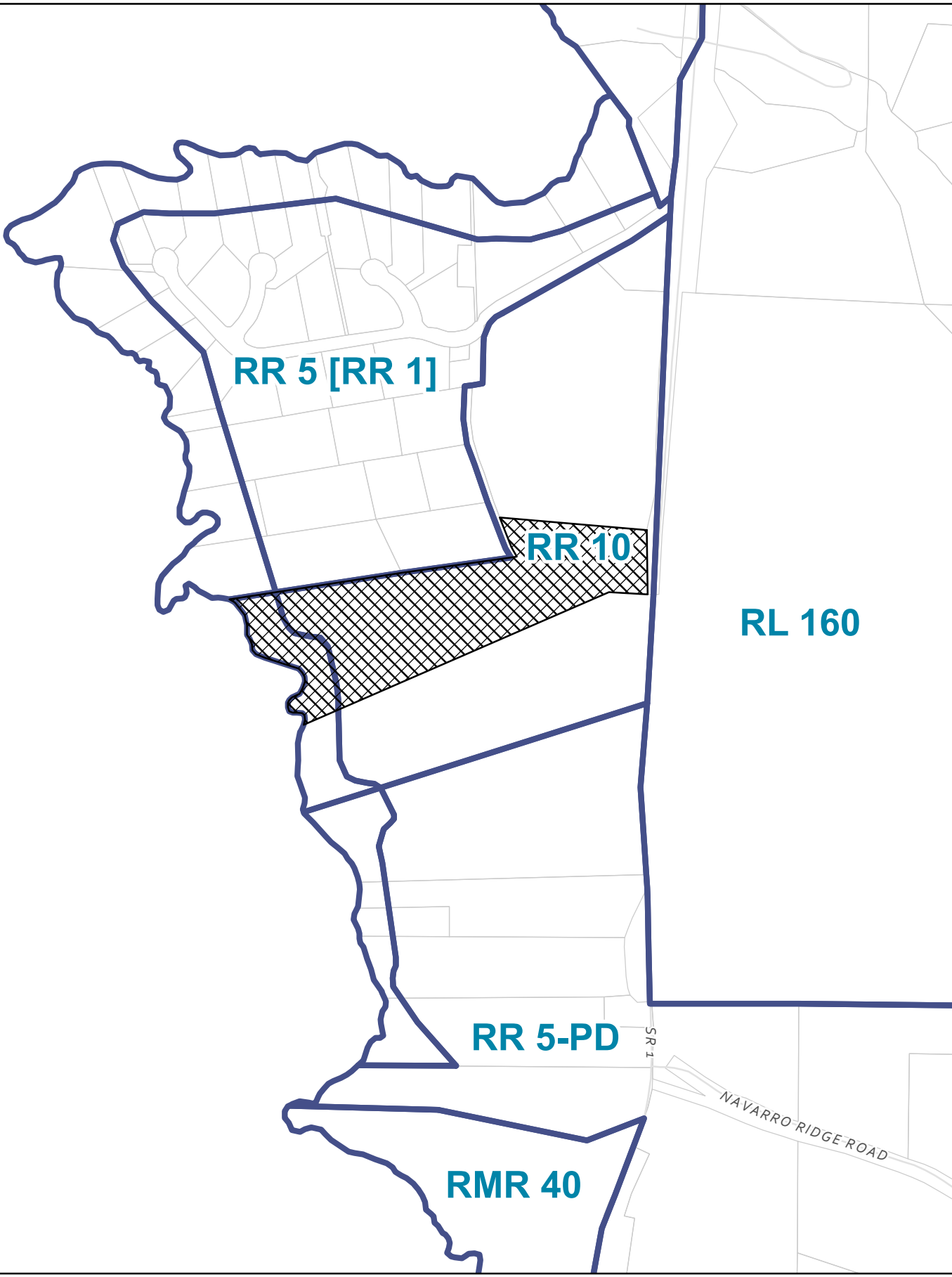
- G** — GAS — GAS — **GAS**
- P** — P/L — **POWER**
- S** — S — **SEWER**
- W** — C/W — **WATER**
- C** — TV — **CABLE**





**SITE STUDY** SCALE 1/8" = 8'

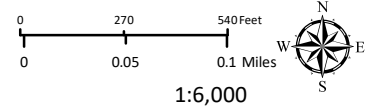


MEASUREMENTS WERE TAKEN FROM GOOGLE MAPS . ACCURACY IS UNKNOWN , BUILDER OR OWNER MUST SITE VERIFY ALL MEASUREMENTS , PROPERTY LINES , SETBACKS AND BE FULLY LIABLE . IT IS RECOMMENDED THAT LICENSED SURVEYOR BE USED TO LOCATE PROPERTY LINES AND SETBACKS



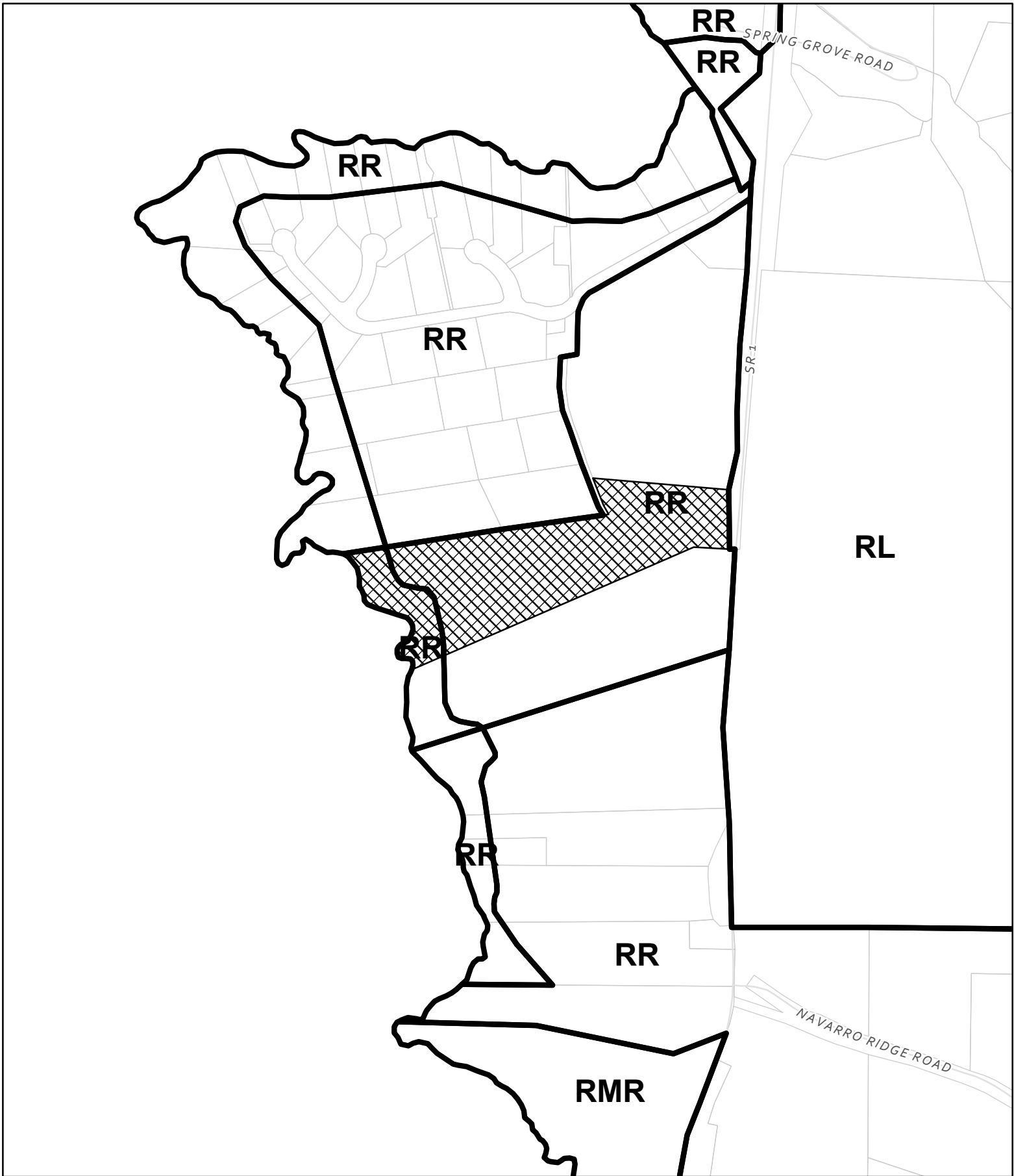
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 Public Roads  
 Assessors Parcels






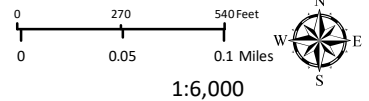
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**GENERAL PLAN**

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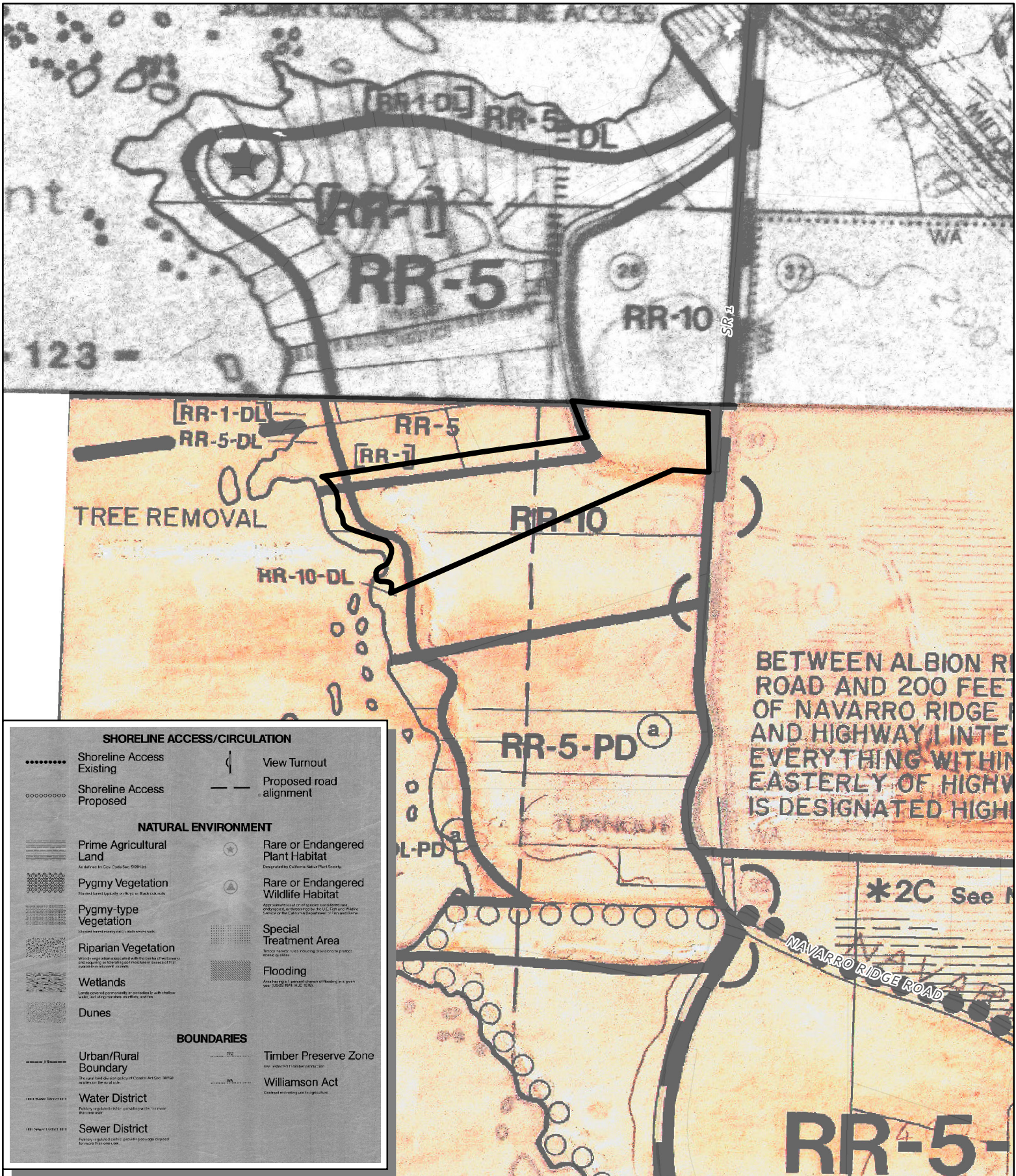
**CASE:** CDP 2023-0033  
**OWNER:** SCHNEIDER & DESOUZA  
**APN:** 123-280-16  
**APLCT:** Neil Schneider & Jacqueline DeSouza  
**AGENT:**  
**ADDRESS:** 2380 Nonella Ln., Albion

-  Zoning Districts
-  Public Roads
-  Assessor's Parcels



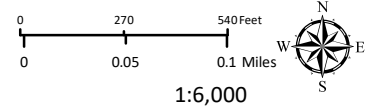
ZONING

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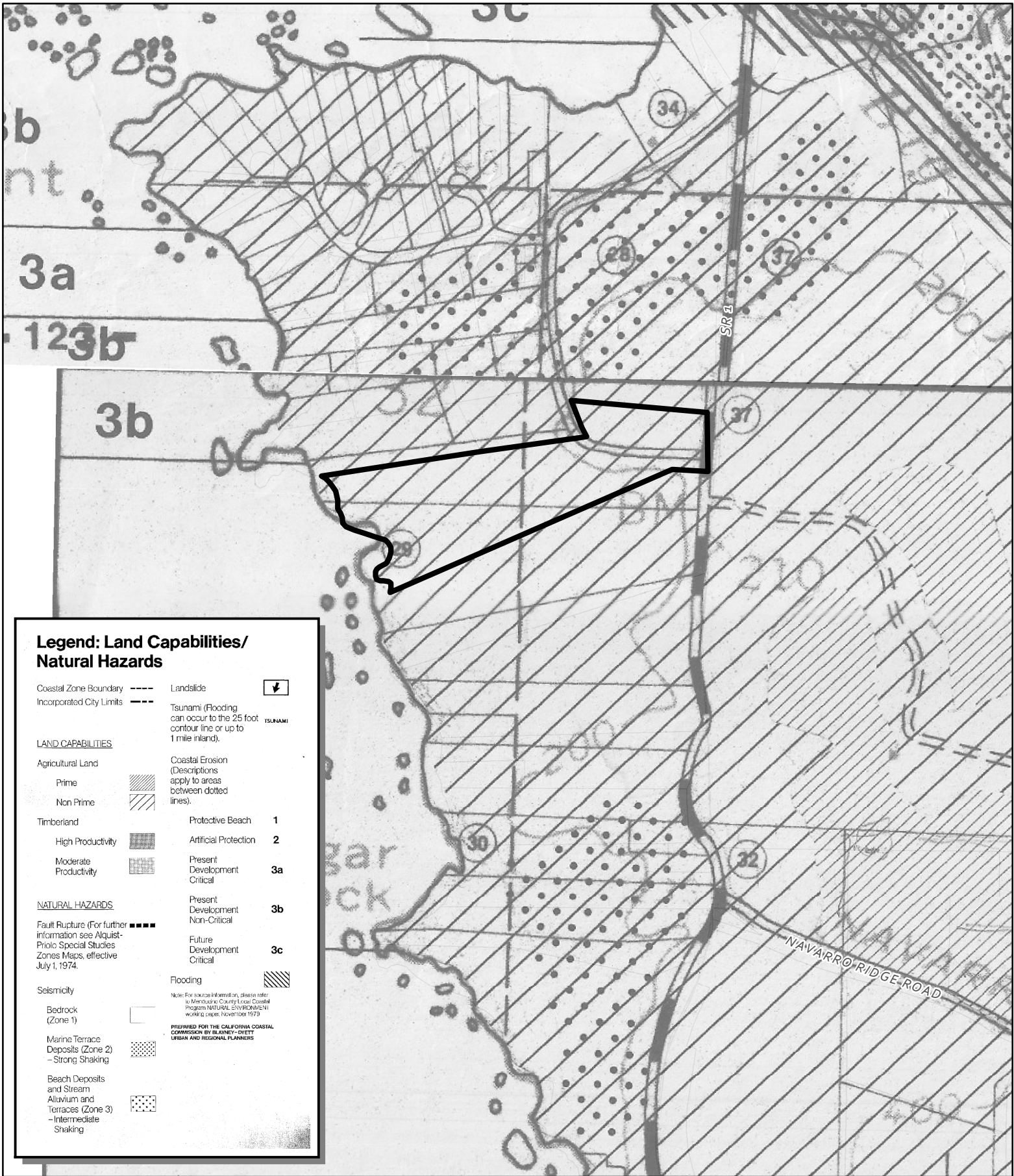
Public Roads  
 Assessors Parcels



