



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

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

May 18, 2020

AMENDED
NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT NEGATIVE
DECLARATION FOR PUBLIC REVIEW

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, May 21, 2020 at 9:00 a.m. will conduct a public hearing on the following project and the Draft Negative Declaration at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: MS_2016-0007

DATE FILED: 11/14/2016

OWNER: DAVID TOLLINI

APPLICANT/AGENT: JAVIER RAU

REQUEST: Minor Subdivision of a 6.76± acre lot into a 2.0± acre lot and a 4.5± acre lot.

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: 4.5± miles north of Ukiah center, on the south side of Parducci Road (CR 224), 520± feet west of its intersection with Tollini Lane (CR 228); located at 3550 Tollini Lane, Ukiah (APN: 169-071-29).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: SAM VANDY VANDEWATER

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

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Building Inspection - Ukiah

Department of Fish & Wildlife
Army Corps of Engineers
Millview Water District

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STAFF PLANNER: SAM VANDY VANDEWATER

RESPONSE DUE DATE: May 20, 2020. If no response is received by this date, we will assume no recommendation or comments are forthcoming and that you are in agreement with the contents of the Draft Negative Declaration. A copy of the Draft Negative Declaration is attached for your review.

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May 18, 2020

TO: Ukiah Daily Journal
FROM: James F. Feenan, Commission Services Supervisor
SUBJECT: Publication of Legal Notice.

Please publish the following notice one time on April 29, 2020 in the Legal Notices Section of the Ukiah Daily Journal.

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April 23, 2020

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Environmental Health - Ukiah
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**PLANNING COMMISSION
STAFF REPORT- MINOR SUBDIVISION**

**MAY 21, 2020
MS_2016-0007**

SUMMARY

OWNER: TOLLINI ALDO DAVID
3573 ALDO LN
UKIAH, CA 95482

APPLICANT/AGENT: JAVIER RAU
100 NORTH PINE ST
UKIAH, CA 95482

REQUEST: Minor Subdivision of a 6.76± acre lot into a 2.0± acre lot and a 4.5± acre lot.

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TOTAL ACREAGE: 6.76± Acres

GENERAL PLAN: Rural Residential (RR)

ZONING: Rural Residential (RR:1)

SUPERVISORIAL DISTRICT: 5th District (Williams)

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: SAM VANDY VANDEWATER

BACKGROUND

PROJECT DESCRIPTION: Minor Subdivision of a 6.76± acre lot into a 2.0± acre lot and a 4.5± acre lot.

SITE CHARACTERISTICS: The subject parcel is approximately 6.75 acres and is located roughly 4.5 miles north of downtown Ukiah, on the south side of Parducci Road, from which it gains access. The parcel is within the Millview Water District, but existing structures utilize on-site septic systems and leach fields to address wastewater. The parcel is within the Ukiah Valley Fire Protection District. The parcel is already developed with two single-family residences, several accessory structures such as sheds and garages, a vineyard, and an orchard. The residences are located along the western parcel boundary, while the orchard and vineyard occur on the north and east sides of the parcel, respectively.

RELATED ON-SITE APPLICATIONS: MS_36-91; MS_36-83; PAC_2015-0015

PUBLIC SERVICES:

Access: Parducci Road (CR 224)
Fire District: Ukiah Valley Fire Protection District
Water District: Millview Water District
Sewer District: None

SURROUNDING LAND USE AND ZONING: The surrounding parcels are mostly developed with dwelling units, although more intense agricultural uses occur to the north, west, and south of the subject parcel. Mendocino/Parducci Wine conducts their processing operations north of the subject parcel, while Yokayo Wine Company conducts their operations to the south of the subject parcel. Other uses include a church to the east, as well as US Highway 101, which separates the residential neighborhood from industrial uses along the North State Street corridor.

	GENERAL PLAN	ZONING	LOT SIZES (ACRES)	USES
NORTH	Rural Residential (RR)	Rural Residential (RR:1)	0.8±	Residential
EAST	Suburban Residential (SR)	Rural Residential (RR:1)	2±, 1±, 0.3±, 0.5±, 0.5±, 1±	Residential
SOUTH	Rural Residential (RR)	Rural Residential (RR:1)	4.5±	Residential
WEST	Agricultural (AG)	Agricultural (AG)	40±, 1±, 1±, 2±	Residential

AGENCY COMMENTS: On December 12, 2016, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comment
Environmental Health	Comment
Building Inspection	No Response
Assessor	No Response
Air Quality Management District	No Response
County Addresser	No Response
Sonoma State University	Comment
Archaeological Commission	Comment
Millview Water District	No Response
Ukiah Valley Fire Protection District	No Response
Department of Fish and Wildlife	No Response

KEY ISSUES

- 1. General Plan and Zoning Consistency:** The subject parcel has a General Plan Land Use Designation of Rural Residential (RR) as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Rural Residential classification is intended,

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

General Uses: Residential uses, agricultural uses, cottage industries, residential clustering, public facilities, public services, conservation and development of natural resources, utility installations.”

The applicant requests the approval of a subdivision of the subject parcel into two parcels. The General Plan Land Use Designation of Rural Residential (RR) supports this subdivision by allowing for a clustering of developed parcels within the Ukiah Valley area, as well as retaining existing agricultural activities. Additionally, the size of the proposed parcels would limit potential development, thus the area is not being turned into a growth area.

The proposed project is also consistent with the Rural Residential (RR:1) zoning district, as defined by the Mendocino County Code (MCC). Chapter 20.048.005 of the MCC defines Rural Residential as a district,

"intended to create and enhance residential areas where agricultural use compatible with a permanent residential use is desired. Typically the "R-R" District would be applied to rural or semi-rural areas where urban levels of service are not available and where large lots are desired."

The proposed project is consistent with the zoning district as the subdivision entails each parcel adhering to the minimum parcel size of one (1) acre.

2. **Access:** Two exception requests were included with the project. One request is to allow for the reduction in road width from 22 feet down to the existing 11 feet for the initial section of the driveway, thus ensuring setbacks from neighboring residences is maintained. The applicant is also requesting an exception to the cul-de-sac / turnaround at the end of the driveway; also to ensure setbacks and corridor preservation standards are maintained. The local fire protection district, for whom the standards are partially established, provided affirmation of support for the two exception, thus Mendocino County Department of Transportation has also agreed with the proposed exceptions.
3. **Division of Land Regulations:** The project was reviewed by the Mendocino County Subdivision Committee on February 12, 2020 at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required findings found in MCC 17-48.5. No conflicts with the County Division of Land Regulations were identified.
4. **Environmental Protection:** An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). Some aspect could have significant impacts to the environment which would result from the project, thus a Negative Declaration was prepared. It is noted in the Initial Study that the proposed subdivision could result in some impacts due to future development; however these were considered to be less than significant impacts.

RECOMMENDATION

By resolution, adopt a Negative Declaration and grant Minor Subdivision for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

4/20/20
DATE


SAM VANDY VANDEWATER
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

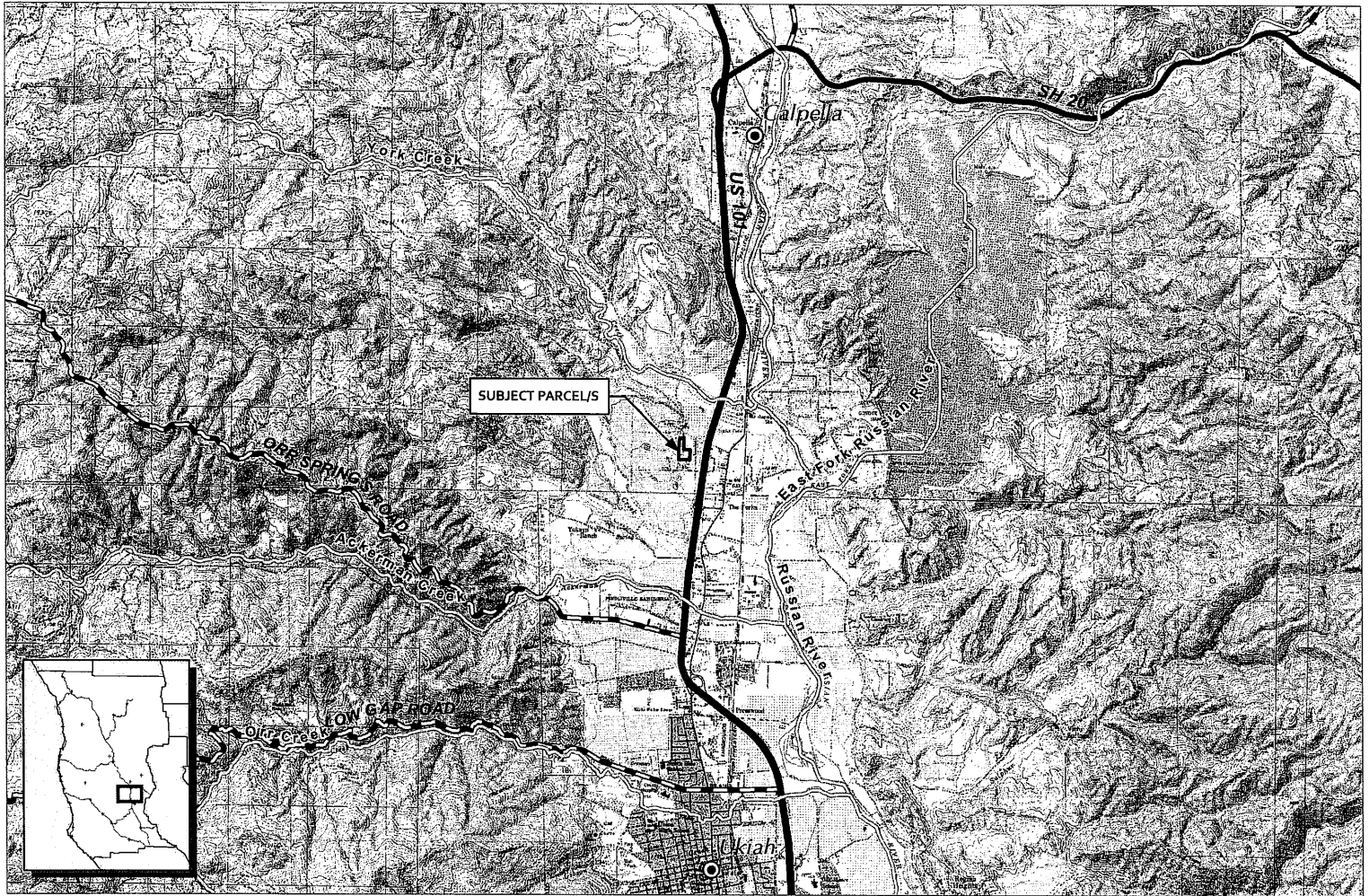
ATTACHMENTS:

- | | | |
|----------------------|------------------------|-------------------------------|
| A. Location Map | G. Adjacent Owner Map | N. Important Farmland Map |
| B. Topographical Map | H. Fire Hazards Map | O. Stormwater Permitting Map |
| C. Aerial Map | I. WUI Map | P. School District Map |
| D. Tentative Map | J. Water Districts Map | Q. Earthquake Fault Zones Map |
| E. Zoning Map | K. Dam Inundation Map | R. Miscellaneous Map |
| F. General Plan Map | L. Soils Map | |
| | M. Williamson Act Map | |

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

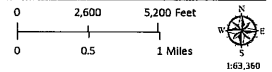
[NEGATIVE DECLARATION] Initial Study available online at:

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



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

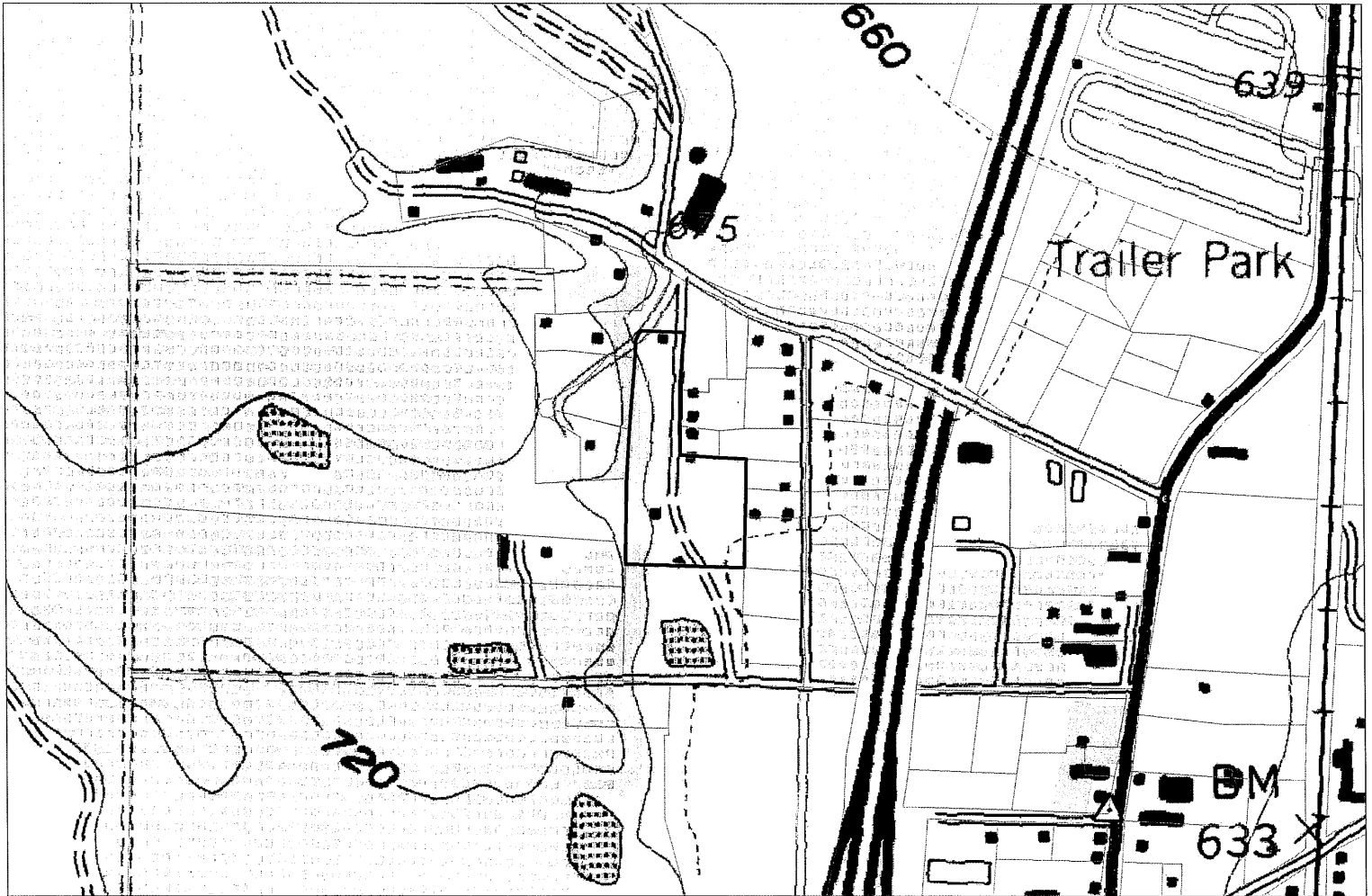
- Major Towns & Places
- Major Roads
- Major Rivers
- Highways



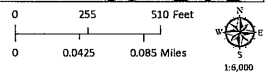
LOCATION MAP

Map produced by the Mendocino County Planning & Building Services, November, 2016
 All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT A



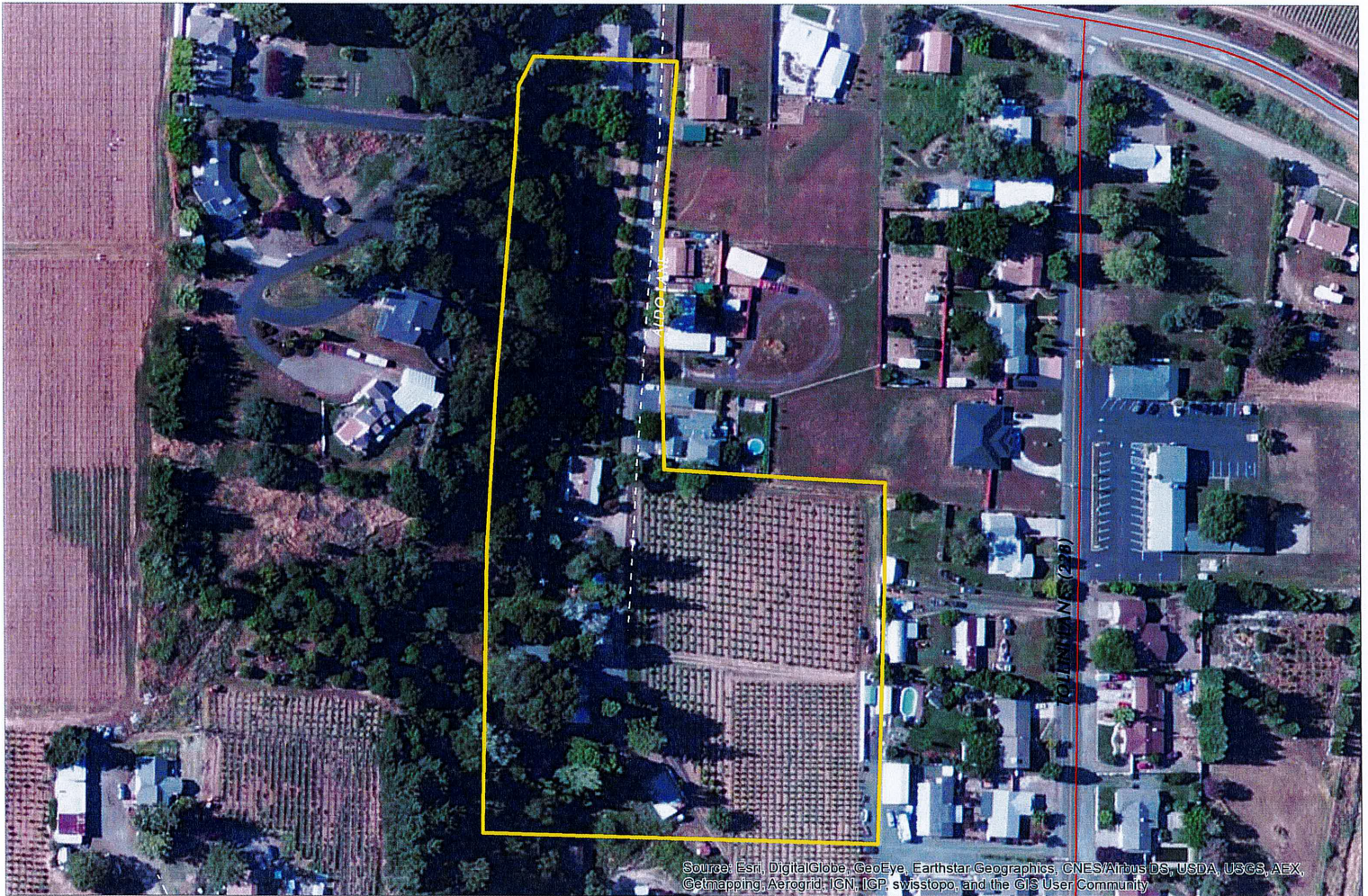
CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