LAND USE MAP 19: NAVARRO

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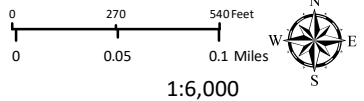


**Legend: Land Capabilities/  
Natural Hazards**

Coastal Zone Boundary	---	Landslide	
Incorporated City Limits	---	Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).	
<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-Priolo Special Studies Zones Maps, effective July 1, 1974.	---	Flooding	
Seismicity		<small>Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENTAL Working Paper, November 1979.</small> <small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAINEY-DYETT 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			

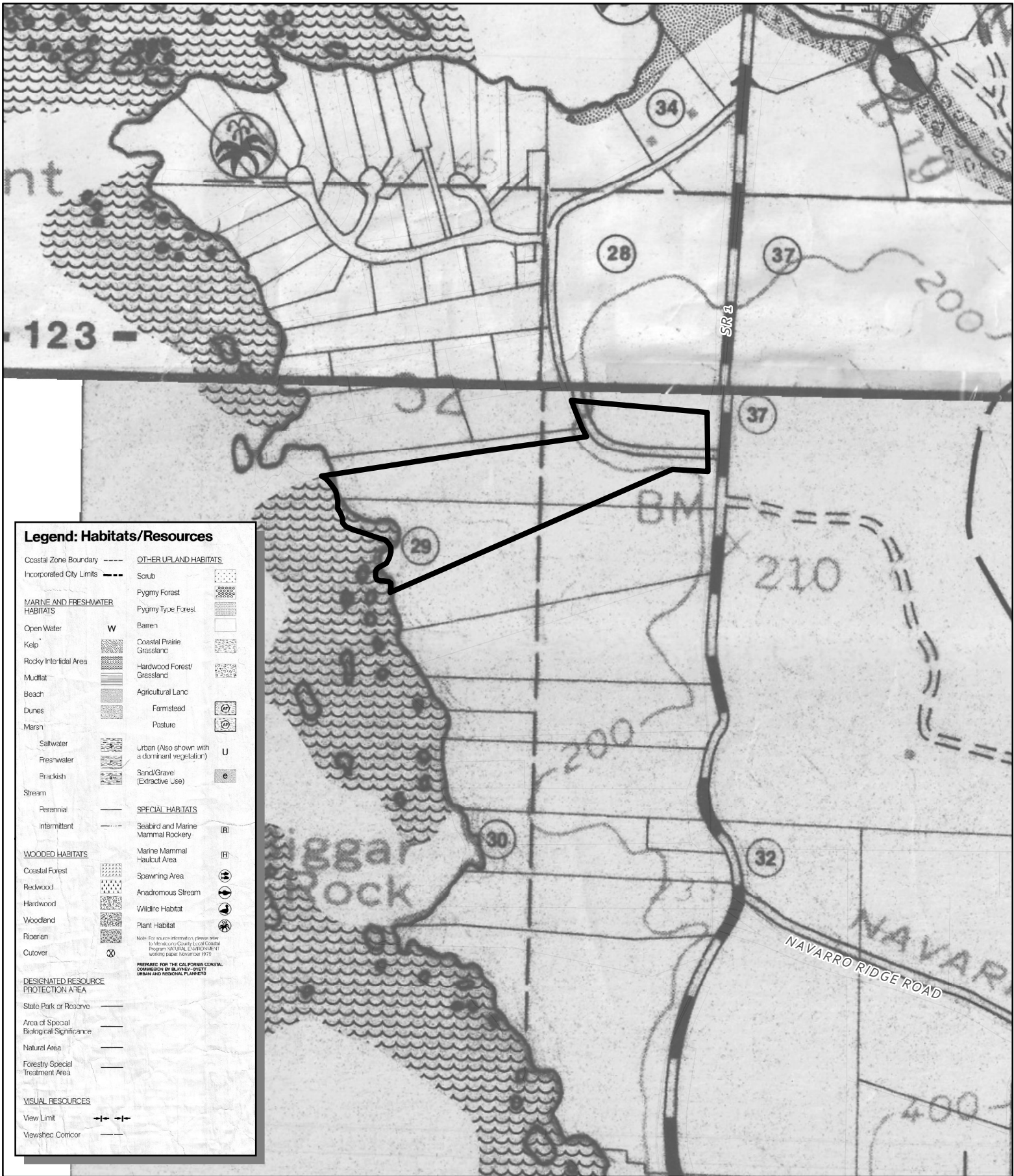
**CASE: CDP 2023-0033**  
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**APN: 123-280-16**  
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Public Roads  
 Assessors Parcels



**LCP LAND CAPABILITIES & NATURAL HAZARDS**

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**Legend: Habitats/Resources**

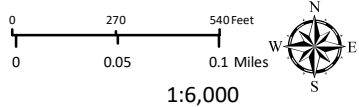
Coastal Zone Boundary	---	OT-HER UPLAND HABITATS
Incorporated City Limits	---	Scrub
<b>MARINE AND FRESHWATER HABITATS</b>		Pygmy Forest
Open Water	W	Pygmy Tree Forest
Kelp	W	Barren
Rocky Intertidal Area	W	Coastal Prairie
Mudflat	W	Gressland
Beach	W	Hardwood Forest/
Dunes	W	Gressland
Marsh	W	Agricultural Land
Saltwater	W	Farmstead
Freshwater	W	Pasture
Brackish	W	Urban (Also shown with a dominant vegetation)
Stream	W	Sand/Grave (Extractive Use)
Perennial	W	
Intermittent	W	
<b>WOODED HABITATS</b>		<b>SPECIAL HABITATS</b>
Coastal Forest	W	Seabird and Marine Mammal Rockery
Redwood	W	Marine Mammal Haulcut Area
Hardwood	W	Spawning Area
Woodland	W	Anadromous Stream
Rioeren	W	Wildfire Habitat
Cuover	W	Plant Habitat
<b>DESIGNATED RESOURCE PROTECTION AREA</b>		
State Park or Reserve	---	
Area of Special Biological Significance	---	
Natural Area	---	
Forestry Special Treatment Area	---	
<b>VISUAL RESOURCES</b>		
View Limit	---	
Viewshed Corridor	---	

Note: For more information, please refer to Marin County Local Coastal Program NATURAL ENVIRONMENT WORKING DRAFT November 1972.

PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANNEY-SWETT URBAN AND REGIONAL PLANNERS

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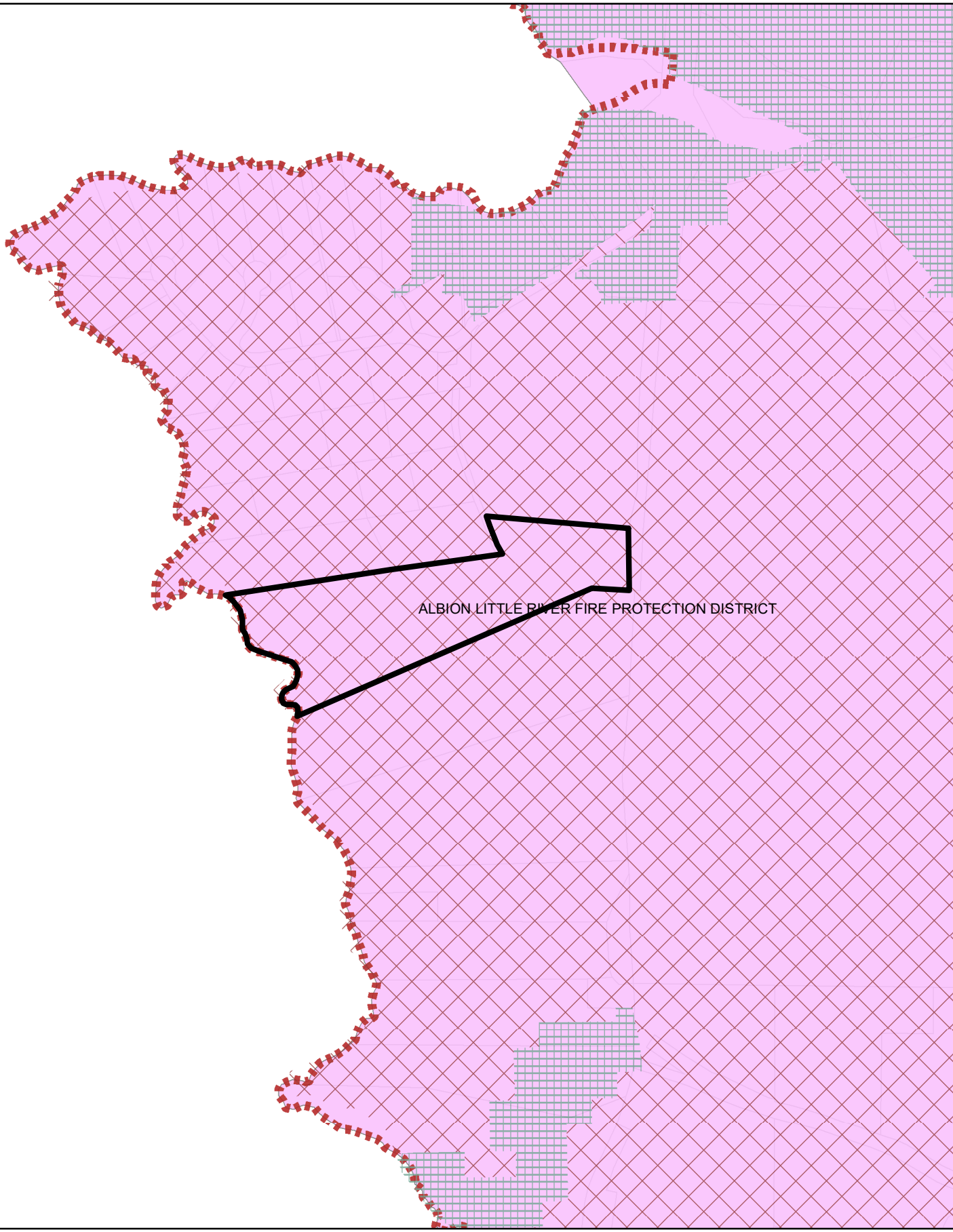
Public Roads  
 Assessors Parcels



1:6,000  
**LCP HABITATS & RESOURCES**





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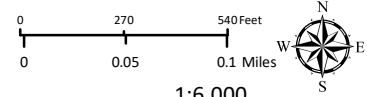




ALBION LITTLE RIVER FIRE PROTECTION DISTRICT

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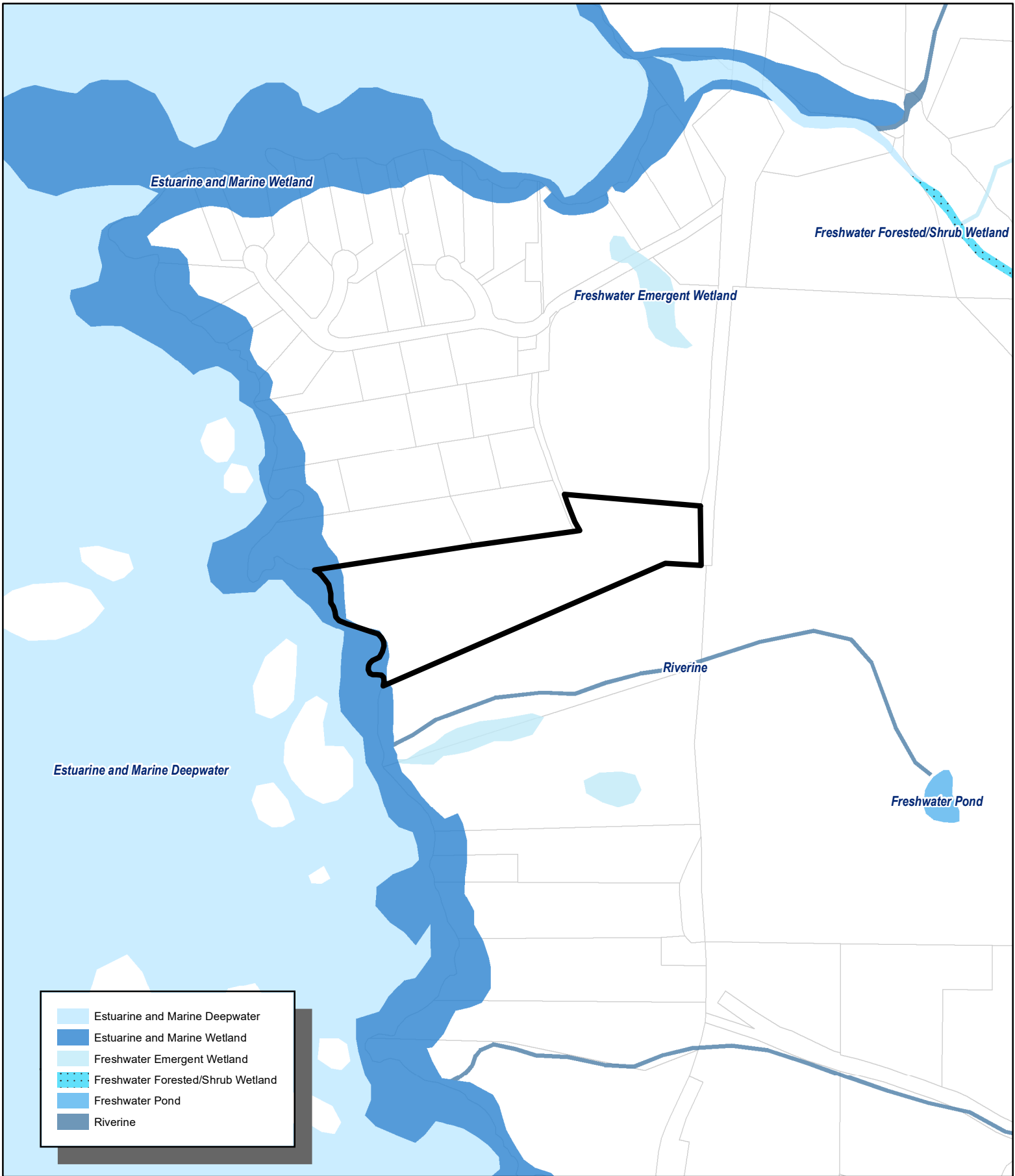
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts
-  Assessors Parcels



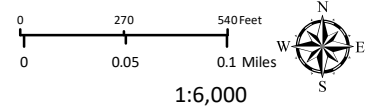
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**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