Map produced by the Mendocino County Planning & Building Services, November 2016
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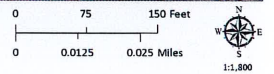
ATTACHMENT B



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

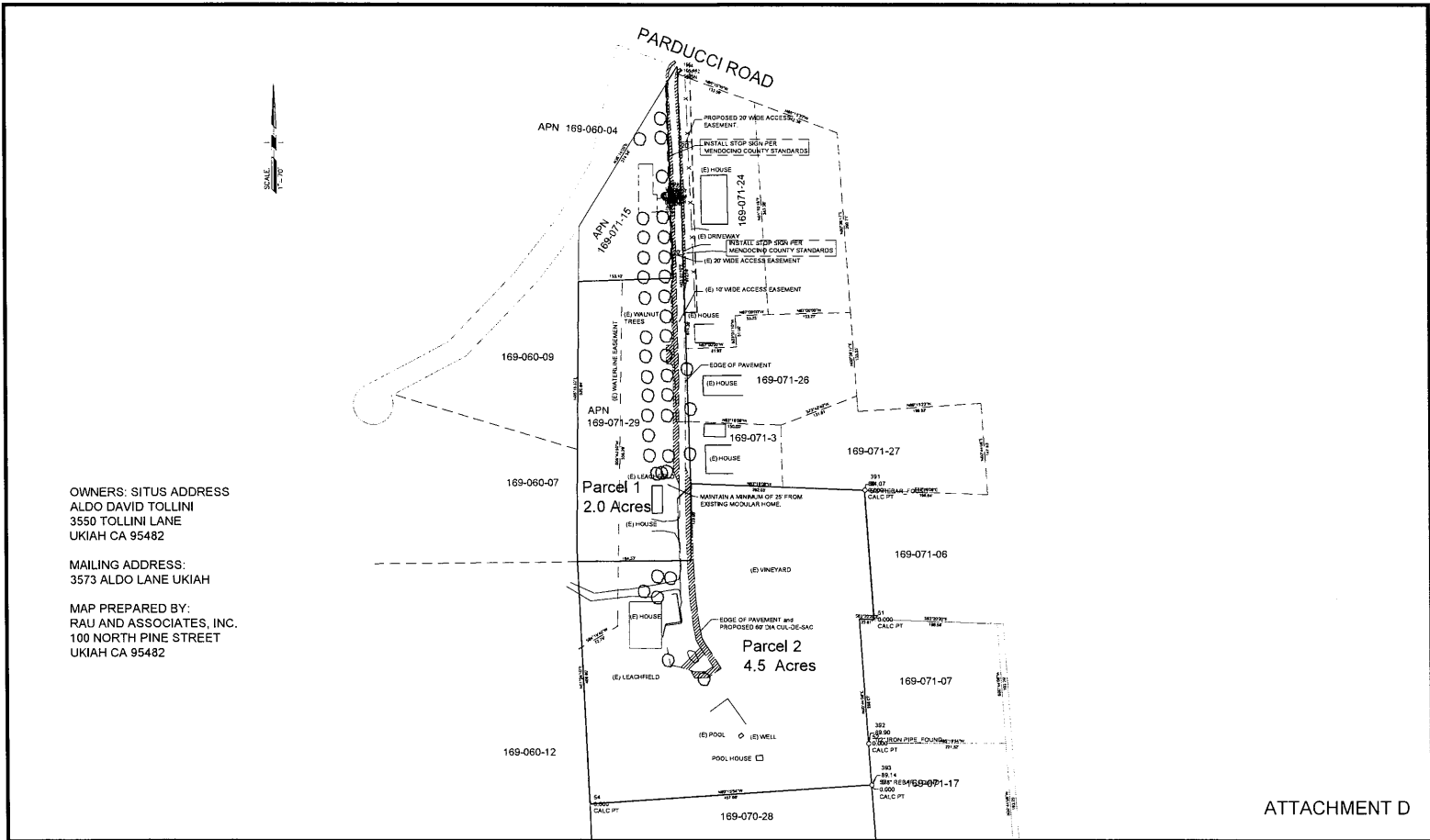
Public Roads
 Private Roads
 Driveways/Unnamed Roads



ESRI IMAGERY

Map produced by the Mendocino County Planning & Building Services, November, 2016
 All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT C



OWNERS: SITUS ADDRESS
ALDO DAVID TOLLINI
3550 TOLLINI LANE
UKIAH CA 95482

MAILING ADDRESS:
3573 ALDO LANE UKIAH


MAP PREPARED BY:
RAU AND ASSOCIATES, INC.
100 NORTH PINE STREET
UKIAH CA 95482

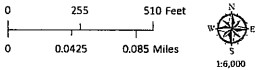
ATTACHMENT D

DATE: _____	REVISION: _____	BY: _____	OWNER: DAVID TOLLINI	RAU AND ASSOCIATES INC. CIVIL ENGINEERS • LAND SURVEYORS 100 NORTH PINE STREET • (707) 462-6536 • UKIAH, CA 95482	DRAWING: PRELIMINARY SURVEY MAP APN 169-071-29	SHEET 1 of 1 SHEETS
			LOCATION: 3550 TOLLINI LANE UKIAH, CALIFORNIA		PROJECT: 2 PARCEL MINOR SUBDIVISION	



CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

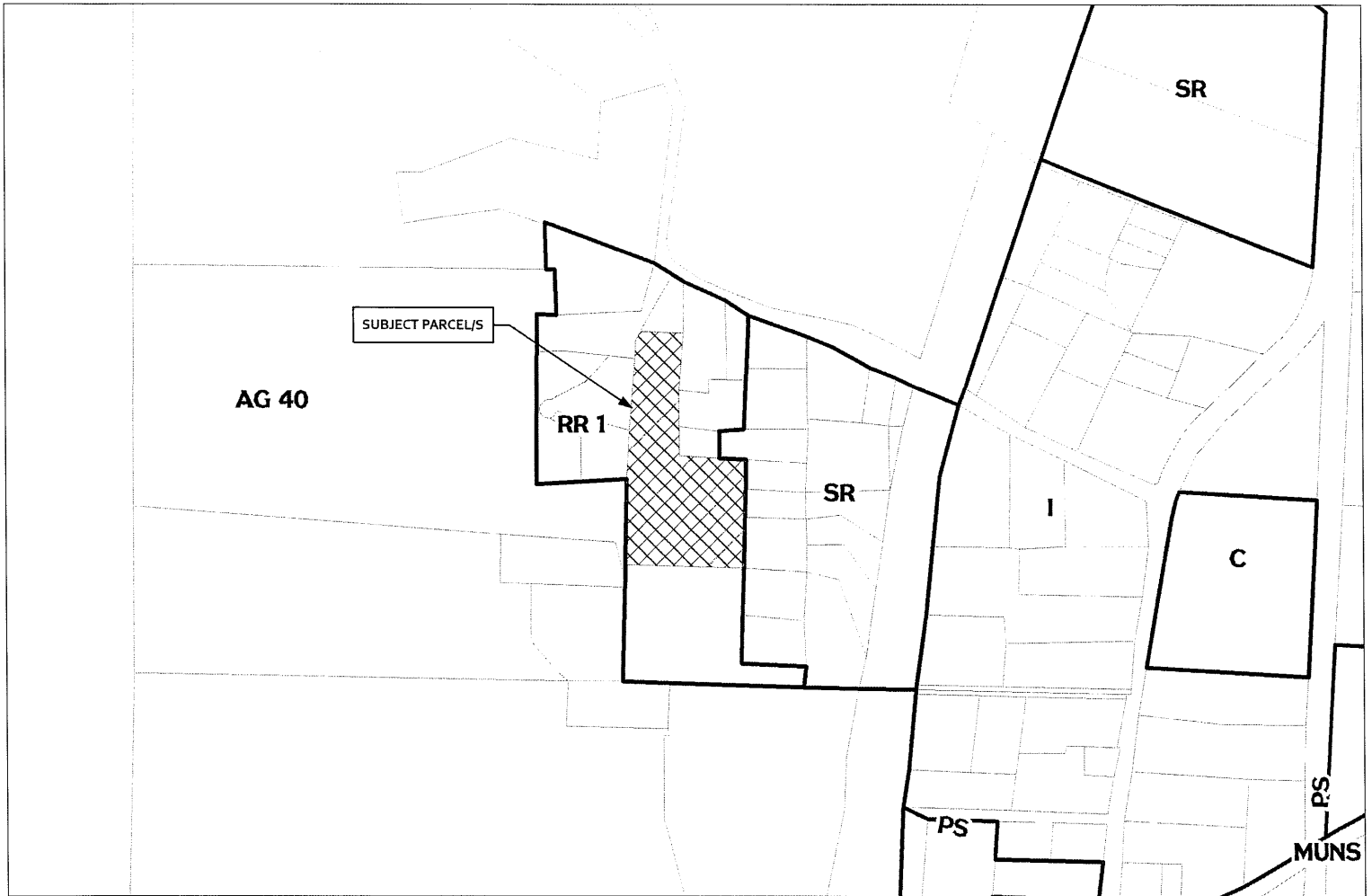
 Zoning Districts




ZONING DISPLAY MAP

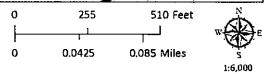
Map produced by the Mendocino County Planning & Building Services, November, 2016
All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT E