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

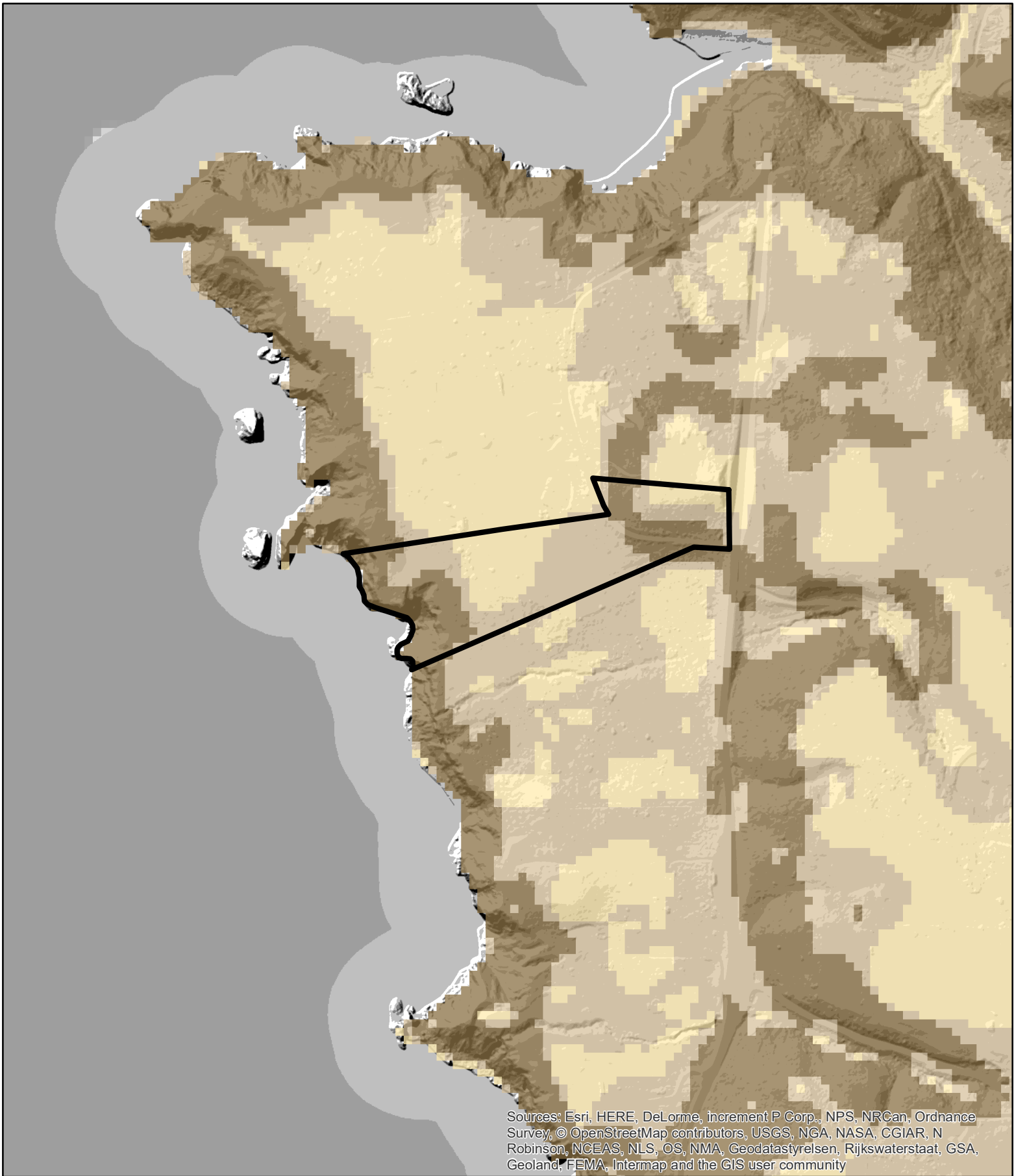


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Assessors Parcels

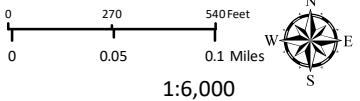
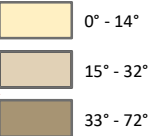
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**WETLANDS**

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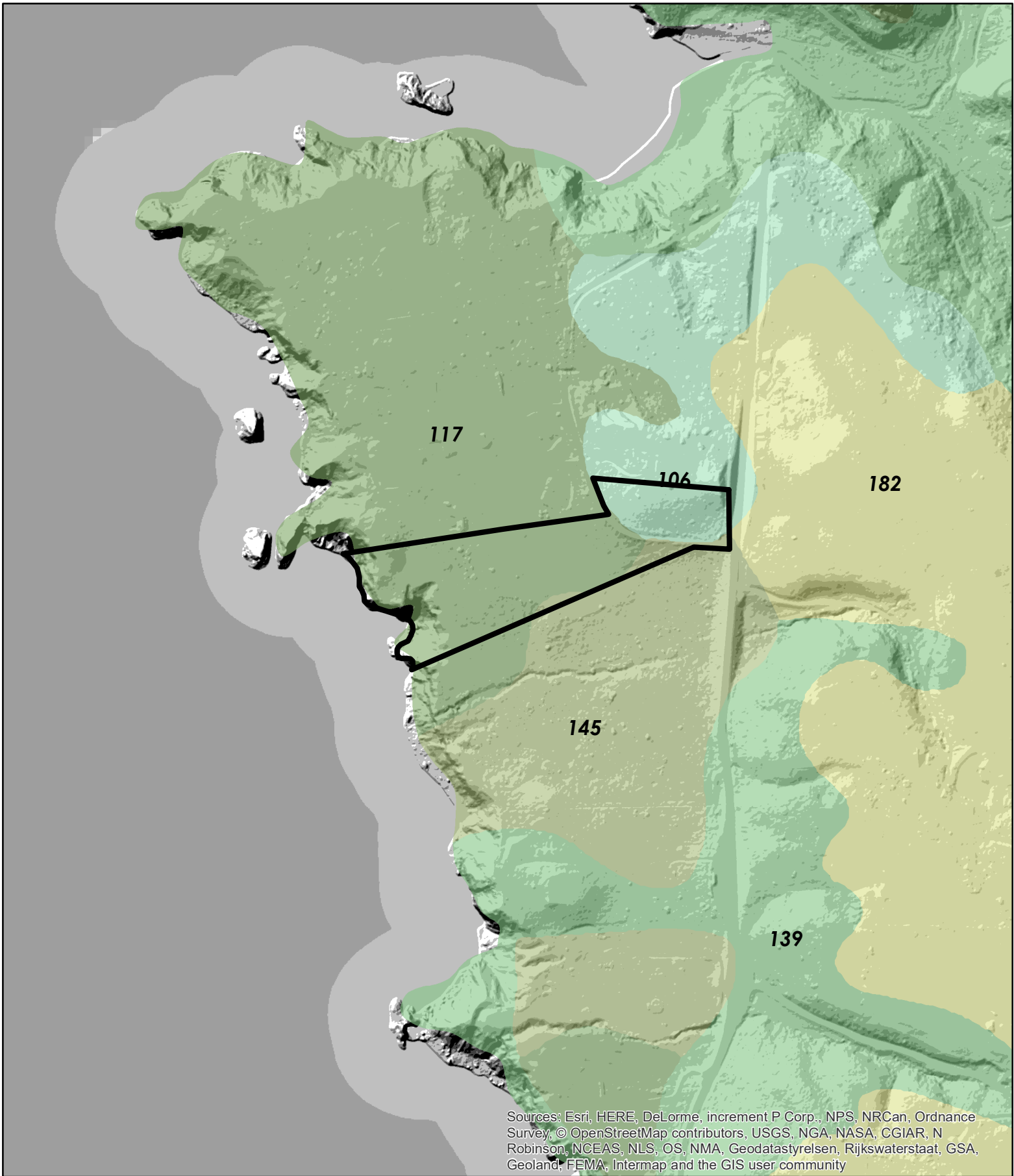
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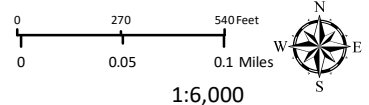
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**ESTIMATED SLOPE**

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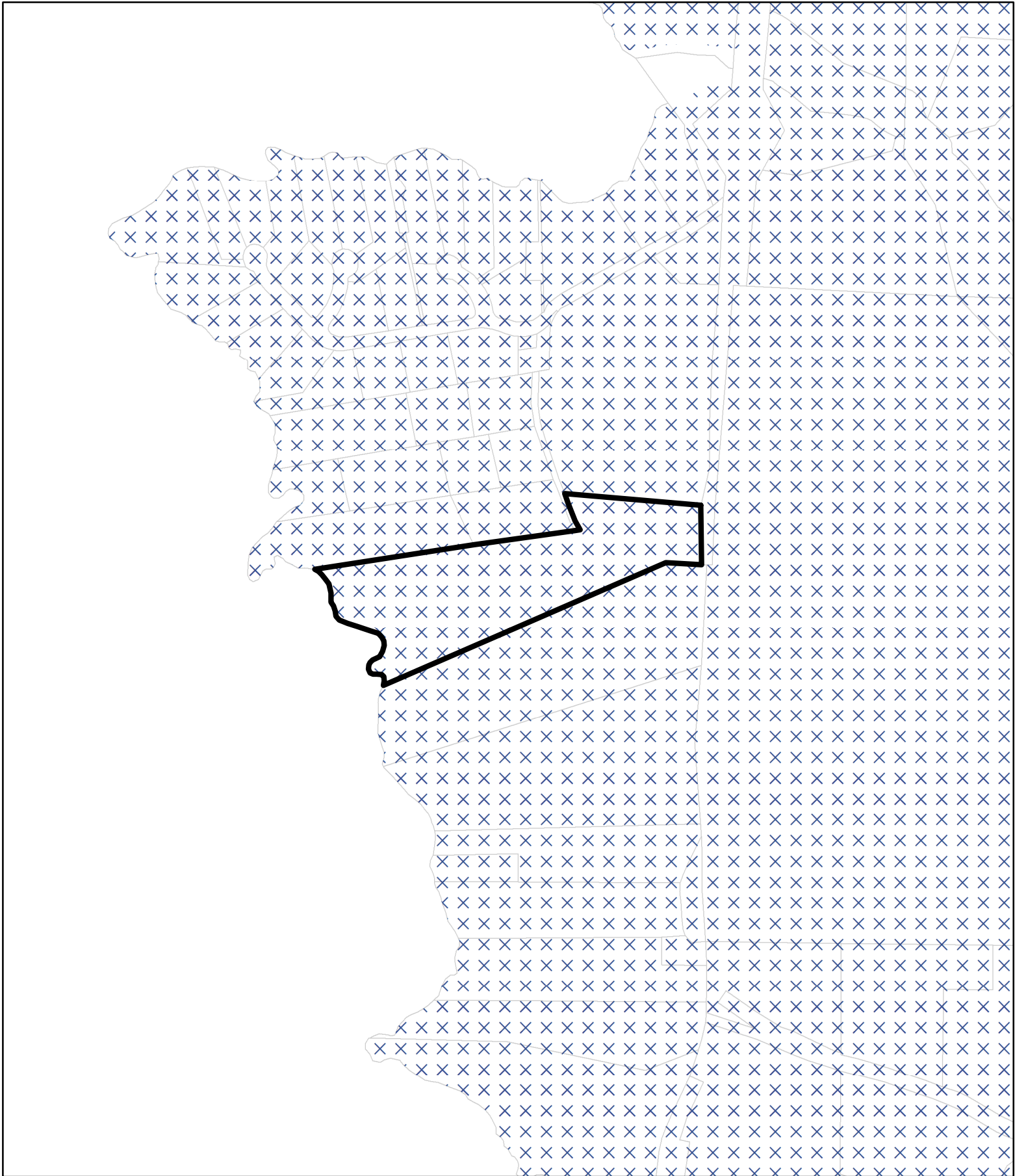


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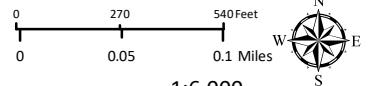
**WESTERN SOIL CLASSIFICATIONS**

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 Critical Water Resources  
 Assessors Parcels

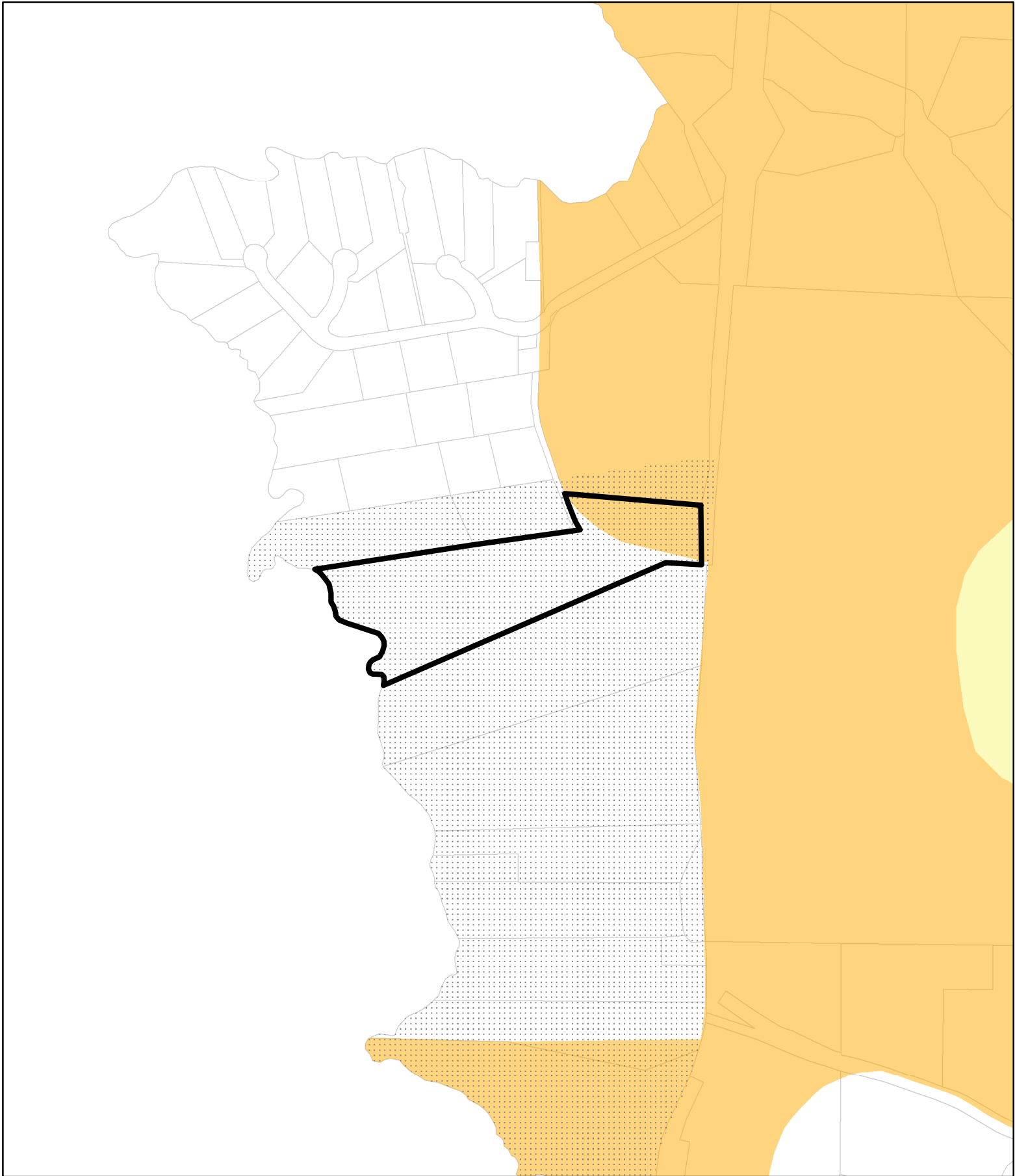


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
**COASTAL GROUND WATER RESOURCES**


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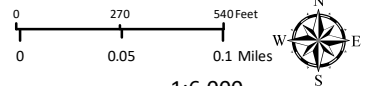




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-  Tree Removal Area
-  Highly Scenic Area
-  Highly Scenic Area (Conditional)

 Assessors Parcels



1:6,000

**HIGHLY SCENIC & TREE REMOVAL AREAS**

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**Appendix C.** Species observed by WRA at 2350 Highway One, Albion, during assessments and protocol-level surveys in September 2008 and March, April, May, and July 2009. Bold indicates potential ESHAs.

SCIENTIFIC NAME	COMMON NAME	FAMILY	EXOTIC	
				STATUS (invasiveness or rarity)
<i>Achillea millefolium</i>	yarrow	Asteraceae		
<i>Agrostis stolonifera</i>	creeping bent grass	Poaceae	x	moderate
<i>Aira caryophylla</i>	silvery hairgrass	Poaceae	x	
<i>Aira praecox</i>	yellow hairgrass	Poaceae	x	
<i>Allium dichlamydeum</i>	coast onion	Liliaceae		
<i>Anagallis arvensis</i>	scarlet pimpernel	Primulaceae	x	
<i>Anaphalis margaritacea</i>	pearly everlasting	Asteraceae		
<i>Angelica hendersonii</i>	coast angelica	Apiaceae		
<i>Anthoxanthum odoratum</i>	sweet vernal grass	Poaceae	x	moderate
<i>Armeria maritima ssp. californica</i>	sea pink	Plumbaginaceae		
<i>Aster chilensis</i>	California aster	Asteraceae		
<i>Athyrium filix-femina</i>	lady fern	Dryopteridaceae		
<i>Avena barbata</i>	slender wild oat	Poaceae	x	moderate
<i>Baccharis pilularis</i>	coyote brush	Asteraceae		
<i>Brassica nigra</i>	black mustard	Brassicaceae	x	moderate
<i>Briza maxima</i>	rattlesnake grass	Poaceae	x	limited
<i>Briza minor</i>	little quaking grass	Poaceae	x	
<i>Bromus carinatus var. carinatus</i>	California brome	Poaceae		
<i>Bromus diandrus</i>	ripgut brome	Poaceae	x	moderate
<i>Bromus hordeaceus</i>	soft chess	Poaceae	x	limited
<i>Calamagrostis nutkaensis</i>	Pacific reedgrass	Poaceae		
<i>Calandrinia sp.</i>	red maids	Portulacaceae		
<i>Calystegia purpurata ssp. purpurata</i>	purple western morning glory	Convolvulaceae		
<i>Cardamine californica ssp. integrifolia</i>	milk maids	Brassicaceae		
<i>Cardamine oligosperma</i>	bitter cress	Brassicaceae		
<i>Carduus pycnocephalus</i>	Italian thistle	Asteraceae	x	moderate
<i>Carex gynodynama</i>	Olney's hairy sedge	Cyperaceae		
<i>Carex obnupta</i>	slough sedge	Cyperaceae		
<i>Carex pachystachya</i>	thick headed sedge	Cyperaceae		
<i>Carpobrotus edulis</i>	iceplant	Aizoaceae	x	high
<b><i>Castilleja mendocinensis</i></b>	<b>Mendocino Coast paintbrush</b>	<b>Scrophulariaceae</b>		<b>List 1B.2, G2 S2.2</b>
<i>Ceanothus griseus</i>	Carmel ceanothus	Rhamnaceae		
<i>Cerastium arvense</i>	field chickweed	Caryophyllaceae		

SCIENTIFIC NAME	COMMON NAME	FAMILY	EXOTIC	
				STATUS (invasiveness or rarity)
<i>Cirsium vulgare</i>	bull thistle	Asteraceae	x	moderate
<i>Clarkia davyi</i>	Davy's clarkia	Onagraceae		
<i>Claytonia perfoliata</i>	miner's lettuce	Portulacaceae		
<i>Conium maculatum</i>	poison hemlock	Apiaceae	x	moderate
<i>Corethrogyne filaginifolia</i>	common sandaster	Asteraceae		
<i>Crassula connata</i>	pygmy weed	Crassulaceae		
<i>Cupressus macrocarpa</i>	Monterey cypress (planted)	Cupressaceae	x	limited
<i>Cynosurus echinatus</i>	hedgehog dogtail grass	Poaceae	x	moderate
<i>Cytisus scoparius</i>	scotch broom	Fabaceae	x	high
<i>Danthonia californica</i> var. <i>californica</i>	California oatgrass	Poaceae		
<i>Danthonia pilosa</i>	hairy oatgrass	Poaceae	x	
<i>Daucus pusillus</i>	rattlesnake weed	Apiaceae		
<i>Deschampsia cespitosa</i> ssp. <i>holciformis</i>	tufted hairgrass	Poaceae		
<i>Dudleya farinosa</i>	bluff lettuce	Crassulaceae		
<i>Elymus glaucus</i> ssp. <i>glaucus</i>	blue wildrye	Poaceae		
<i>Equisetum telmateia</i> ssp. <i>braunii</i>	giant horsetail	Equisetaceae		
<i>Erechtites glomerata</i>	New Zealand fireweed	Asteraceae	x	
<i>Erigeron glaucus</i>	seaside daisy	Asteraceae		
<i>Eriogonum latifolium</i>	coast buckwheat	Polygonaceae		
<i>Eriophyllum lanatum</i> var. <i>arachnoideum</i>	wooly sunflower	Asteraceae		
<i>Eriophyllum staechadifolium</i>	lizardtail	Asteraceae		
<i>Erodium cicutarium</i>	redstem filaree	Geraniaceae	x	limited
<i>Eschscholzia californica</i>	California poppy	Papaveraceae		
<i>Festuca rubra</i>	red fescue	Poaceae		
<i>Festuca arundinacea</i>	tall fescue	Poaceae	x	moderate
<i>Fragaria chiloensis</i>	beach strawberry	Rosaceae		
<i>Fritillaria affinis</i> var. <i>affinis</i>	checker lily	Liliaceae		
<i>Galium aparine</i>	common bedstraw	Rubiaceae		
<i>Gaultheria shallon</i>	salal	Ericaceae		
<i>Geranium dissectum</i>	cutleaf geranium	Geraniaceae	x	moderate
<i>Gnaphalium luteo-album</i>	everlasting cudweed	Asteraceae	x	
<i>Gnaphalium purpureum</i>	purple cudweed	Asteraceae		
<i>Heracleum lanatum</i>	cow parsnip	Apiaceae		
<b><i>Hesperavex sparsiflora</i> var. <i>brevifolia</i></b>	<b>short leaved evax</b>	<b>Asteraceae</b>		<b>List 2.2, G4T3, S3.2</b>

SCIENTIFIC NAME	COMMON NAME	FAMILY	EXOTIC	
				STATUS (invasiveness or rarity)
<i>Heterotheca sessiliflora ssp. bolanderi</i>	golden aster	Asteraceae		
<i>Holcus lanatus</i>	velvet grass	Poaceae	x	moderate
<i>Hordeum brachyantherum</i>	meadow barley	Poaceae		
<i>Hypericum anagalloides</i>	tinker's penny	Hypericaceae		
<i>Hypochaeris radicata</i>	rough cat's ear	Asteraceae	x	moderate
<i>Iris douglasiana</i>	Douglas iris	Iridaceae		
<i>Juncus balticus</i>	wire rush	Juncaceae		
<i>Juncus effusus</i>	bog rush	Juncaceae		
<i>Juncus patens</i>	common rush	Juncaceae		
<i>Lathyrus vestitus</i>	Pacific pea	Fabaceae		
<i>Linum bienne</i>	pale flax	Linaceae	x	
<i>Lolium perenne</i>	perennial ryegrass	Poaceae	x	
<i>Lonicera hispidula var. vacillans</i>	hairy honeysuckle	Caprifoliaceae		
<i>Lotus corniculatus</i>	bird's foot trefoil	Fabaceae	x	
<i>Lotus formosissimus</i>	coastal lotus	Fabaceae		List 4
<i>Lotus wrangelianus</i>	Chilean lotus	Fabaceae		
<i>Lupinus arboreus</i>	yellow bush lupine	Fabaceae		
<i>Lupinus littoralis</i>	seashore lupine	Fabaceae		
<i>Luzula comosa</i>	wood rush	Juncaceae		
<i>Marah oreganus</i>	coast wild cucumber	Cucurbitaceae		
<i>Medicago polymorpha</i>	bur clover	Fabaceae	x	limited
<i>Myrica californica</i>	wax myrtle	Myrtaceae		
<i>Oxalis corniculata</i>	creeping wood sorrel	Oxalidaceae	x	
<i>Phacelia californica</i>	California phacelia	Hydrophyllaceae		
<i>Pinus contorta ssp. contorta</i>	shore pine	Pinaceae		
<i>Pinus radiata</i>	Monterey pine	Pinaceae	x	limited
<i>Plantago erecta</i>	California plantain	Plantaginaceae		
<i>Plantago lanceolata</i>	English plantain	Plantaginaceae	x	limited
<i>Plantago major</i>	common plantain	Plantaginaceae	x	
<i>Plantago subnuda</i>	naked plantain	Plantaginaceae		
<i>Poa pratensis ssp. pratensis</i>	Kentucky bluegrass	Poaceae	x	limited
<i>Poa unilateralis</i>	ocean bluff blue grass	Poaceae		
<i>Polygala californica</i>	California milkwort	Polygalaceae		
<i>Polypodium scolieri</i>	leather-leaf fern	Polypodiaceae		
<i>Polystichum munitum</i>	sword fern	Dryopteridaceae		
<i>Prunella vulgaris var. lanceolata</i>	lance leaf self heal	Lamiaceae		
<i>Pseudotsuga menziesii</i>	Douglas-fir	Pinaceae		
<i>Pteridium aquilinum var. pubescens</i>	bracken fern	Dennstaedtiaceae		

SCIENTIFIC NAME	COMMON NAME	FAMILY	EXOTIC	
				STATUS (invasiveness or rarity)
<i>Ranunculus aff. uncinatus</i>	buttercup	Ranunculaceae		
<i>Rhamnus californica</i>	California coffeeberry	Rhamnaceae		
<i>Rosa nutkana var. nutkana</i>	Nootka rose	Rosaceae		
<i>Rubus ursinus</i>	California blackberry	Rosaceae		
<i>Rumex acetosella</i>	sheep sorrel	Polygonaceae	x	moderate
<i>Sagina maxima ssp. crassicaulis</i>	beach pearlwort	Caryophyllaceae		
<i>Silene gallica</i>	windmill pink	Caryophyllaceae		
<i>Silybum marianum</i>	milk thistle	Asteraceae	x	limited
<i>Sisyrinchium bellum</i>	blue eyed grass	Iridaceae		
<i>Sonchus asper</i>	spiny sowthistle	Asteraceae	x	
<i>Stachys ajugoides var. rigida</i>	hedge nettle	Lamiaceae		
<i>Stellaria borealis ssp. sitchana</i>	boreal starwort	Caryophyllaceae		
<i>Toxicodendron diversilobum</i>	poison oak	Anacardiaceae		
<i>Trifolium macraei</i>	Macrae's clover	Fabaceae		
<i>Trifolium subterraneum</i>	subterranean clover	Fabaceae	x	
<i>Vicia aff. pannonica</i>	Hungarian vetch	Fabaceae	x	
<i>Vicia americana var. americana</i>	American vetch	Fabaceae		
<i>Vicia sativa ssp. nigra</i>	spring vetch	Fabaceae	x	
<b><i>Viola adunca</i></b>	<b>Western dog violet</b>	<b>Violaceae</b>		<b>butterfly host</b>
<i>Vulpia myuros ssp. hirsuta</i>	fox tail fescue	Poaceae	x	moderate
<i>Wyethia angustifolia</i>	narrow leaf mule ears	Asteraceae		



*PUBLIC DRAFT*  
**INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**  
SCH: 2024060796

FOR  
**NEIL SCHNEIDER AND JACQUELINE DESOUZA**  
**STANDARD CDP**  
**AT 2380 NONELLA LANE, ALBION;**  
**APN: 123-280-16**  
File No. CDP\_2023-0033

**LEAD AGENCY:**  
County of Mendocino  
Department of Planning & Building Services  
860 North Bush Street, Ukiah, CA 95482  
(707) 234-6650

**PREPARED BY:**  
Shelby Miller, Planner I  
Department of Planning & Building Services  
860 North Bush Street, Ukiah, CA 95482  
(707) 234-6650

**July 8, 2024**

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# INTRODUCTION

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In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Mitigated Negative Declaration (MND) for the proposed construction of a single-family residence, detached garage/ workshop, extension of underground utilities, PG&E transformer pad, grading for a driveway, septic system, conversion of a test well to a production well, installation of a water tank and pump house located at 2380 Nonella Lane, Albion; APN: 123-280-16. This Draft IS/MND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

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

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

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

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

## PROJECT INFORMATION

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**FILE NUMBER:** CDP\_2023-0033

**OWNER/APPLICANT:** Neil Schneider and Jacqueline DeSouza  
2441 Prince Street  
Berkeley, CA 94705

**PROJECT LOCATION:** In the Coastal Zone, 1± miles south of Albion town center, on the west side of State Route 1 (SR1) at its intersection with Nonella Lane, located at 2380 Nonella Lane, Albion; APN 123-280-16.

**TOTAL ACREAGE:** 10.5± Acres

**GENERAL PLAN:** Rural Residential (RR10)

**ZONING:** Rural Residential (RR:10), Floodplain (FP) Combining District

**PROJECT DESCRIPTION:** Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The applicant requests a Standard Coastal Development Permit to grade a driveway to the west of Nonella Lane, construct a 2,366 square-foot three-bedroom single-family residence, a 1,016 square-foot detached garage/workshop, construct a PG&E transformer pad, extend underground utilities 500 feet from pad to building site, install a septic system, water tank, pumphouse, and convert a test well to a production well.

The project site is located in the Coastal Zone, 1± miles south of Albion town center, on the west side of State Route 1 (SR1) at its intersection with Nonella Lane, located at 2380 Nonella Lane, Albion. The project site is situated on a blufftop parcel west of SR1 and Dark Gulch to Navarro River Planning Area (Albion Planning Area). The subject parcel is undeveloped with the exception of a test well (WW5908). The property is relatively flat with a steeper hill between Nonella Lane and SR1. Elevation on the site ranges from 226 feet above sea level at the eastern boundary to 123 feet above sea level to the western bluff bank, with slopes ranging between 0° to 72° degrees. The blufftop parcel is mapped as a “High Fire” hazard area and would be served by the Albion Little River Fire Protection District.

The project site is predominantly vegetated with non-native grasslands, dominated by sweet vernal grass, velvet grass, and bracken fern. Non-native and native trees are sparsely scattered throughout the property. The western portion of the property contains an Estuarine and Marine Wetland. The project site would be situated on Cabrillo-Heeser complex soil types which contain mainly perennial grasses and forbs. The main limitations affecting residential development are the moderately slow permeability and the seasonally saturated soil conditions of the Cabrillo soil and the poor filtering capacity of the Heeser soil. A Geotechnical Study was conducted to provide design recommendations for the residential development and shall be discussed below. In addition, the eastern portion of the parcel is designated as Highly Scenic, while the project site, west of Nonella Lane is not considered Highly Scenic. The surrounding Land Uses and Zoning are detailed in the following table.

**TABLE 1: ADJACENT LAND USE AND ZONING**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	Rural Residential (RR5[RR1])	Rural Residential (RR5[RR1])	2± to 12.5± Acres	Residential
<b>EAST</b>	Range Lands (RL)	Rangeland (RL160)	103.5± Acres	Agricultural, Residential
<b>SOUTH</b>	Rural Residential (RR10)	Rural Residential (RR10)	11± Acres	Residential
<b>WEST</b>	Pacific Ocean	N/A	N/A	N/A

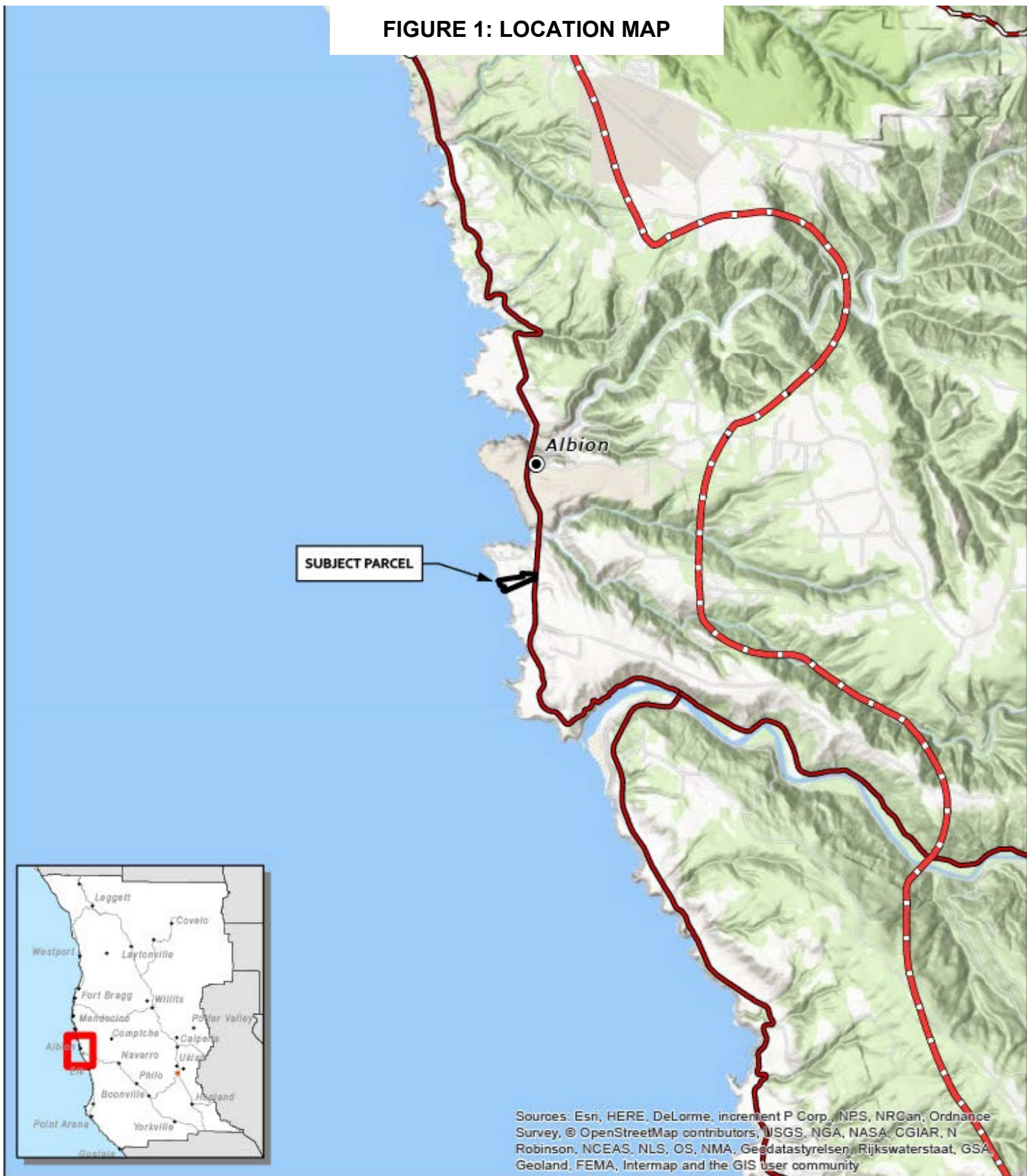
**Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements):** California Department of Fish and Wildlife

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

Pursuant to the consultation requirements of Assembly Bill (AB) 52, in July 2022, the County of Mendocino (County) provided formal notification to the California Native American tribes that requested notification of all new potential Negative Declarations within the County. The following tribes were notified Sherwood Valley Band of Pomo Indians, Cloverdale Rancheria, and Redwood Valley Rancheria.