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

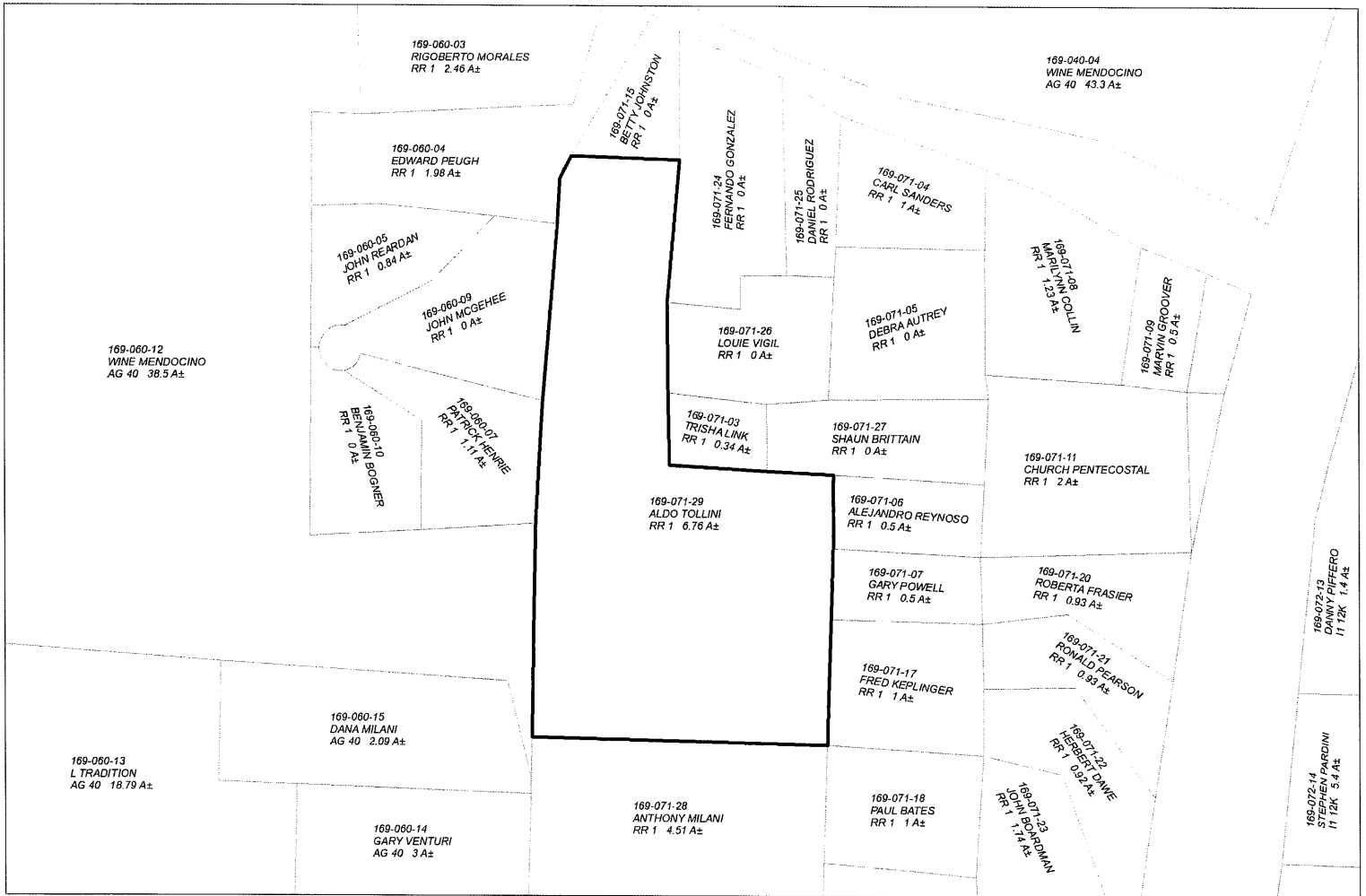
 General Plan Classes



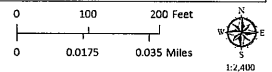
GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, November, 2016
 All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT F



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APPLICANT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah



ADJACENT PARCELS

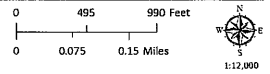
Map produced by the Mendocino County Planning & Building Services, November 2016
 All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT G



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

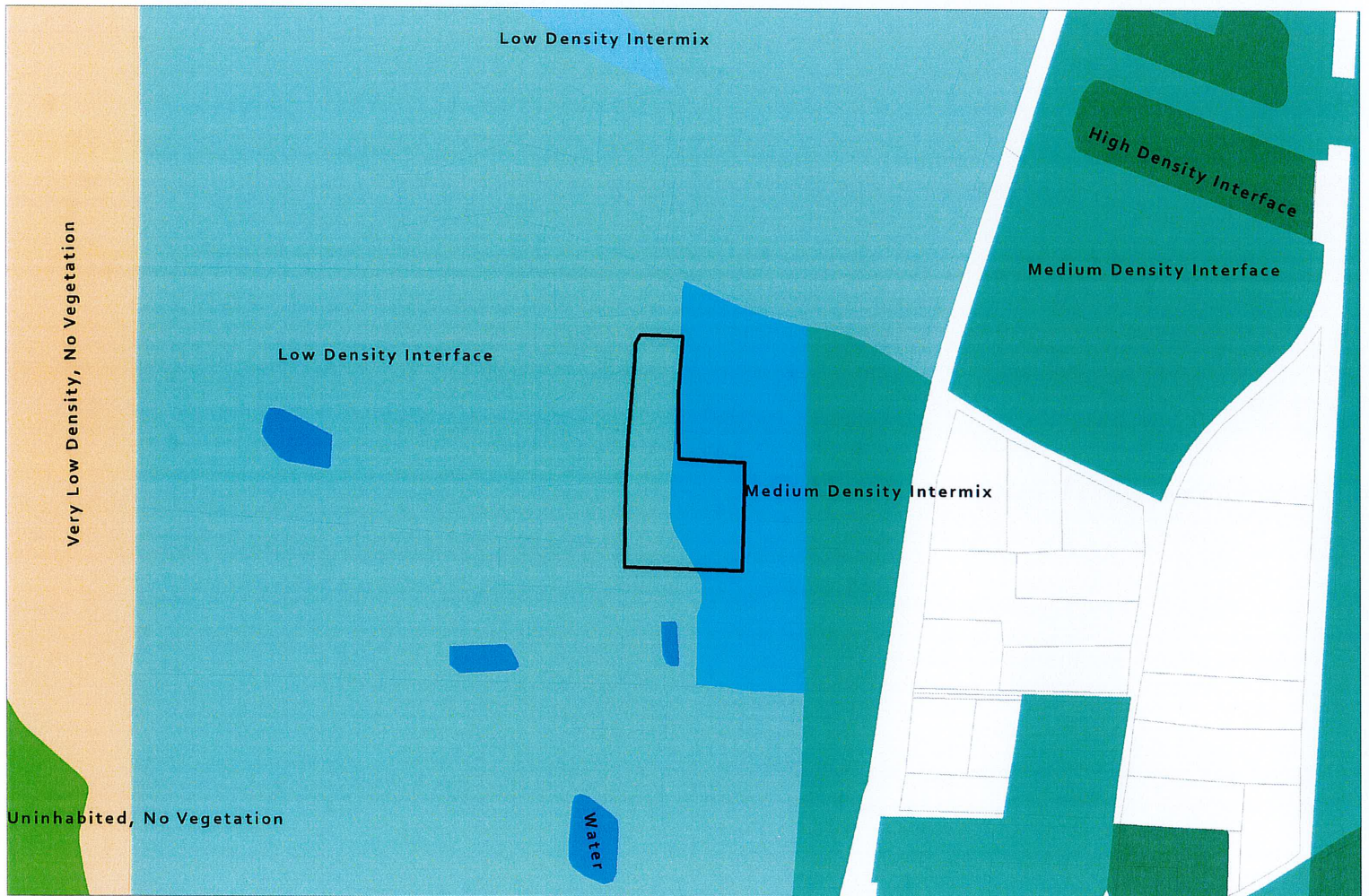
County Fire Districts
 Local Responsibility Areas
 High Fire Hazard
 Moderate Fire Hazard



FIRE HAZARD ZONES

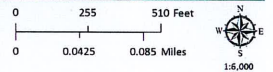
Map produced by the Mendocino County Planning & Building Services, November, 2016
 All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT H