**PROJECT PLOT PLAN:** See Page 5 of this document.

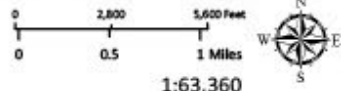
**FIGURE 1: LOCATION MAP**



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

**CASE:** CDP 2023-0033  
**OWNER:** SCHNEIDER & DESOUZA  
**APN:** 123-280-16  
**APLCT:** Neil Schneider & Jacqueline DeSouza  
**AGENT:**  
**ADDRESS:** 2380 Nonella Ln., Albion

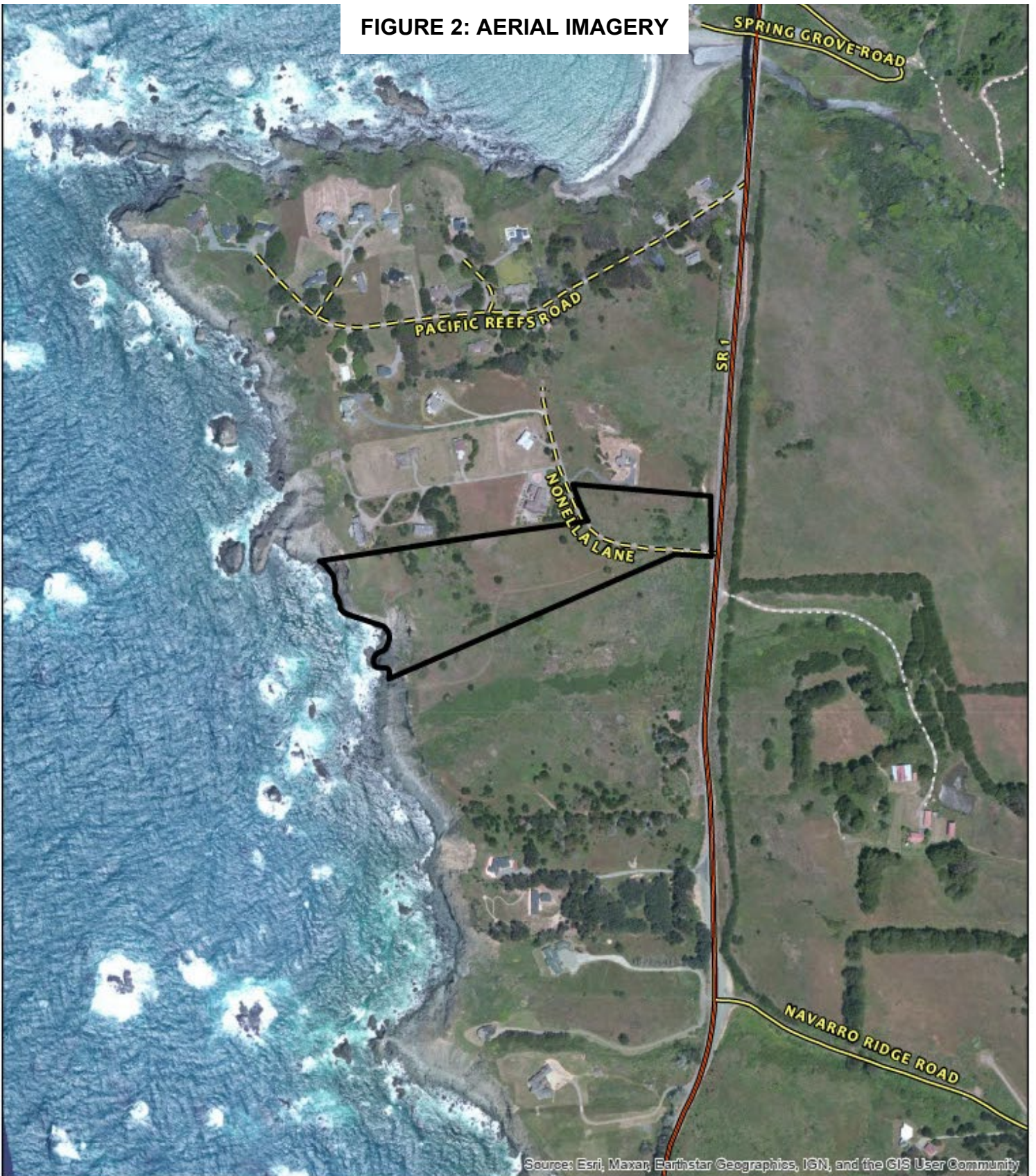
- Major Towns & Places
- Major Roads
- ▭ Coastal Zone Boundary
- Highways



**LOCATION**





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

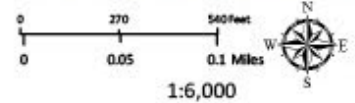
**FIGURE 2: AERIAL IMAGERY**



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

**CASE:** CDP 2023-0033  
**OWNER:** SCHNEIDER & DESOUSA  
**APN:** 123-280-16  
**APLCT:** Neil Schneider & Jacqueline DeSouza  
**AGENT:**  
**ADDRESS:** 2380 Nonella Ln., Albion

-  Highways (2017)
-  Driveways/Unnamed Roads
-  Public Roads
-  Private Roads



**AERIAL IMAGERY**

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



# ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

## DETERMINATION

Based on this initial evaluation:

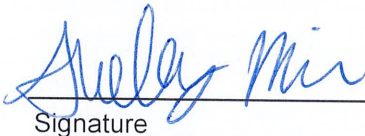
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

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

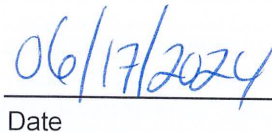
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation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

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

  
Signature

SHELBY MILLER

Printed Name

  
Date

PLANNER I

Title

# ENVIRONMENTAL CHECKLIST

## 5.1 AESTHETICS

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

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

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

Additionally, the County has two roadway segments designated as “heritage corridors” by California Public Resources Code Section 5077.5. The North Coast Heritage Corridor includes the entire segment of SR 1 in the county, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It includes the entire segment of SR 20 within the county and the segment of US 101 from the SR 20 junction north of Calpella to the SR 20 highway exit south of Willits. Mendocino County’s General Plan Resource Management Goal RM-14’s (Visual Character) objective is: *Protection of the visual quality of the county’s natural and rural landscapes, scenic resources, and areas of significant natural beauty.*

The main source of daytime glare in the unincorporated portions of the Mendocino County is from sunlight reflecting off of structures with reflective surfaces, such as windows. A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Two elements of light pollution may affect county residents: sky glow (a result of light fixtures that emit a portion of their light directly upward in the sky), and light trespass (poorly shielded or poorly aimed fixtures which cast light into unwanted areas, such as neighboring properties and homes). Different lighting standards are set by classifying areas by lighting zones (LZ). The 2000 Census classified the majority of Mendocino County as LZ2 (rural), which requires stricter lighting standards in order to protect these areas from new sources of light pollution and light trespass. Mendocino County’s General Plan Resource Management Goal RM-15’s (Dark Sky) objective is, *“Protection of the qualities of the county’s nighttime sky and reduced energy use.”*

- a-c) **No Impact:** The eastern portion of the subject parcel is mapped as “Highly Scenic”.<sup>1</sup> The project site is situated on the western side of the parcel and is not mapped “Highly Scenic”. The proposed development of a single-family residence and associated structures would not have a substantial adverse effect on the scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings. The proposed development would be constructed with an 18<sup>th</sup> century technique and would match the surrounding environment.
- d) **Less Than a Significant Impact:** The proposed development to construct a single-family residence and associated structures would create a minimal new source of light or glare. The project proposes to install LED light fixtures adjacent to each door and garage door (12 doors total). Each light would have a downward facing focused light only and create a minimal source of light or glare.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Aesthetics.

## 5.2 AGRICULTURE AND FORESTRY RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Williamson Act (officially the California Land Conservation Act of 1965) provides preferential tax assessments to owners of farmland and open-space land in exchange for a ten-year agreement that the land will not be developed or otherwise converted to another use. Since the early 1980’s participation in the

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<sup>1</sup> Highly Scenic Map.



program has hovered around 16 million acres enrolled under contract, constituting about one third of all privately held land in the state and about one half of the state’s agricultural land. The intent of the Williamson Act is to preserve a maximum amount of a limited supply of prime agricultural land to discourage premature and unnecessary conversion of prime agricultural land to urban uses.

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

- a-e) **No Impact:** The proposed development is located in an area designated as “Grazing Land (G)” by the State of California Department of Conservation. The parcel is zoned as Rural Residential with a Floodplain Combining District. The project would not convert any land designated “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” to non-agricultural uses.

The subject site is not under, nor is it adjacent to any parcels currently under Williamson Act contract. The current proposal does not impact existing or potential TPZ lands nor will it convert farmland to non-agricultural use or forest land to non-forest use.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Agricultural and Forestry Resources.

### 5.3 AIR QUALITY

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM10). In January of 2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework

for the reduction of PM10 emissions, and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

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

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

- a) **No Impact:** The project site is located within the North Coast Air Basin (Basin) which is governed by the MCAQMD. The MCAQMD enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA certified wood stoves and similar combustion devices to help reduce area source emissions. The proposed project to construct a single-family residence and associated structures would not conflict with the District's air quality plan.
- b-d) **Less Than a Significant Impact:** The MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM<sub>10</sub>). In January of

2005, MCAQMD adopted a Particulate Matter Attainment Plan establishing a policy framework for the reduction of PM<sub>10</sub> emissions and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land. The applicant will be required to adhere to all MCAQMD recommendations.

The project site is currently undeveloped and is located approximately 200 feet south of an existing single-family residence. The proposed development has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. The project would not include any sources likely to create objectionable odors. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the minimal paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Air Quality.

## 5.4 BIOLOGICAL RESOURCES

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

**DISCUSSION:** Mendocino County's Biology and Ecology Resources Policy RM-28 states: *all discretionary public and private projects that identify special-status species in a biological resources evaluation (where*

*natural conditions of the site suggest the potential presence of special-status species) shall avoid impacts to special-status species and their habitat to the maximum extent feasible. Where impacts cannot be avoided, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction.*

In accordance with CEQA Guidelines Section 15380, a species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:

- Sections 670.2 or 670.5, Title 14, California Code of Regulations
- Title 50, Code of Federal Regulations Section 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered

The following may also be considered a special status species:

- Species that are recognized as candidates for future listing by agencies with resource management responsibilities, such as US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NOAA Fisheries, also known as NMFS), and California Department of Fish and Wildlife (CDFW)
- Species defined by CDFW as California Species of Special Concern
- Species classified as “Fully Protected” by CDFW
- Plant species, subspecies, and varieties defined as rare or threatened by the California Native Plant Protection Act (California Fish and Game Code Section 1900, et seq.)
- Plant species listed by the California Native Plant Society (meeting the criteria in CEQA Guidelines Section 15380) according to the California Rare Plant Ranks (CRPR)
- Mountain lions protected under the California Wildlife Protection Act of 1990 (Proposition 117) and designated as a specially protected mammal in California.

The Mendocino County General Plan identifies four (4) “sensitive habitats”, including Serpentine Soils and Rock Outcrops, Pygmy Forest, Wetlands and Waters of the United States, and Old-Growth Forest. Table 4-A of the General Plan contains a list of locally identified “special-status species” found in Mendocino County. In addition, General Plan Section 4-10 identifies Coho salmon, Chinook salmon, and steelhead trout as species for which habitat is found in large portions of Mendocino County. These species are of federal, state, and local concern.

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.”*

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

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

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

- a-c) **Less Than a Significant Impact with Mitigation:** Several biological surveys were conducted on subject parcel from 2002 to 2022 by WRA Consultants, including a Wetland Delineation Investigation, Biological Report of Compliance, a Botanical Study, and updated versions that encompass existing conditions and mitigation measures. The 2010 Biological Scoping Report indicated that several types of environmentally sensitive habitat areas (ESHAs) were identified and mapped within the project site, including coastal waters, wetlands, host plants for the federally endangered Lotis blue butterfly, special status plants, and rare natural communities.

The ESHAs identified were:

- Western dog violet (*Viola adunca*). Host plant.
- Northern Coastal Bluff Scrub
- Coastal Terrace Prairie
- Short leaved evax (*Hesperevax sparsiflora* var. *brevifolia*),
- Mendocino paintbrush (*Castilleja mendocinensis*)
- Harlequin lotus
- Tidal shoreline. Coastal Waters
- Seasonal wetlands
- Seep wetlands

Three hydrology observation points were established by WRA on January 6, 2008, in areas dominated by hydrophytic vegetation. The wetlands onsite appear to be groundwater/seep-fed, and the seasonal wetlands are not in obvious topographic lows. Seasonal wetlands (ESHA) were identified in the western portion of the property and are vegetated almost exclusively with slough sedge (*Carex obnupta*) and California blackberry, with subdominants including giant horsetail (*Equisetum telmateia*), sword fern (*Polystichum munitum*), tall fescue (*Festuca arundinacea*), and bog rush (*Juncus effusus*). Scattered wax myrtle (*Myrica californica*) are present along the edges of the wetlands. A large and possibly perennially saturated wetland drainage on the neighboring property includes a smaller side drainage, the top of which extends onto the Study Area with characteristics similar to other seasonal wetlands onsite.

The updated Biological Report dated August 2022 stated, "the only significant change of ESHA since the 2009 survey is the absence of Mendocino paintbrush... and the impacts analysis and mitigation measures provided in the January 2010 report are sufficient in protecting ESHA".

The proposed development would be located greater than 50 feet from any ESHA. The 2010 Biological Scoping Report included a Reduced Buffer Analysis that indicates the potential impacts and mitigation measures that would create a minimal impact on ESHAs. The special status plant ESHAs are located within natural community ESHAs, so their entire suitable/potential habitat was included as ESHAs. The seasonal wetlands and rare natural communities would not be significantly disturbed by impacts to vegetation greater than 50 feet from the ESHAs. These buffer areas are already degraded by invasive and nonnative species.

The project was referred to the California Coastal Commission and California Department of Fish and Wildlife on May 1, 2024. The CCC stated that "future development in geologic setback areas, within ESHA, and ESHA buffer areas shall be prohibited. Symbolic fencing should be installed as a visual reminder of areas restricted to open space where the use

and enjoyment of the property is limited. Prohibit landscaping, vegetation removal (such as mowing), patios, trails or other uses in the ESHA, ESHA buffer areas, and geologic setback areas (though invasive species removal with hand tools and restoration and enhancement efforts should be allowed for this CDP and future development. A deed restriction should be implemented as a condition of approval with a map that depicts areas subject to open space restrictions, the applicant should landscape with native, regionally appropriate, and drought tolerant species only. In addition, the County impose its typical conditions requiring waiver of any rights to shoreline armoring, prohibiting the construction of any shoreline armoring in the future, and requiring removal of the authorized development if/when threatened by bluff erosion and retreat.”

CDFW concurs with buffer reductions conducted by WRA and the recommended conditions stated by the CCC above. In addition, the CDFW recommends that any native tree and shrub species that are naturally regenerated should be retained. The landscaping recommendation should apply to planting of trees, shrubs, and herbaceous species. CDFW recommends targeting and removing invasive species for a period of five years and create a landscaping plan that includes all locally native plants and those that are appropriate to the surrounding natural community. The landscaping plan shall be submitted to the County of Mendocino Planning and Building Services Department within one year of construction. The recommendations provided by CCC and CDFW were included in the conditions of approval to prevent future development within the ESHAs.

With the inclusion of mitigation measures produced by WRA and recommended conditions of approval by CDFW and CCC, the proposed development would not have a substantial adverse impact on any species identified as a candidate, sensitive, special status species, riparian habitat or sensitive natural community.

- d) **Less Than a Significant Impact:** Although the project site contains wetlands, the proposed project would have a minimal impact on the movement of any native resident or migratory fish or wildlife species. The project, as proposed, would be constructed greater than 50 feet from any riparian habitat. Silt fencing around ESHA would be implemented as a mitigation measure to protect all ESHAs.
- e) **Less Than a Significant Impact:** The proposed project does not anticipate conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) **No Impact:** The proposed project to construct a single-family residence and associated structures would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### **MITIGATION MEASURES:**

- Mitigation Measure BIO-1: Restricted Activities in ESHAs. No activities should be allowed that would disturb vegetation, topography, or hydrology in the ESHAs, 50-foot buffers, or 200-foot western dog violet buffers, both during and following construction. Some examples of these activities are vehicle parking or storage of other heavy materials, regular foot traffic, and clearing of vegetation. However, certain vegetation removal activities may be permitted, including native plant restoration activities and pruning or removal of hazardous or diseased trees or thinning of trees if deemed beneficial to the ESHA by a certified arborist or qualified biologist. Solid materials, including wood, masonry/rock, glass, paper, or other materials should not be stored in the ESHAs, the 50-foot buffers, or 200-foot western dog violet buffers. Solid waste materials should be properly disposed of offsite. Fluid materials, including concrete, wash water, fuels, lubricants, or other fluid materials used during construction should not be disposed of onsite and should be stored or confined as necessary to prevent spillage into natural habitats including the onsite ESHAs. If a spill of such materials occurs, the area should be cleaned immediately, and contaminated materials disposed of properly. The affected area should be restored to its natural condition.

- Mitigation Measure BIO-2: Work Windows. All activities that require substantial ground disturbance should take place only during the summer months (generally April 15 through October 31) to minimize potential erosion and sedimentation. Activities that do not require construction vehicles to access the site or ground disturbance other than planting may take place outside of this window as long as Mitigation Measure 1c is implemented prior to construction.
- Mitigation Measure BIO-3: Limit of construction impacts. Prior to any ground disturbance and vegetation clearing, combination silt fence and construction fence should be installed around the limit of construction impacts. Fencing should be placed outside of all 50 foot ESHA buffers and 200-foot western dog violet buffers. Fence locations and any ESHA boundaries in the vicinity of construction should be determined and flagged by a qualified biologist. The fencing (and therefore the construction impact limit) should be placed more 100 feet from ESHAs whenever feasible and should be placed to minimize construction impacts on slopes leading to wetlands or other ESHAs. No grading, placement of fill material, or other ground disturbance should occur beyond the construction fencing. This fencing should only be removed once all construction activities are completed.
- Mitigation Measure BIO-4: Staff Education. Prior to construction, the project contractors should be informed of the sensitive resources within the Study Area. Furthermore, the significance of the limits of construction impacts and fencing should be clearly explained to all parties working within the Study Area both during and following construction.
- Mitigation Measure BIO-5: Vegetation Protection. Areas of disturbed soil should be mulched, seeded, or planted and covered with vegetation as soon as possible. If erosion control seeding is performed, a qualified biologist should be consulted to ensure use of a native seed palette, as many seed mixes commonly contain invasive species. Existing native vegetation should be maintained in the impact area to the maximum extent feasible. Trees should be protected from damage by proper grading techniques.
- Mitigation Measure BIO-6: Pre-Construction Surveys. The bird breeding season typically extends from February to August. Ideally, the clearing of vegetation and the initiation of construction can be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 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 disturbances.

As with birds, bat roost sites can change from year to year, so pre-construction surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition 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. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost.

In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year.

- Mitigation Measure BIO-7: Vegetative Barrier. A vegetative barrier or fence should be installed along the outer boundary of the buffers, or closer to the development where possible, to prevent disturbance of the ESHAs following construction. The barrier should be maintained and replaced as necessary to be well-established within three to five years and should be adequate to prevent activities such as vehicle use, repeated foot traffic, use by pets, and general landscape maintenance.

The planted barrier should consist of medium-sized or tall shrubs or trees planted at approximately eight to ten foot spacing, using native species appropriate to the habitats and present in the vicinity (see Appendix C). Recommended species include coyote brush, coffeeberry, wax myrtle (in moister areas), shore pine, and Douglas-fir (*Pseudotsuga menziesii*).

- Mitigation Measure BIO-8: Vegetation Removal. Damage or removal of vegetation shall not be allowed in ESHAs or established buffer areas with the exception of invasive species removal, native plant restoration, and pruning or removal of hazardous or diseased trees when deemed necessary or beneficial by a certified arborist or qualified biologist.
- Mitigation Measure BIO-9: Revegetation. All disturbed ground remaining after construction within 100 feet of ESHAs should be replanted with locally native species appropriate to native coastal grassland or coastal scrub (see Appendix C for a list of plants present in the Study Area). If septic fields are installed, they should be revegetated with native perennial grasses and herbaceous species such as common rush (*Juncus patens*), bracken fern, red fescue, California oatgrass, Douglas iris (*Iris douglasiana*), mugwort (*Artemisia douglasiana*), and beach strawberry. Planting should occur in the winter months to reduce the need for irrigation, and irrigation near ESHA buffers should not be continued once the native species are established (typically after 1 to 2 years).
- Mitigation Measure BIO-10: Landscaping Restrictions. No landscaping or irrigation may be installed within the ESHAs or 50-foot buffers, unless related to native habitat restoration activities. Irrigation near the ESHA buffers and bluff slopes should be monitored to ensure that there are no additional inputs of water to the ESHAs that could cause erosion or changes in hydrology. No non-native plants should be planted on the property, with the exception of gardens used for food production. Plant species listed as invasive (“High”, “Moderate”, and “Limited” impacts) on the California Invasive Plant Council’s California Invasive Plant Inventory (Cal-IPC 2006) shall not be installed anywhere in the Study Area as it would pose a risk to onsite ESHAs and buffers. Any new or existing occurrences of invasive species that threaten the preservation of the native plant community in the mitigation area (generally those species listed as “High” or “Moderate”) should be a target for removal in perpetuity, when feasible. Landscaping and revegetation both during and following construction will ideally include species native to CTP, NCBS, or wetland communities similar to the ESHAs already present in the Study Area. Otherwise, they should be native coastal species typical of the native communities already present in the Study Area (Appendix C). When possible, planting should be of local stock to preserve local genetic diversity. The local CNPS chapter<sup>1</sup>, a qualified biologist, or a landscaper with knowledge of native plant communities should be consulted to identify appropriate species for planting.
- Mitigation Measure BIO-11: Site grading for construction should be restricted between approximately May 1 and September 30. Site grading during these drier months will reduce the possibility of soil erosion and sediments flowing into natural habitats. Other construction, such as the erection of structures or minor landscaping, is not restricted to this time period.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** on Biological Resources.



## 5.5 CULTURAL RESOURCES

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

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

In accordance with CEQA Guidelines section 15064.5, “historical resource” includes the following:

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

agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

- “Historical resource” includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. “Substantial adverse change in the significance of a historical resource” means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

The significance of a historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

CEQA Guidelines Section 15064.5 establishes procedures for addressing determinations of historical resources on archaeological sites and subsequent treatment of the resource(s) in accordance with PRC Section 21083.2. CEQA Guidelines Section 15064.5 establishes procedures for the treatment of Native American human remains in environmental documents. PRC Section 21082 establishes standards for accidental discovery of historical or unique archaeological resources during construction.

The California Office of Historic Preservation (OHP) houses the Built Environment Resource Directory (BERD). BERD files provide information regarding non-archaeological resources in OHP’s inventory. Each resource listed in BERD is assigned a status code, which indicates whether resources have been evaluated as eligible under certain criteria. This tool provides information to assist in identifying potentially historic resources throughout the County.<sup>2</sup>

- a-c) **No Impact:** The proposed project does not anticipate causing a substantial adverse change in the significance of a historical or archaeological resource pursuant to §15064.5 and does not anticipate disturbing any human remains, including those interred outside of formal cemeteries. The applicant provided two (2) Archaeological Surveys associated with the subject parcel. The Surveys concluded with “*since no archaeological resources were identified within the project parcel, no further recommendations are warranted for archaeological materials at this time.*” The proposed project was referred to the Northwest Information Center (NWIC) and the Archaeological Commission on May 1, 2024. Upon review of the Archaeological Surveys, NWIC stated that the two (2) Archaeological Surveys covered approximately 100% of the proposed project area and there were no cultural resources identified. No further study for archaeological resources is recommended. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified archaeologist has evaluated the situation and

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<sup>2</sup> California Department of Parks and Recreation (2023). Office of Historic Preservation. *Built Environment Resource Directory (BERD)*. Retrieved from [https://ohp.parks.ca.gov/?page\\_id=30338](https://ohp.parks.ca.gov/?page_id=30338).

provided appropriate recommendations. The project was referred to Redwood Valley Rancheria, Cloverdale Rancheria, and Sherwood Valley Band of Pomo Indians. As of June 3, 2024, no comments were received.

**MITIGATION MEASURES:** none.

**FINDINGS:** The proposed project would have **NO IMPACT** on Cultural Resources.

## 5.6 ENERGY

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

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

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

Project factors that may influence energy impacts include the following:

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

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

Mendocino County General Plan Policy RM-55, and RM-57 relate to energy, including Action Item RM-55.1 and RM-55.2. Ukiah Public Utilities is the only municipal utility in Mendocino County. Most residents receive electric service from Pacific Gas and Electric (PG&E).

- a) **Less Than a Significant Impact:** The proposed project would be required to comply with applicable best management practices and energy code standards for construction of the residence. The 2022 Energy Code standards ensure that operation of the residence, including the use of appliances, space heating, wells, and other energy-consuming activities would not create a significant impact. The project may induce additional vehicle trips or miles traveled, but residential use is not anticipated to result in significant energy use from vehicle trips as discussed in the “Transportation/Traffic” section.
- b) **No Impact:** Mendocino County does not have an allocated plan for renewable energy or energy efficiency. However, the project is consistent with applicable General Plan policies and SB 350 because it would be required to comply with Energy Code standards, including applicable renewable energy requirements for residential construction. Likewise, the project is consistent with CARB’s 2022 Scoping Plan as discussed in the Greenhouse Gas Emissions section of this document.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Energy.

## 5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Areas susceptible to erosion occur throughout Mendocino County where surface soils possess low-density and/or low-strength properties. Slopes are another factor in soil erosion – the greater the slope, the greater the erosion hazard, especially if the soil is bare. Soils on nine (9) percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than fifteen (15) percent have a high erosion hazard.

In 1991, the U.S. Department of Agriculture and Soil Conservation Service, in partnership with several other agencies, published the Soil Survey of Mendocino County, Eastern Part, and Trinity County, Southwestern Part, California. The survey assigns different soils to Map Unit numbers. In 2002, the accompanying Soil Survey of Mendocino County, California, Western Part was published.

The California Geological Survey (CGS) houses the web-based California Earthquake Hazards Zone Application (EQ Zapp), which allows a user to check whether a site is in an earthquake hazard zone. The California Department of Conservation also houses a general-purpose map viewer that contains layers displaying locations and data related to the California Landslide Inventory, the Seismic Hazards Program, Earthquake Shaking Potential, Historic Earthquakes, and others.

Development can result in soil erosion or loss of topsoil if project activities result in deep slope rills, gullies, or unmanageable accumulation of sediment. Ground disturbing activities most often result in impacts, including grading. Soil can be exposed during construction activities and increase the potential for soil erosion to occur, especially during storm events. Impervious surface areas would not be prone to erosion or siltation because no soil is included in these areas but increased impervious surfaces may impact surrounding hydrology and result in erosion impacts nearby.

Lateral spreading often occurs on gentle slopes or flat terrain and consists of lateral extension accompanied by shear or tensile fracture. Lateral spreading is often caused by liquefaction, which in turn is triggered by rapid ground motion from earthquakes or artificial activities. Bedrock or soil resting on materials that liquefy can undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow.

Subsidence refers to broad-scale change in the elevation of land. Subsidence is commonly caused by groundwater extraction, oil extraction, underground reservoir pumping of gas, dissolution of limestone aquifers (sinkholes), collapse of a mine, drainage of organic soil, or initial wetting of dry soil (hydrocompaction). The US Geological Survey (USGS) regularly publishes information on land subsidence in California, including a map showing areas of land subsidence due to groundwater pumping, peat loss, and oil extraction.<sup>3</sup>

<sup>3</sup> U.S. Geological Survey. Liquefaction Susceptibility. Retrieved from <https://earthquake.usgs.gov/education/geologicmaps/liquefaction.php>.

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

Unique geologic features are rocks or formations which:

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

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

- a) **Less Than a Significant Impact with Mitigation Incorporated:** The LCP Land Capabilities and Natural Hazards map associates the project site with Bedrock (Zone 1) Seismicity. Pursuant to the Mendocino County General Plan Coastal Element Policy 3.4-7, the proposed development would be situated 50 feet from the bluff edge. A Geotechnical Investigation was conducted by Bauer Associates, Inc. on May 20, 2002, to provide recommendations associated with the proposed development. Bauer stated, *“based on the results of our investigation, we conclude that, from a geotechnical engineering viewpoint, the site can be used for the proposed development.”* The nearest fault considered seismically active is the San Andreas, mapped about 5 miles to the southwest. The intensity of the shaking will depend upon the distance to the earthquake focus, magnitude, and the response of the structure to the underlying soil and/or rock.

In addition, an updated Geotechnical Investigation was conducted by Bauer Associates, Inc on April 6, 2022. Bauer stated, *“our observations during our reconnaissance suggest the bluff edge to be relatively stable and we did not observe strong evidence of fresh or severe erosion or landsliding within the bluff”<sup>4</sup>*. Coastal erosion is often variable and unpredictable and dependent on many conditions and factors. Bauer provided several mitigation measures in the reports to reduce the erosion, liquefaction, and earthquake risk to be minimal. The mitigation measures would be included in the conditions of approval and incorporated into this Initial Study.

- b-d) **Less Than a Significant Impact with Mitigation Incorporated:** As part of the Geotechnical Investigation prepared for the project, five exploratory test borings were drilled on the site. The Investigation notes that the borings were drilled with a truck mounted drill rig equipped with both 6-inch diameter solid flight augers and 8-inch diameter hollow augers. The completed test borings ranged in depth to about 27 feet. The approximate test boring locations were located by the geologist by pacing the distance from the features in the field. In addition, the Investigation stated, *“the site is generally blanketed with about 5 feet of porous sandy silt surface soils. Porous soils are weak and subject to collapse when loaded and saturated. The surface soils are of low expansion potential, based on our visual classification. Expansive materials experience volumetric changes due to moisture variations. Landsliding was not observed on-site. However, the surface soils and some of terrace deposits are prone to erosion, and are not sufficiently strong to maintain steep slopes, as evidenced by the benched depressed area. The bench elevation generally corresponds to the formation contact between the erosion resistant Franciscan and the overlying terrace deposits.”*

The Geotechnical Investigation recommended several methods of minimizing these impacts, including site preparation and grading, foundation support, drilled piers and gradebeams, spread footings, retaining walls, concrete slab-on-grade, and geotechnical engineering drainage. More information on these recommendations can be found in the Geotechnical Investigation (available on file at Planning & Building Services). The implementation of these

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<sup>4</sup> Bauer Associates, Inc. Geotechnical Investigation. April 2022.

recommendations would minimize potential impacts to less than significant levels. Therefore, mitigation measures are included to minimize risks.