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

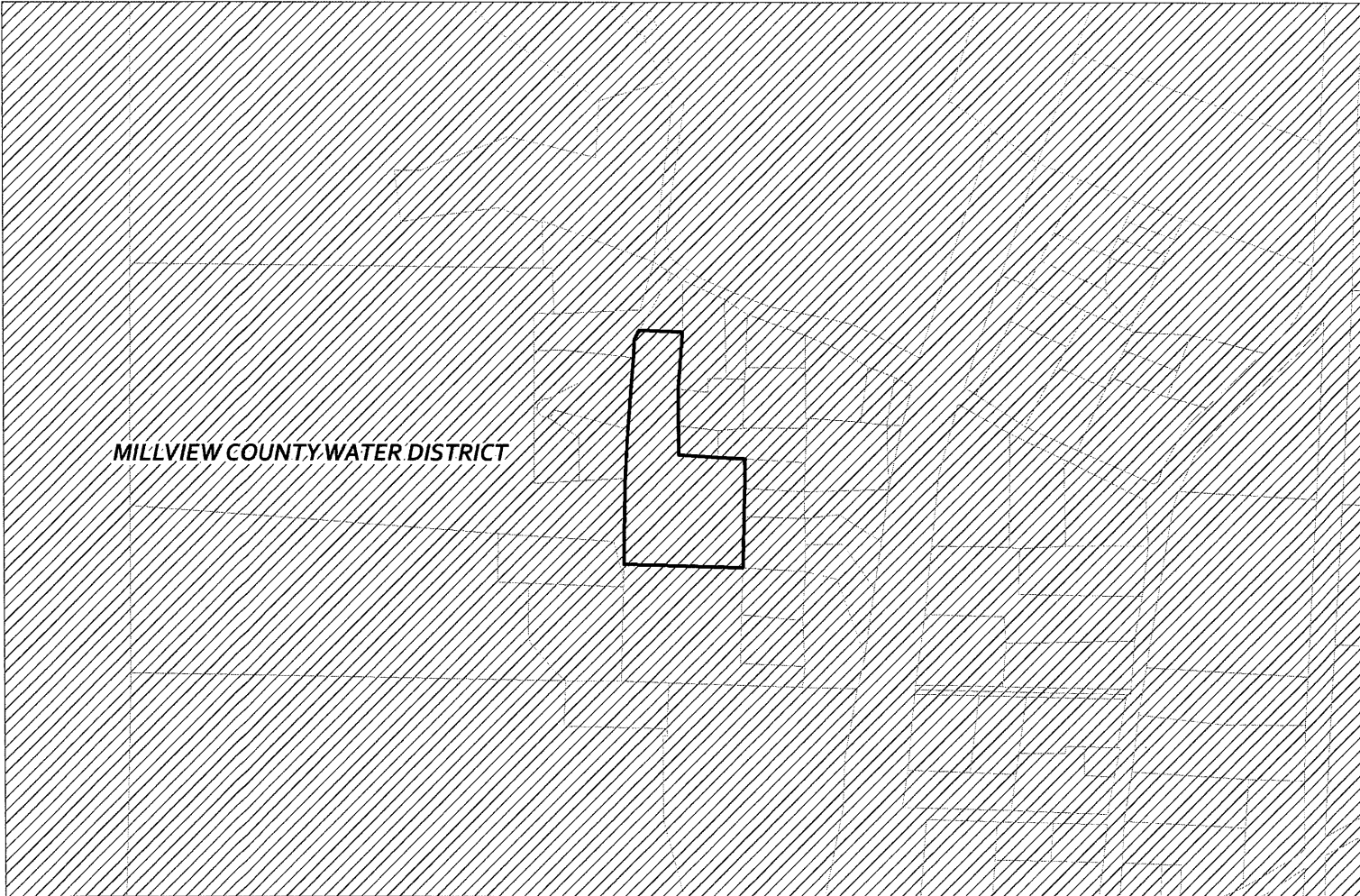
 Water




Map produced by the Mendocino County Planning & Building Services, November, 2016
 All spatial data is approximate. Map provided without warranty of any kind.

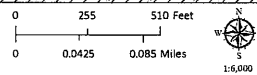
WILDLAND URBAN INTERFACE

A TTACHMENT I



CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

 County Water Districts




WATER DISTRICTS

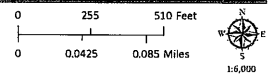
Map produced by the Mendocino County Planning & Building Services, November, 2016
All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT J



CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

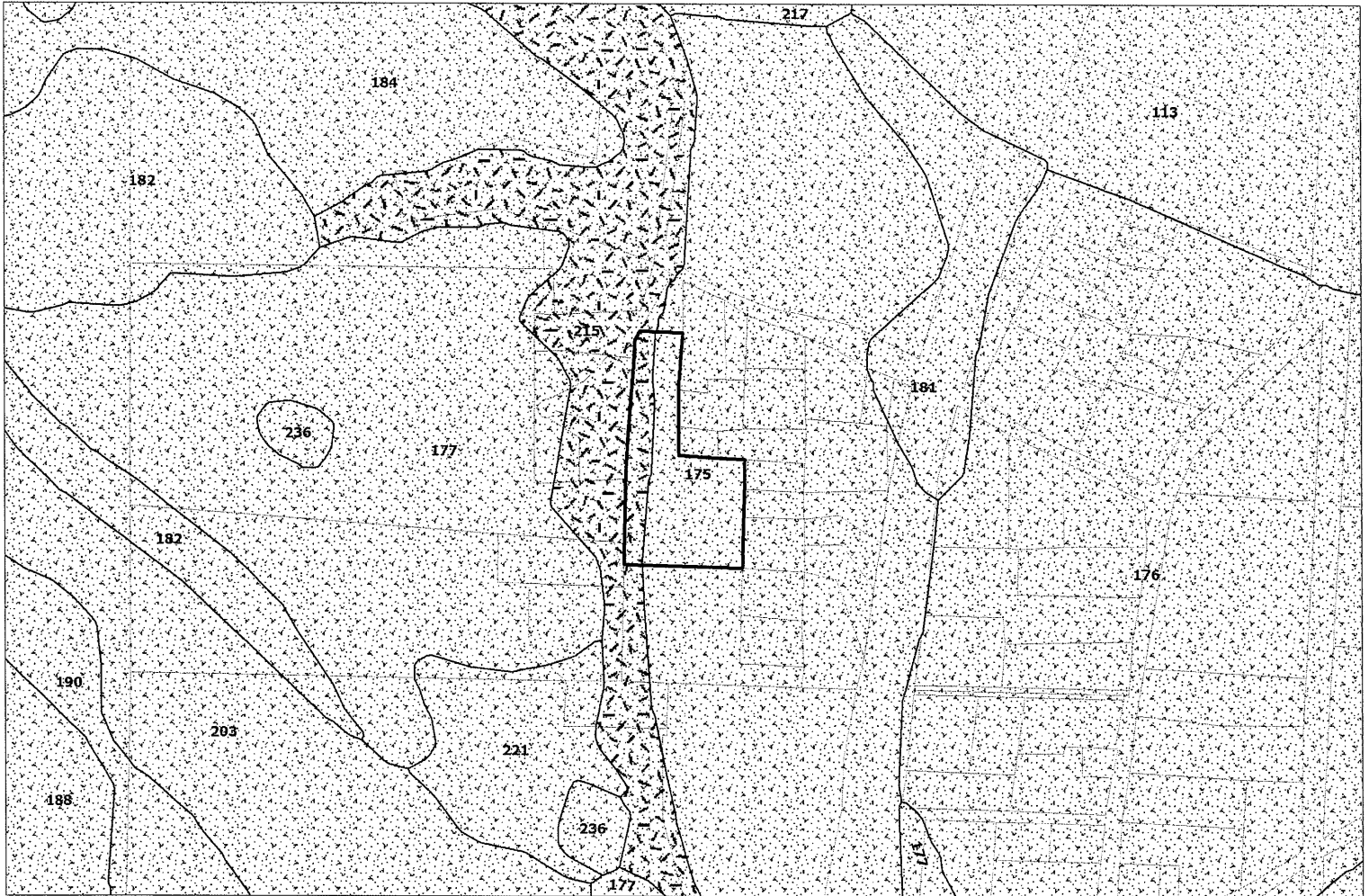
 Estimated Inundation Zones






INUNDATION ZONES

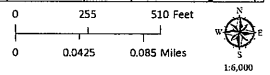
Map produced by the Mendocino County Planning & Building Services, November, 2016
All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT K



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

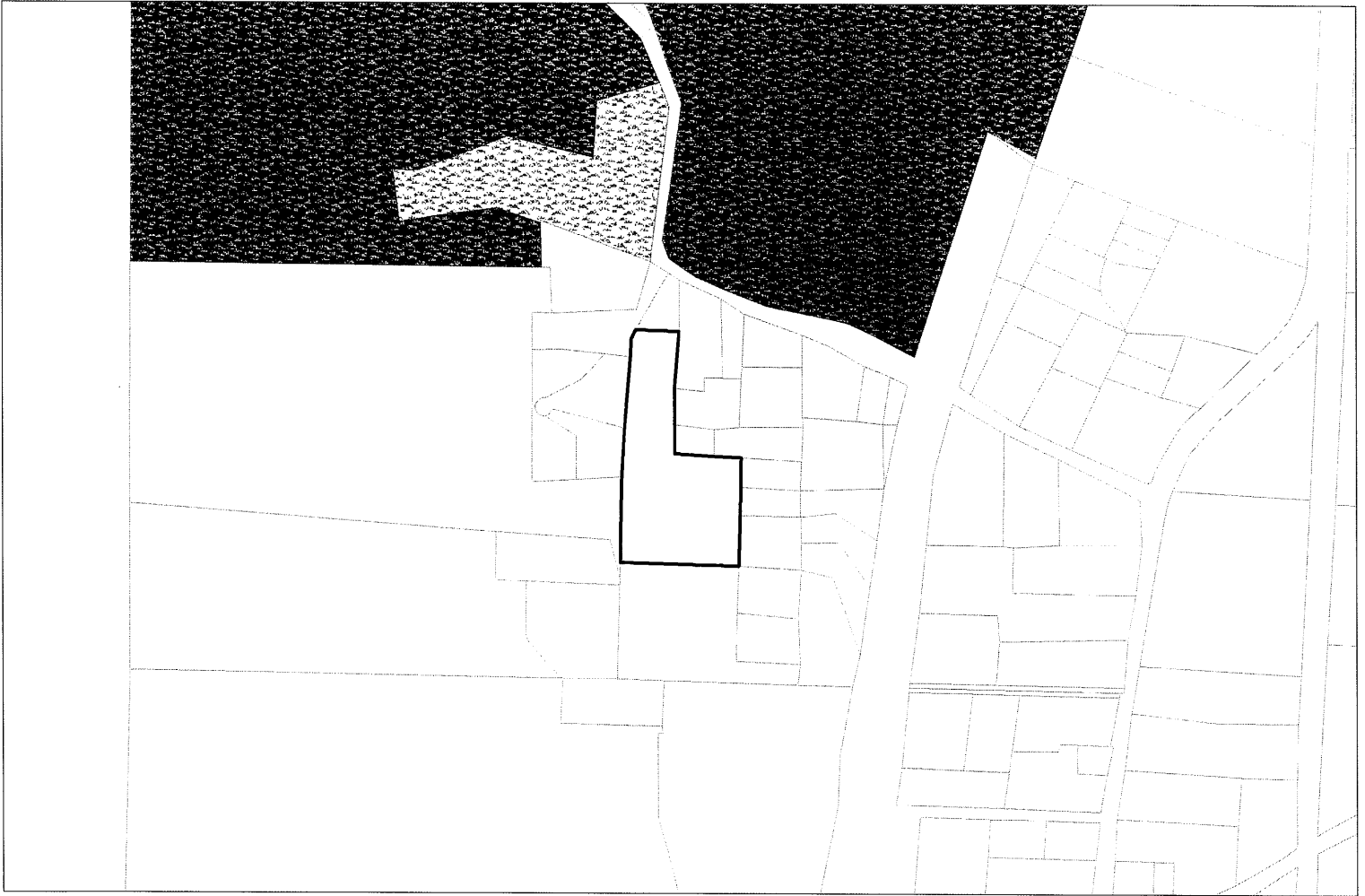
-  Eastern Soils
-  Eastern Serpentine Inclusions
-  Naturally Occuring Asbestos