- e-f) **No Impact:** The project site is not within the jurisdictional boundaries of a sewer district. On May 1, 2024, the Project was referred to the Environmental Health Division (DEH). DEH responded notes that septic permit ST 23035 for a 3-bedroom residence was approved. Therefore, the system is assumed to be compliant with EH standards and no impact would occur. Paleontological resources are discussed in the Cultural Resources section of this document. No known unique geologic features are located on the project site. The geologic unit underlying the site is not uncommon or unique in Mendocino County.

**MITIGATION MEASURES:**

Mitigation Measure GEO-1: The project shall incorporate applicable design, grading and foundation construction features to reduce the potential for liquefaction and soil erosion in accordance with the Geotechnical Investigation prepared by Bauer Associates dated May 20, 2002, and April 6, 2022. Intermittent geotechnical engineering observations are required, along with necessary field and laboratory testing during removal of weak soils, fill placement and compaction, preparation and compaction of subgrade, installation of subdrainage, and excavation of foundations. "During grading and foundation construction, Bauer Associates should provide intermittent geotechnical engineering observations, along with necessary field and laboratory testing, during 1) removal of weak soils; 2) fill placement and compaction; 3) preparation and compaction of subgrade; 4) excavation of foundations; and 5) materials special inspections. These observations and tests would allow Bauer to check that the contractor's work conforms with the intent of our recommendations and the project plans and specifications. These observations also permit Bauer to check that conditions encountered are as anticipated, and modify our recommendations, as necessary. Upon completion of the project, Bauer should perform a final observation prior to occupancy. Bauer Associates should summarize the results of this work in a final report.

Mitigation Measure GEO-2: All exposed soil shall be mulched with straw or wood chips to minimize soil erosion. No soil shall be left in an exposed condition. The contractor must maintain a stockpile of this material on site for quick application.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** on Geology and Soils.

## **5.8 GREENHOUSE GAS EMISSIONS**

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

**DISCUSSION:** Senate Bill No. 32 (SB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. SB 32 established a state goal of reducing GHG emissions to 40% below the 1990 level by 2030. In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission, which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same

as those, which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO<sub>2</sub>e (CO<sub>2</sub> equivalent) of operation emission on an annual basis. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures.

- a) **Less Than a Significant Impact:** Mendocino County Air Quality District is in attainment for all Federal criteria air pollutants and is also in attainment for all State standards except Particulate Matter less than 10 microns in size (PM<sub>10</sub>). The largest sources of PM<sub>10</sub> include wildfires, residential wood burning, unpaved roads and construction activities.<sup>5</sup> The proposed project to construct a single-family residence and associated structures would create a minimal and temporary impact on greenhouse gases. The proposed project does not anticipate exceeding the State's threshold on GHGs or create a direct or indirect significant impact on the environment.
- b) **Less Than a Significant Impact:** Mendocino County has not adopted a Climate Action Plan. Therefore, a qualitative approach is used to determine whether the project is consistent with the State's climate goals by reviewing key project attributes.<sup>6</sup> The project is not located on an infill site. The project would result in some conversion of natural and working lands. For example, tree removal may take place to accommodate a building site. The project would not incorporate EV charging infrastructure, would not consist of transit-supportive density, is not near a transit stop, does not reduce parking requirements, and is not expected to be included as affordable to lower-income residents. However, the small scale of the project does not lend itself to these standards. The construction of one (1) single-family residence is minimal in scale, and these measures would not significantly change emissions. The project is expected to use electric appliances which would work toward building decarbonization. Due to its small scale, the project is not expected to conflict with relevant attributes aligned with State climate goals.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Greenhouse Gas Emissions.

## 5.9 HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>5</sup> Mendocino County Air Quality Management District. Particulate Matter Attainment Plan. January 2005.

<sup>6</sup> California Air Resources Board (2022). 2022 Scoping Plan for Achieving Carbon Neutrality. Retrieved from <https://ww2.arb.ca.gov>.



WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** California Health and Safety Code states: "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (California Health and Safety Code Section 25501 (m)).

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

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

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

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

*manner that will reduce aviation-related hazards (including hazards to aircraft, and hazards posed by aircraft)”.*

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

- a, b) **Less Than a Significant Impact:** No transport or use of hazardous materials are proposed as part of the project. Some incidental use of hazardous materials may occur during construction or operation, but the transport and use of these materials would be temporary and at concentrations that do not pose a significant health risk. Household products and construction tools are expected to meet applicable local, state, and federal requirements for hazardous materials. Adequate facilities exist to handle disposal of waste through Redwood Waste Solutions.

No significant concentrations of hazardous materials are expected to be used during construction or operation. The proposed project would make use of BMPs and site drainage measures addressing polluted stormwater, erosion, and sedimentation. This would limit accidental release of potentially hazardous materials into the surrounding environment.

- c-f) **No Impact:** The nearest school is Albion School approximately 4 miles from the site. Project construction and operation is not expected to utilize substantially hazardous materials. It is unlikely that such materials would be emitted beyond the project site. The project site is not listed on any of the above referenced documents that would be considered part of the “Cortese List” compiled pursuant to Government Code Section 65962.5. In addition, the nearest airport is the Little River Airport approximately 5 miles northeast of the project site. The subject parcel is not within an airport zone as outlined in the Airport Land Use Plan. Therefore, no safety hazards or excessive noise are expected due to the airport at the project site.

As outlined in the Emergency Operations Plan, the County uses the California Standardized Emergency Management System and National Response Framework to guide emergency response. The project is not expected to interfere with the establishment of an Emergency Operations Center because it would not physically impair travel to and from a center. The project is expected to make use of standard utility and telecommunication infrastructure, which would allow receipt of alerts, notifications, or warnings. Therefore, the project is not expected to interfere with the adopted Emergency Operations Plan.

- g) **Less Than a Significant Impact:** The project site is within the Albion Little River Fire Protection District and is mapped as a “High Fire Hazard” zone.<sup>7</sup> The project is subject to CAL FIRE standards per Title 14 California Code of Regulations, Division 1.5, Chapter 7, Sub-chapter 2, Article 1, §1270.03. CAL FIRE issued letter #30-23 outlining the State Fire Safe Regulations conditions of approval to be met prior to obtaining final clearance. This includes the Driveway Standard, Address Standard, and Maintain Defensible Space and Fuels Modification Standard. Standard conditions of approval within Coastal Development Permits require that the applicant follow the measures required by CAL FIRE. Compliance with existing regulations would minimize potential impacts due to wildfire.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Hazards or Hazardous Materials.

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<sup>7</sup> Fire Hazard Zone Map.

## 5.10 HYDROLOGY AND WATER QUALITY

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

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. The County's groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific

information regarding recharge areas for Mendocino County's groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal –it is anticipated that continued recharge will re-supply groundwater reservoirs.

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

- a) **No Impact:** The project would make use of an existing well that must comply with Environmental Health standards. The standard regulations and Best Management Practices applicable to the project ensure that discharges due to construction would not degrade water quality or violate discharge requirements. Additionally, the previously mentioned requirements derived from recommendations within the Geotechnical Investigation, particularly those related to site drainage, would serve to minimize impacts. Though unlikely, the general prohibition on illicit discharges would ensure that potential violations during operation of the single-family residence would be remediated, inspected, monitored, or enforced appropriately in accordance with MCC Chapter 16.30.
- b) **Less Than a Significant Impact:** The project would make use of an existing well on the site. The project site is located within the Coastal Zone and is subject to groundwater requirements found in the Mendocino County Coastal Element, Coastal Zoning Code, 1982 Coastal Ground Water Study, and Environmental Health Standards. Coastal Element Policy 3.8-1, 3.8-9, and 3.9-1 establish regulations for availability of water and necessary standards for review of projects.

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 does not apply to this project. Mapping indicates that the project site is situated within a "Critical" ground water resources area.<sup>8</sup> The applicant provided a Water Quantity Report dated March 24, 2022, to the Division of Environmental Health, which proved that the proposed development would be supplied with adequate water supply. Therefore, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

- c) **Less Than a Significant Impact with Mitigation Incorporated:** The proposed project would not alter the course of a stream or river. However, construction and ground disturbance may result in erosion or siltation. As noted, the project would be required to implement BMPs, and recommendations outlined in the Geotechnical Investigation to reduce erosion or siltation during construction. In addition, the Biological Scoping Report dated 2010, stated, "the project site is relatively flat, so impacts to wetlands from erosion are not expected from work conducted between 50-100 feet from the ESHAs. The site slopes toward the west from the development area toward the ESHAs. There is some potential for construction or future irrigation to cause erosion or changes in hydrology to the ESHAs on the upper bluff slopes." Implementation of these recommendations as Mitigation Measures would ensure that erosion or siltation is minimized.
- d) **Less Than a Significant Impact:** The proposed project is situated within an area of minimal flood and seiche hazard.<sup>9</sup> Bauer Associates stated, "since the property bluffs are

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<sup>8</sup> Coastal Ground Water Resources Map.

<sup>9</sup> Flood Map.

approximately 110 to 120 feet above sea level, we judge the impact or inundation from a severe storm surge or tsunami event is low". Therefore, less than a significant impact would occur.

- e) **No Impact:** Applicable plans include the Mendocino County Coastal Element, Coastal Zoning Code, 1982 Coastal Ground Water Study, and Environmental Health standards. As discussed above and throughout the associated Staff Report, this Project has been found to be consistent with these plans.

**MITIGATION MEASURES:**

Mitigation Measure BIO-3: Limit of construction impacts. Prior to any ground disturbance and vegetation clearing, combination silt fence and construction fence should be installed around the limit of construction impacts. Fencing should be placed outside of all 50-foot ESHA buffers and 200-foot western dog violet buffers. Fence locations and any ESHA boundaries in the vicinity of construction should be determined and flagged by a qualified biologist. The fencing (and therefore the construction impact limit) should be placed more 100 feet from ESHAs whenever feasible and should be placed to minimize construction impacts on slopes leading to wetlands or other ESHAs. No grading, placement of fill material, or other ground disturbance should occur beyond the construction fencing. This fencing should only be removed once all construction activities are completed.

Mitigation Measure BIO-5: Vegetation Protection. Areas of disturbed soil should be mulched, seeded, or planted and covered with vegetation as soon as possible. If erosion control seeding is performed, a qualified biologist should be consulted to ensure use of a native seed palate, as many seed mixes commonly contain invasive species. Existing native vegetation should be maintained in the impact area to the maximum extent feasible. Trees should be protected from damage by proper grading techniques.

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

**5.11 LAND USE AND PLANNING**

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

**DISCUSSION:** All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance, as well as several more locally derived specific plans, such as the Gualala Town Plan, or Ukiah Valley Area Plan. The proposed project is not within the boundaries of a locally derived specific plan. During project referrals, a number of agencies that may have jurisdiction over the project were contacted.

- a) **No Impact:** The construction and operation of a single-family residence and associated structures is not expected to result in any physical divisions within the surrounding neighborhood. The residence would be located on a blufftop parcel and would not block travel from one parcel to another.
- b) **No Impact:** The General Plan, Coastal Element, and Coastal Zoning Code contain policies and regulations aimed at avoiding or mitigating environment effects. The project has been determined to be consistent with relevant regulations as described elsewhere in the Initial Study.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Land Use and Planning.

### 5.12 MINERAL RESOURCES

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

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

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

- a) **No Impact:** The site does not contain any known mineral resources of value. Limited ground disturbance would occur.
- b) **No Impact:** No locally important mineral resources are known to occur on the project site. Limited ground disturbance would occur.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Mineral Resources.

### 5.13 NOISE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a) **Less Than a Significant Impact:** With the exception of short-term construction related noise, the proposed development will not create a new source of noise that will impact the community. Noise created by the construction of the two-car garage, removal of existing driveway, and paving of new driveway approach are not anticipated to be significant, and no mitigation is required. The proposed development is similar to and compatible with the uses that already exist in the area. Construction of the single-family residence, the detached driveway, grading and paving the driveway, and associated structures would cause temporary increases in noise; however, these impacts would only be associated with construction, and would be temporary in nature.
  
- b) **Less Than a Significant Impact:** Given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions and would be temporary in nature. Standard permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.

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

- c) **No Impact:** The project is not located within the vicinity of a private airstrip or an airport land use. The nearest airport is the Little River Airport located approximately 5 miles northeast of the project site.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Noise.

### **5.14 POPULATION AND HOUSING**

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

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

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

- a, b) **No Impact:** The proposed project to construct a single-family residence and associated structures would not induce substantial unplanned population growth in the area, either directly or indirectly. The single-family residence would be accessed by Nonella Lane (private) via State Route 1. The project site is within a rural neighborhood located to the west of SR 1. The project was referred to Caltrans and the Mendocino County Department of Transportation. As of June 5, 2024, no comments have been received.

In addition, the proposed development would not displace people or existing housing or necessitate the construct of replacement housing anywhere else.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Population and Housing.

### **5.15 PUBLIC SERVICES**

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

**DISCUSSION:** The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is serviced by the Round Valley Unified School District, Round Valley Indian Health Center, Round Valley County Water District, and the Covelo Fire Protection District.

- a) **Less Than a Significant Impact:** Fire protection services would be provided by the Fort Bragg Rural Fire Protection District and CAL FIRE. The Fort Bragg Rural Fire Protection District responded to referral of the project with "no comment." The project would be required to comply with CAL FIRE Fire Safe Regulations letter #30-23, including defensible space and driveway standards. The addition of one (1) single-family residence and one (1) Accessory Dwelling Unit would induce minimal population growth and is not expected to require the provision of new fire facilities.



- b) **Less Than a Significant Impact:** The nearest police station is the Fort Bragg Police Department 17± miles north in Fort Bragg. The addition of one (1) single-family residence would induce minimal population growth and is not expected to require the provision of new police facilities
- c) **No Impact:** The project is located within the Mendocino Unified School District. The addition of one (1) single-family residence would induce minimal population growth and is not expected to require the provision of new school facilities.
- d) **No Impact:** There are six county-maintained parks throughout the County of Mendocino. There are many parks throughout Mendocino County that are operated by other agencies such as cities, townships, recreation districts, California State Parks, US Army Corps of Engineers and the Bureau of Land Management (BLM). The nearest state park is Navarro Point Preserve and Scenic Trail and is located 1± mile south of the project site. The nearest county park is Bower Park and is located 40± miles south of the project site. The proposed project would not require the provision of new parks.
- e) **No Impact:** The single-family residence would be served by an on-site well, on-site septic system, electricity, gas, and solid waste would be serviced by local agencies. The proposed development would induce minimal population growth and is not expected to require the provision of other additional public facilities.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Public Services.

### **5.16 RECREATION**

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

**DISCUSSION:** The County of Mendocino manages a variety of public recreation areas including the 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, other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The closest protected area to the proposed project is the Mendocino National Forest, located 9± miles east of the subject parcel.

- a) **No Impact:** There are six county-maintained parks throughout the County of Mendocino. There are many parks throughout Mendocino County that are operated by other agencies such as cities, townships, recreation districts, California State Parks, US Army Corps of Engineers, and the Bureau of Land Management (BLM). The nearest state park is Navarro Point Preserve and Scenic Trail and is located 1± mile south of the project site. The project would create a minimal use of existing neighborhood and regional parks or other recreational facilities. The project is not anticipated to require the provision of new park facilities or to cause substantial physical deterioration of existing facilities.

- b) **No Impact:** The proposed development would not include recreational facilities or require the construction or expansion of recreational facilities.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Recreation.