LOCAL SOILS

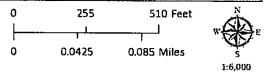
Map produced by the Mendocino County Planning & Building Services, November, 2016
 All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT L



CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

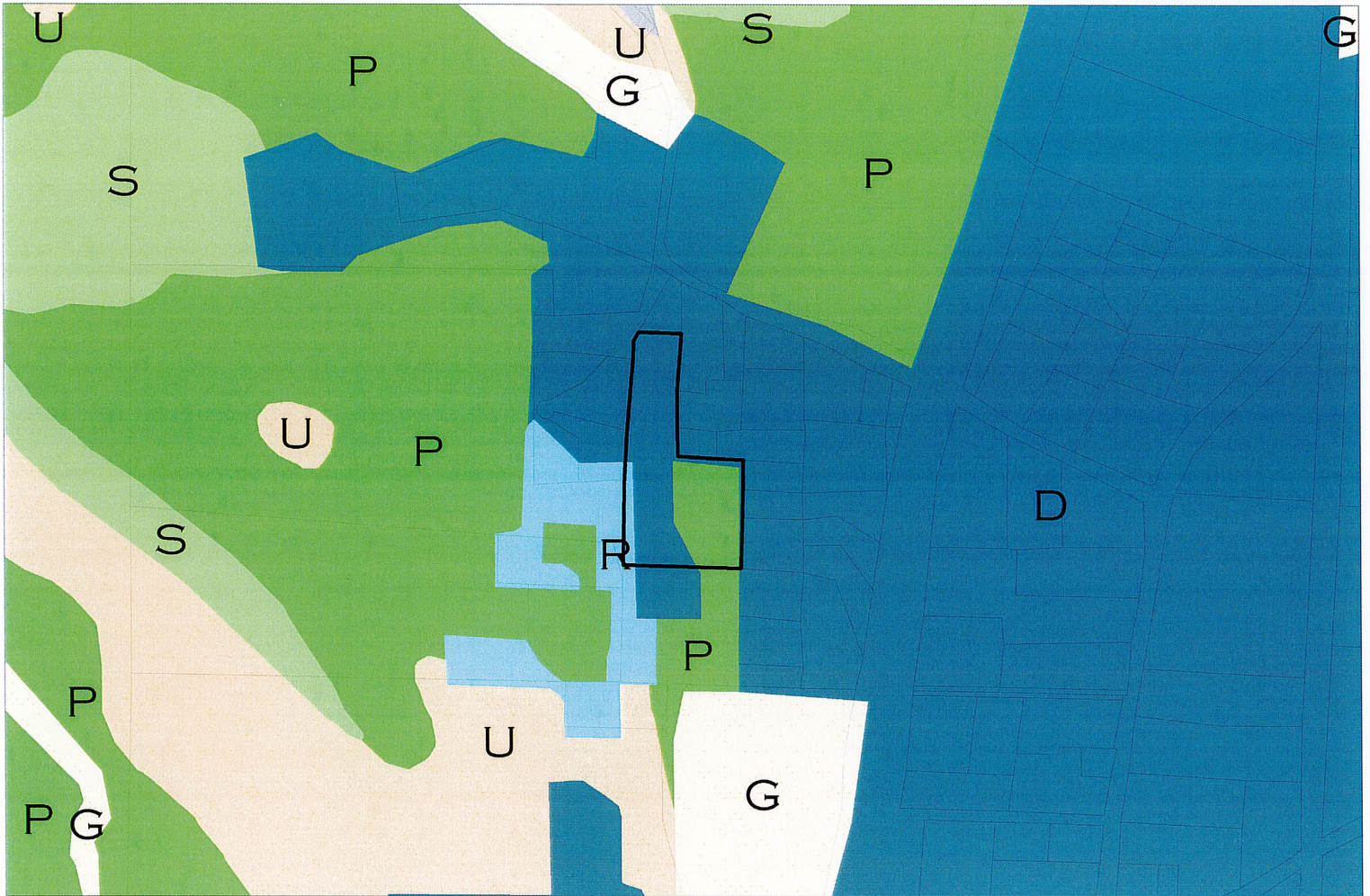
Williamson Act 2015
Non-Renewal Ag 2015
Prime Ag 2015
Non-Prime Ag 2015



LANDS IN WILLIAMSON ACT CONTRACTS

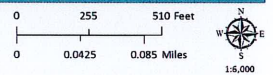
Map produced by the Mendocino County Planning & Building Services, November, 2016
All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT M



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah

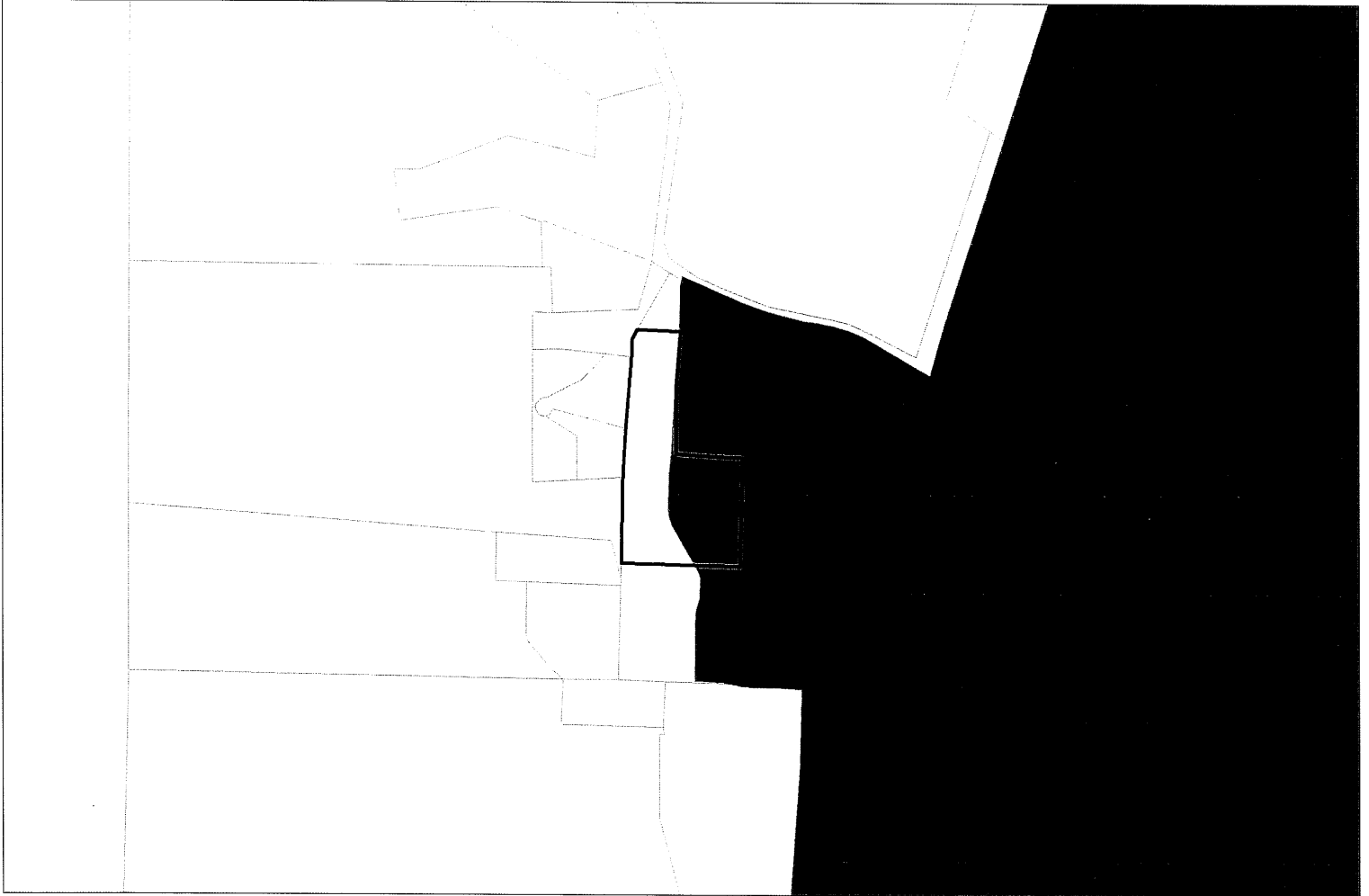
 Urban & Built-Up Land (D)	 Rural Residential & Rural Commercial (R)	 Vacant (V)
 Grazing Land (G)	 Farmland of Statewide Importance (S)	
 Prime Farmland (P)	 Unique Farmland (U)	




IMPORTANT FARMLAND

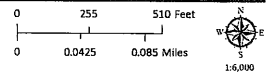
ATTACHMENT N

Map produced by the Mendocino County Planning & Building Services, November, 2016
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CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

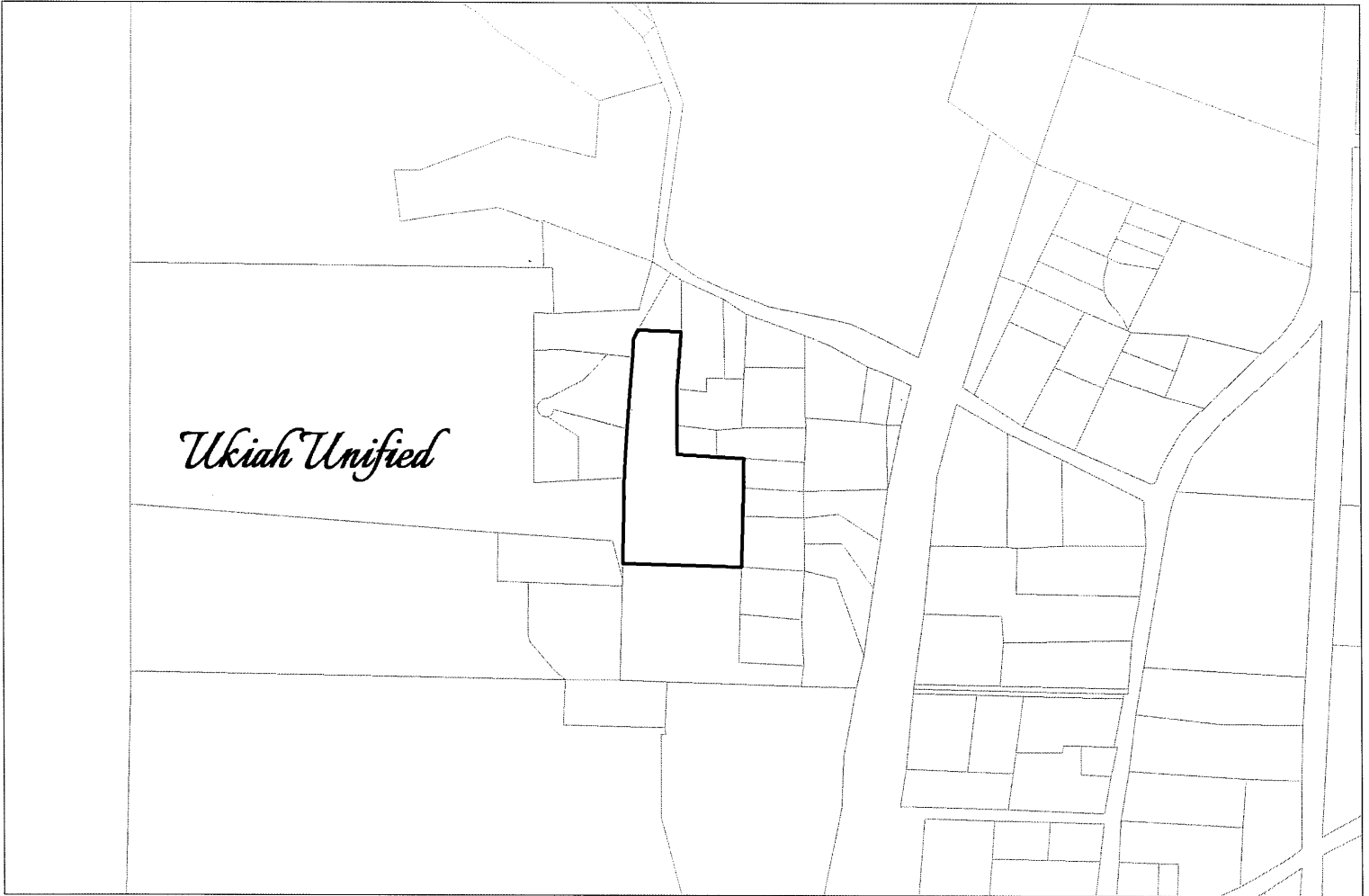
 Ukiah Stormwater Areas





STORMWATER PERMITTING ZONES

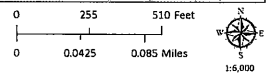
Map produced by the Mendocino County Planning & Building Services, November, 2016
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ATTACHMENT O



CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

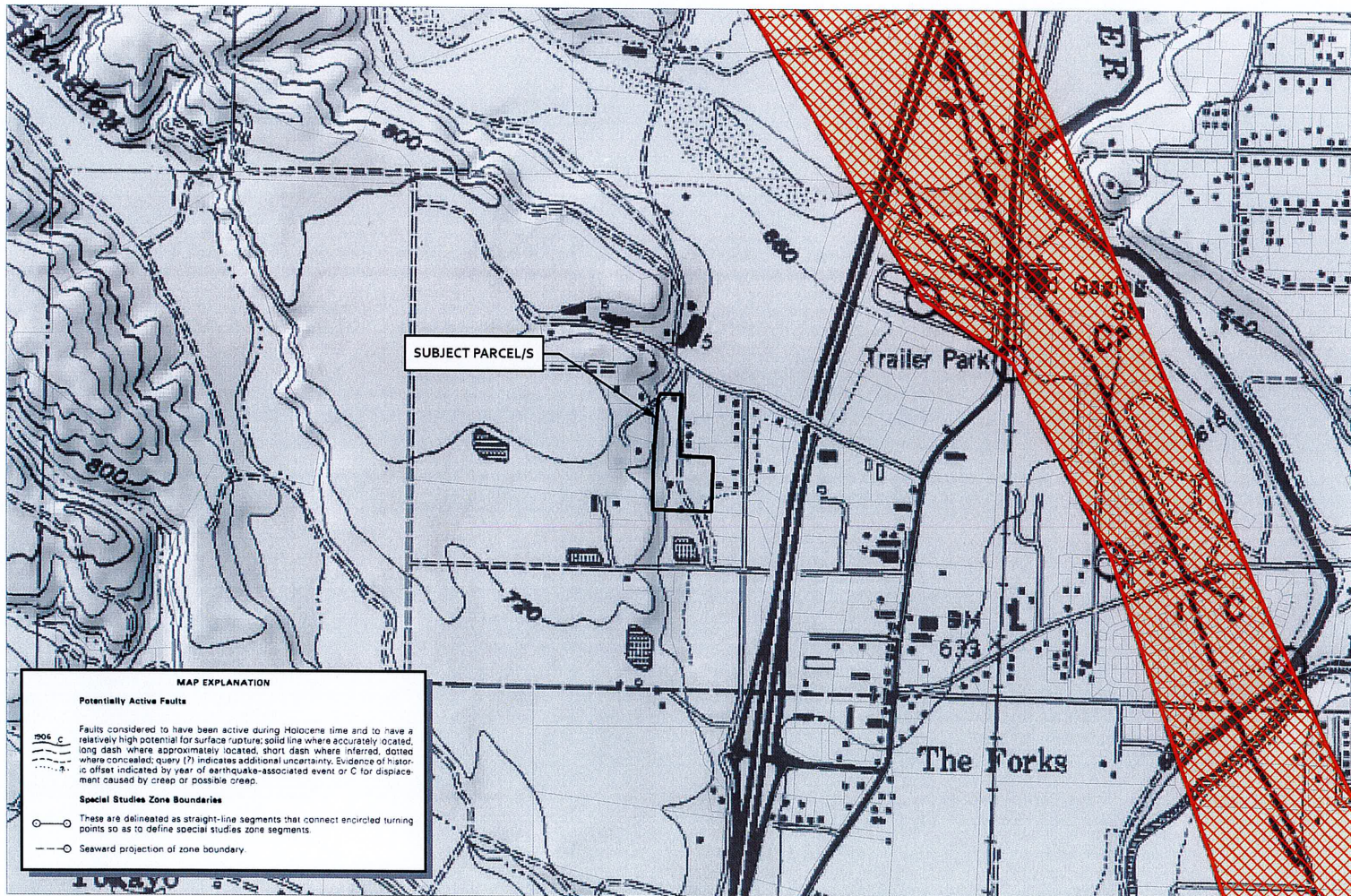
 Ukiah Unified School District
 County School Districts



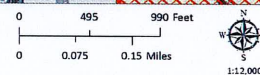
SCHOOL DISTRICTS

Map produced by the Mendocino County Planning & Building Services, November, 2016
All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT P



CASE: MS 2016-0007
 OWNER: TOLLINI, Aldo David
 APN: 169-071-29
 APLCT: Javier Rau
 AGENT: Javier Rau
 ADDRESS: 3550 Tollini Lane, Ukiah



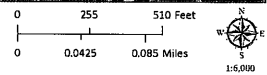
Map produced by the Mendocino County Planning & Building Services, November 2016
 All spatial data is approximate. Map provided without warranty of any kind.

EARTHQUAKE FAULT ZONES
 ATTACHMENT Q



CASE: MS 2016-0007
OWNER: TOLLINI, Aldo David
APN: 169-071-29
APLCT: Javier Rau
AGENT: Javier Rau
ADDRESS: 3550 Tollini Lane, Ukiah

-  Sewer Manhole
-  UVSD Lines
-  Supervisorial Districts 2010
-  Ukiah Valley Sanitation Dist.
-  UVAP Boundary



MISC DISTRICTS

ATTACHMENT R

Map produced by the Mendocino County Planning & Building Services, November, 2016
All spatial data is approximate. Map provided without warranty of any kind.