## 5.17 TRANSPORTATION

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

**DISCUSSION:** As with most California communities, transportation is an essential issue in Mendocino County. Residents need to travel to work, school, or shopping. Businesses rely on the transportation system to move workers, products, and services. The movement of workers to their jobs is critical. Mendocino County is a predominantly rural county, limiting the opportunity for bikeways to serve large segments of the population or provide a practical means of transportation for commuting purposes. General Plan Policy DE-131, DE-148, DE-149, and DE-157 relate to transportation, including Action Item DE-138.1. The Mendocino Council of Governments (MCOG) most recently adopted a Regional Transportation Plan on April 7, 2022. The Regional Transportation Plan is a long-range planning document that provides a vision of regional transportation goals, policies, objectives, and strategies. These may be relevant to individual projects when conducting environmental review.

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

According to the 2018 Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, “many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.” The 2010 MCOG Travel Demand Forecasting Model estimates daily trip generation values for various land uses and geographic areas in Mendocino County and may be used to assist in determining whether projects exceed the screening threshold.

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

- a) **Less Than a Significant Impact:** The project site is accessed from a private road that connects to State Route 1 (SR 1). Considering the project site is not within a half mile of any transit stop, the project would have less than a significant impact on transportation. The proposed project to construct a single-family residence and associated structures is not expected to significantly impact the capacity of the street system or the overall effectiveness of the circulation system, nor substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities as a substantial increase in traffic trips or use of alternative transportation facilities is not anticipated.
- b) **Less Than a Significant Impact:** A significant impact may occur if a project's vehicle miles traveled (VMT) substantially increase compared to existing VMT. SB 743 updates the way transportation impacts are measured in California for new development projects. This change will help California achieve climate commitments, preserve the environment, and improve health and safety. Among the changes to the guidelines was the removal of vehicle delay and level of service (LOS) from consideration for transportation impacts under CEQA. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on VMT. Under SB 743, over 50 percent of development within the state could forego transportation analysis and mitigation entirely. Development projects that can forego transportation analysis include affordable housing, housing within ½ mile of transit, and housing projects generating fewer than 110 trips per day. Considering the project site is not within a half mile of any transit stop, the project would have less than a significant impact on transportation.
- c) **No Impact:** The project site is located 0.01± mile west of State Route 1 on Nonella Lane (private). The project does not propose any activities, or development that would substantially increase hazards due to a design feature (sharp curves or dangerous intersections), or incompatible uses.
- d) **No Impact:** The applicant will be required to adhere to all CAL FIRE recommendations regarding address standards, driveway standards, and defensible space standards. With adherence to the CAL FIRE recommendations the project will have a less than significant impact in terms of emergency access.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Transportation.

### **5.18 TRIBAL CULTURAL RESOURCES**

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

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation<sup>10</sup> and 1984 regional synthesis.<sup>11</sup> This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

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

- a) **No Impact:** As discussed in the Cultural Resources section, the Archaeological Survey Report prepared in association with the project did not identify any historical resources listed or eligible for listing. Mendocino County does not house a local register of historical resources.

As discussed in the Cultural Resources section, the Archaeological Survey Report prepared in association with the project did not identify any significant cultural resources pursuant. Therefore, Mendocino County determines that there is no substantial evidence to suggest the presence of significant resources on the site.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **NO IMPACT** on Tribal Cultural Resources.

<sup>10</sup> Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

<sup>11</sup> Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

## 5.19 UTILITIES AND SERVICE SYSTEMS

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

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

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

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

- a) **Less Than a Significant Impact:** The project involves converting a test well into a production well, installation of a septic system, construction of a Pacific Gas and Electric (PG&E) pad, and trenching for underground utilities. The project would not result in the relocation or construction

of municipal water or wastewater treatment facilities. The Project would not make use of a municipal or other formal stormwater drainage system. PG&E would provide electric service to the parcel. No new telecommunications facilities are proposed, and additional facilities would not be required due to the Project. The potential effects of trenching and septic system development have been assessed elsewhere in the Initial Study, particularly within the Biological Resources section. It was found that these activities would not result in significant impacts.

- b) **No Impact:** As described above in response to checklist questions regarding Hydrology & Water Quality, the existing well has been tested and exceeds Environmental Health standards for recovery rate to serve the single-family residence and Accessory Dwelling Unit. Future development may require a Coastal Development Permit, which in turn would require a subsequent determination that sufficient water supplies are available to serve such development. This regulatory structure ensures that sufficient water supplies are available should future development occur.
- c) **No Impact:** The project is not served by a wastewater treatment provider. If a wastewater treatment provider were to serve the site in the future, it is expected to have discretion to permit new connections and therefore the ability to determine whether adequate capacity exists.
- d) **Less Than a Significant Impact:** The nearest transfer station is the Albion Transfer Station approximately 5 miles northeast of the site. The project is not expected to generate excessive solid waste beyond that of a typical single-family residence. The project would incrementally contribute to throughput at the Potrero Hills Landfill, but the estimated remaining operational lifespan of the facility (2048) indicates that this contribution is minimal and less than significant. According to the City of Los Angeles Thresholds Guide, a residential use is expected to produce 12.23 pounds of solid waste per household per day.<sup>12</sup> The daily throughput of the Potrero Hills Landfill is 4,330 tons per day. The addition of one single-family residence would contribute minimally to local infrastructure.
- e) **No Impact:** The Project is expected to comply with all federal, state, and local regulations related to solid waste, including MendoRecycle requirements, Mendocino County Code Title 9A, and US Resource Conservation and Recovery Act (RCRA), and CalRecycle.

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Utilities and Service Systems.

## 5.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, <b>WOULD THE PROJECT:</b>	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>12</sup> City of Los Angeles (2006). *L.A. CEQA Thresholds Guide*. Retrieved from <https://planning.lacity.org/>.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, <b>WOULD THE PROJECT:</b>	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** California law requires the California Department of Forestry and Fire Protection to designate areas, or make recommendations for local agency designation of areas, that are at risk from significant fire hazards based on fuels, terrain, weather, and other relevant factors. These areas at risk of interface fire losses are referred to by law as "Fire Hazard Severity Zones" (FHSZ). The law requires different zones to be identified (Moderate to Very High). But with limited exception, the same wildfire protection building construction and defensible space regulations apply to all "State Responsibility Areas" and any "Fire Hazard Severity Zone" designation.

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

- a) **Less Than a Significant Impact:** The project is in the State Responsibility Area and served by the Albion Little River Fire Protection District. As outlined in the Emergency Operations Plan, the County uses the California Standardized Emergency Management System and National Response Framework to guide emergency response. The project is not expected to interfere with the establishment of an Emergency Operations Center because it would not physically impair travel to and from such a center. The project is expected to make use of existing power and telecommunication infrastructure, which would allow receipt of alerts, notifications, or warnings. Therefore, the project is not expected to interfere with the adopted Emergency Operations Plan. The project was referred to CalFire and the Little River Fire Protection District on May 1, 2024, and no comments were received. The project site is accessed from Nonella Lane via State Route 1 and is expected to be accessible to emergency vehicles.
- b) **Less Than a Significant Impact:** Little impact is expected because the Project site is on a relatively flat slope. The project would be required to comply with applicable Building Code and Fire Code standards as well as CAL FIRE Fire Safe Regulations. As discussed previously, standard conditions would require the applicant to comply with CAL FIRE letter #30-23. However, some risk of wildfire is still present regardless of protections afforded by these existing regulations.
- c) **Less Than a Significant Impact:** Considering the project site would not be within ½ mile of a working fire hydrant, the project includes installing a water tank for fire purposes. Although there is a PG&E pad on site, the project proposes to trench for utilities to eliminate fire risk.
- d) **Less Than a Significant Impact:** Standard BMPs, Geotechnical Investigation recommendations, and CAL FIRE standards implemented during construction would ensure that drainage challenges are addressed. As noted, the Geotechnical Investigation recommended a bluff setback of 36 feet. However, previous land division requirements mandate a bluff setback of 50 feet. Therefore, potentially increased landslide and slope instability risk due to the residence's proximity to the bluff would be minimal. Operation of the single-family residence is not expected to result in significant impacts because of the flat nature of the site

**MITIGATION MEASURES:** None.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Wildfire.

### 5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

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

- a) **Less Than a Significant Impact with Mitigation Incorporated:** Based on discussion throughout the report, particularly in Section 5.4 – Biological Resources, there is some potential for impacts. However, with mitigation incorporated, the evidence does not support a finding that the project would result in significant impacts regarding the quality of the environment, habitat of fish or wildlife species, fish or wildlife populations, plant, or animal communities, rare or endangered species, or important examples of major periods of California history or prehistory.
- b) **Less Than a Significant Impact:** Cumulative impacts were considered for applicable potential impacts as discussed throughout the report, including but not limited to Section 5.3 – Air Quality and 5.8 – Greenhouse Gas Emissions. Potential impacts were identified in these sections where it was determined that no significant cumulative effects would occur because of the project.
- c) **Less Than a Significant Impact with Mitigation Incorporated:** Based on discussion throughout this initial study, potential adverse effects on human beings, both directly and



indirectly, have been considered and found to be less than significant or less than significant with mitigation measures implemented.

- **MITIGATION MEASURES:** Mitigation Measure BIO-1: Restricted Activities in ESHAs. No activities should be allowed that would disturb vegetation, topography, or hydrology in the ESHAs, 50-foot buffers, or 200-foot western dog violet buffers, both during and following construction. Some examples of these activities are vehicle parking or storage of other heavy materials, regular foot traffic, and clearing of vegetation. However, certain vegetation removal activities may be permitted, including native plant restoration activities and pruning or removal of hazardous or diseased trees or thinning of trees if deemed beneficial to the ESHA by a certified arborist or qualified biologist. Solid materials, including wood, masonry/rock, glass, paper, or other materials should not be stored in the ESHAs, the 50-foot buffers, or 200-foot western dog violet buffers. Solid waste materials should be properly disposed of offsite. Fluid materials, including concrete, wash water, fuels, lubricants, or other fluid materials used during construction should not be disposed of onsite and should be stored or confined as necessary to prevent spillage into natural habitats including the onsite ESHAs. If a spill of such materials occurs, the area should be cleaned immediately, and contaminated materials disposed of properly. The affected area should be restored to its natural condition.
- Mitigation Measure BIO-2: Work Windows. All activities that require substantial ground disturbance should take place only during the summer months (generally April 15 through October 31) to minimize potential erosion and sedimentation. Activities that do not require construction vehicles to access the site or ground disturbance other than planting may take place outside of this window as long as Mitigation Measure 1c is implemented prior to construction.
- Mitigation Measure BIO-3: Limit of construction impacts. Prior to any ground disturbance and vegetation clearing, combination silt fence and construction fence should be installed around the limit of construction impacts. Fencing should be placed outside of all 50-foot ESHA buffers and 200-foot western dog violet buffers. Fence locations and any ESHA boundaries in the vicinity of construction should be determined and flagged by a qualified biologist. The fencing (and therefore the construction impact limit) should be placed more 100 feet from ESHAs whenever feasible and should be placed to minimize construction impacts on slopes leading to wetlands or other ESHAs. No grading, placement of fill material, or other ground disturbance should occur beyond the construction fencing. This fencing should only be removed once all construction activities are completed.
- Mitigation Measure BIO-4: Staff Education. Prior to construction, the project contractors should be informed of the sensitive resources within the Study Area. Furthermore, the significance of the limits of construction impacts and fencing should be clearly explained to all parties working within the Study Area both during and following construction.
- Mitigation Measure BIO-5: Vegetation Protection. Areas of disturbed soil should be mulched, seeded, or planted and covered with vegetation as soon as possible. If erosion control seeding is performed, a qualified biologist should be consulted to ensure use of a native seed palette, as many seed mixes commonly contain invasive species. Existing native vegetation should be maintained in the impact area to the maximum extent feasible. Trees should be protected from damage by proper grading techniques.
- Mitigation Measure BIO-6: Pre-Construction Surveys. The bird breeding season typically extends from February to August. Ideally, the clearing of vegetation and the initiation of construction can be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 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 disturbances.

As with birds, bat roost sites can change from year to year, so pre-construction surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition 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. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost.

In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year.

- Mitigation Measure BIO-7: Vegetative Barrier. A vegetative barrier or fence should be installed along the outer boundary of the buffers, or closer to the development where possible, to prevent disturbance of the ESHAs following construction. The barrier should be maintained and replaced as necessary to be well-established within three to five years and should be adequate to prevent activities such as vehicle use, repeated foot traffic, use by pets, and general landscape maintenance.

The planted barrier should consist of medium-sized or tall shrubs or trees planted at approximately eight to ten foot spacing, using native species appropriate to the habitats and present in the vicinity (see Appendix C). Recommended species include coyote brush, coffeeberry, wax myrtle (in moister areas), shore pine, and Douglas-fir (*Pseudotsuga menziesii*).

- Mitigation Measure BIO-8: Vegetation Removal. Damage or removal of vegetation shall not be allowed in ESHAs or established buffer areas with the exception of invasive species removal, native plant restoration, and pruning or removal of hazardous or diseased trees when deemed necessary or beneficial by a certified arborist or qualified biologist.
- Mitigation Measure BIO-9: Revegetation. All disturbed ground remaining after construction within 100 feet of ESHAs should be replanted with locally native species appropriate to native coastal grassland or coastal scrub (see Appendix C for a list of plants present in the Study Area). If septic fields are installed, they should be revegetated with native perennial grasses and herbaceous species such as common rush (*Juncus patens*), bracken fern, red fescue, California oatgrass, Douglas iris (*Iris douglasiana*), mugwort (*Artemisia douglasiana*), and beach strawberry. Planting should occur in the winter months to reduce the need for irrigation, and irrigation near ESHA buffers should not be continued once the native species are established (typically after 1 to 2 years).
- Mitigation Measure BIO-10: Landscaping Restrictions. No landscaping or irrigation may be installed within the ESHAs or 50-foot buffers, unless related to native habitat restoration activities. Irrigation near the ESHA buffers and bluff slopes should be monitored to ensure that there are no additional inputs of water to the ESHAs that could cause erosion or changes in hydrology. No non-native plants should be planted on the property, with the exception of gardens used for food production. Plant species listed as invasive (“High”, “Moderate”, and “Limited” impacts) on the California Invasive Plant Council’s California Invasive Plant Inventory (Cal-IPC 2006) shall not be installed anywhere in the Study Area as it would pose a risk to onsite ESHAs and buffers. Any new or existing occurrences of invasive species that threaten the preservation of the native plant community in the mitigation area (generally those species listed as “High” or “Moderate”) should be a target for removal in perpetuity, when feasible. Landscaping and revegetation both during and following construction will ideally include species native to CTP, NCBS, or wetland communities similar to the ESHAs already present in the Study Area. Otherwise, they should be native coastal species

typical of the native communities already present in the Study Area (Appendix C). When possible, planting should be of local stock to preserve local genetic diversity. The local CNPS chapter1, a qualified biologist, or a landscaper with knowledge of native plant communities should be consulted to identify appropriate species for planting.

- Mitigation Measure BIO-11: Site grading for construction should be restricted between approximately May 1 and September 30. Site grading during these drier months will reduce the possibility of soil erosion and sediments flowing into natural habitats. Other construction, such as the erection of structures or minor landscaping, is not restricted to this time period.
- Mitigation Measure GEO-1. The project shall incorporate applicable design, grading and foundation construction features to reduce the potential for liquefaction and soil erosion in accordance with the Geotechnical Investigation prepared by Bauer Associates dated May 20, 2002, and April 6, 2022. Intermittent geotechnical engineering observations are required, along with necessary field and laboratory testing during removal of weak soils, fill placement and compaction, preparation and compaction of subgrade, installation of subdrainage, and excavation of foundations. “During grading and foundation construction, Bauer Associates should provide intermittent geotechnical engineering observations, along with necessary field and laboratory testing, during 1) removal of weak soils; 2) fill placement and compaction; 3) preparation and compaction of subgrade; 4) excavation of foundations; and 5) materials special inspections. These observations and tests would allow Bauer to check that the contractor's work conforms with the intent of our recommendations and the project plans and specifications. These observations also permit Bauer to check that conditions encountered are as anticipated, and modify our recommendations, as necessary. Upon completion of the project, Bauer should perform a final observation prior to occupancy. Bauer Associates should summarize the results of this work in a final report.
- Mitigation Measure GEO-2. All exposed soil shall be mulched with straw or wood chips to minimize soil erosion. No soil shall be left in an exposed condition. The contractor must maintain a stockpile of this material on site for quick application.

**FINDINGS:** The proposed project would have **LESS THAN A SIGNIFICANT IMPACT WITH MITIGATION** on Mandatory Findings of Significance.