Section I Description Of Project.**DATE:** MAY 21, 2020**CASE#:** MS_2016-0007**DATE FILED:** 11/14/2016**OWNER:** DAVID TOLLINI**APPLICANT:** JAVIER RAU**AGENT:** JAVIER RAU**REQUEST:** Minor Subdivision of a 6.76± acre lot into a 2.0± acre lot and a 4.5± acre lot.**ENVIRONMENTAL DETERMINATION:** Negative Declaration**LOCATION:** 4.5± miles north of Ukiah center, on the south side of Parducci Road (CR 224), 520± feet west of its intersection with Tollini Lane (CR 228); located at 3550 Tollini Lane, Ukiah (APN: 169-071-29).**STAFF PLANNER:** SAM VANDY VANDEWATER**Section II Environmental Checklist.**

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.

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

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

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

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

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

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

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

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

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

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, has been designated as a State Scenic Highway by California State Assembly Bill 998, approved on July 12, 2019. According to CalTrans, 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 proposed subdivision is not located near any scenic highways, nor are there any scenic vistas located on the subject parcel. The subdivision does not propose any additional development other than already exists on the subject parcel, thus there will be not impact on visual resources.
- d) **No Impact:** The proposed subdivision does not entail any new development. There are two existing residences on the subject parcel and the proposed subdivision would create legal parcels for each residence. Any light emitted from the property already exists.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter "farmland"), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

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

The Timberland Production Zone (TPZ) was established in 1976 in the California Government Code as a designation for lands for which the Assessor's records as of 1976 demonstrated that the "highest and best use" would be timber production and 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) **No Impact:** A portion of the subject parcel is considered Prime Farmland and is currently utilized for vineyards, as seen in *Attachment N: Important Farmland Map*. The remainder of the parcel is considered "Urban & Build-Up Land (D)". The proposed project will simply create two parcels from the existing parcel; no development is planned to occur that would convert Prime Farmland, though there is the potential for additional accessory structures, including accessory dwelling units.
- b) **No Impact:** The subject parcel is located in a Rural Residential (RR:1) zoning district which permits agricultural activities. The owners of the parcel currently have a small vineyard, but the parcel is not under an Williamson Act Contract and many other uses are permitted within the Rural Residential zoning district that are not related to agricultural activities.
- c-d) **No Impact:** There are no parcels that are considered "Forest Lands" located near the subject parcel.
- e) **No Impact:** The proposed project is to subdivide an existing parcel into two parcels. No development is included in the proposed project, thus there would be no conversion of agricultural or forest lands. While accessory dwelling units are a possibility, the size of the proposed parcel, the location of septic and leach fields, and the current placement of the existing driveway would make further development difficult.

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

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air

quality standard; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

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 the 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 heating, 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 (NO_x) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies. In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM_{2.5}. All stationary and portable diesel engines over 50 horse power 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-b) **No Impact:** The proposed project would not obstruct any air quality plan, nor would it violate any air quality standards. The proposed subdivision does not involve any further development, and existing residences have already been established, thus there would be no new sources of pollution. While new development could occur at a later date, parcel restrictions would limit the size of development.
- c) **No Impact:** All activities occurring on the subject parcel are permitted uses and were considered during the environmental review for the adoption of the Ukiah Valley Area Plan and the county General Plan.
- d-e) **No Impact:** The proposed subdivision does not include any additional development or activities that would otherwise create a nuisance with regard to releasing noxious odors or pollutants that could affect sensitive receptors.

<u>IV. BIOLOGICAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on biological resources if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; 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; 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; 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; conflict with any local policies or ordinances protecting biological resources,

such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Discussion: Mendocino County'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.*

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

Many species of plants and animals within the State of California have low populations, limited distributions, or both. Such species may be considered "rare" and are vulnerable to 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."

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

Mendocino County currently has 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) **No Impact:** The proposed subdivision would not impact any species or habitats of concern as none of these communities exist on the subject parcel. Furthermore, the project does not propose any additional development that would disturb such biological resources.
- d-e) **No Impact:** There are no identified wildlife corridors across the subject parcel, but the proposed subdivision does not entail any development; thus, the project would not impact wildlife corridors. Furthermore, there are no ordinances that identify any plant or animal on the subject parcel as a biological resource, thus there are no protection efforts that will be impacted by the proposed project.
- f) **No Impact:** The proposed subdivision is not located near the HCP or any lands owned by the MRC, thus there is no potential of conflict with such plans.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

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 archaeological 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, Sub Section 15064.5(c)(4), *"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."*

a-d) **No Impact:** The proposed project was referred to Sonoma State University, who responded with comments on December 21, 2016 with the recommendation that a survey be conducted for the subdivision. The project was initially reviewed by the Mendocino County Archaeological Commission on September 13, 2017, who required a survey be conducted on the subject parcel. The survey was submitted to and reviewed by the Mendocino County Archaeological Commission at the January 10, 2018 meeting with the survey and recommendations being accepted as conditions to the project.

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

Thresholds of Significance: The project would have a significant effect on energy if it would 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.

Discussion: On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious 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 efficiency savings and demand reductions in electricity and natural gas final 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 proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

Permanent structures constructed on-site would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The 2019 Building Energy Efficiency Standards are designed to reduce wasteful, uneconomic, inefficient or unnecessary consumption of energy, and enhance outdoor and indoor environmental quality. It is estimated that single-family homes built with the 2019 standards will use about 7 percent less energy due to energy efficiency measures versus those built under the 2016 standards (CEC, 2018).

- a-b) **No Impact:** No development is included as a component of the proposed subdivision; all existing activities and uses will continue without contributing to energy waste. Furthermore, the proposed subdivision does not conflict with any state plans for renewable energy. Any new residential structures would have to adhere to Building Energy Efficiency Standards.

<u>VII. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on geology and soils if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial

direct or indirect risks to life or property; 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 wastewater; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Discussion: Of the five known faults, the Maacama Fault is the closest active fault to the subject parcel, located approximately 2,000 feet to the east. The Maacama Fault extends from northern Sonoma County to north of Laytonville in Mendocino County. Historically, the Maacama Fault has generated only a few moderate earthquakes. However, an abundance of micro-earthquakes (less than magnitude 3) are clearly associated with the fault. A magnitude 5.6 earthquake was reported to have occurred in the Ukiah area in 1869. Surface fault creep, very slow movements across known fault locations, has been documented along the Maacama Fault at locations east of Willits and Ukiah.

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. Landsliding 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 9 percent slopes and greater have a moderate erosion hazard, and soils on slopes greater than 15 percent have a high erosion hazard. The elevation of the subject parcel is roughly 650 feet above mean sea level (amsl), with an average slope of approximately 0.0 percent.

- a) **Less Than Significant Impact:** The proposed subdivision would occur near the Maacama Fault, thus seismic shaking is a possibility; however, the distance from the fault is great enough that no major impacts would occur. No referral agency that provides emergency services had comments regarding the proposed project and potential impacts.
- b) **No Impact:** The proposed subdivision does not entail any additional form of development, thus there are no activities which would result in the top soil loss or soil erosion.
- c-e) **No Impact:** The soils on which the proposed project is located are not identified as those that would result in any major issues or concerns for the subdivision. There are two existing residences on the subject parcel, in addition to septic systems for those dwellings. Furthermore, none of the soils on the parcel are considered to be expansive.
- f) **No Impact:** An archaeological survey was completed for the project which did not indicate any paleontological resources or unique geological features.

<u>VIII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Discussion: Assembly Bill 32 (AB32), 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. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. 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 CO₂e (CO₂ 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-b) **No Impact:** The proposed subdivision does not include any additional development that would contribute to the generation of greenhouse gases; therefore the project could not conflict with any regulations aimed at reducing greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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 (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 (CalFire) designates areas of the County into fire severity zones. These maps are used to develop recommendations for local land use agencies and for general planning purposes.

- a-c) **No Impact:** The proposed subdivision does not include the use of any hazardous materials, therefore the transportation, storage, or accidental release or emissions of hazardous materials is not considered a concerns with regard to this project.
- d) **No Impact:** There is no identified hazardous material sites located on the subject parcel, historically or currently, by which the proposed subdivision would be impacted.
- e-f) **No Impact:** The proposed subdivision is not within an airport land use plan.
- h) **No Impact:** While there are existing dwellings on the proposed subdivision, the subject parcel is located within the Ukiah Valley Fire Protection District which shall continue to provide service. According to the Wildland-Urban Interface Map (*Attachment I*), the parcel is considered to range from "low density interface" to "medium density intermix." It should be noted, however, that the portion of the proposed subdivision that is located within the "medium density intermix" is currently host to vineyards.

X. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Discussion: Regulatory agencies, including 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, e) **No Impact:** The subject parcel is provided water by the Millview Water District, but uses a septic system for waste water. The Millview Water District did not provide any comments regarding the proposed subdivision. As a condition of the project, the applicant will be required to work with the Department of Environmental Health and the Millview Water District should any future structures with plumbing and habitation provision be constructed in the future.
- b) **No Impact:** The proposed project utilizes water provided by Millview Water District, thus the loss of water supplies due to intensive groundwater extraction is no likely to occur.
- c) **No Impact:** The proposed subdivision will create two parcels on which existing dwellings are located, thus providing each residence with a parcel. Since there is no additional development proposed with the subdivision, there is no possibility that the project would impact any existing drainage patterns.
- d) **No Impact:** Per *Attachment K: Dam Inundation Map*, only a small portion of the subject parcel is location within an inundation zone, thus there are minimal concerns with regard to this hazard.

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

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

Discussion: 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) **No Impact:** The proposed project is located within the Parducci Road community of Ukiah which hosts roughly 20 residences on the west side of Highway 101 and is only accessible by the aforementioned road. The subdivision would not physically divide the community, but provide separate parcels to two of the existing residences.
- b-c) **No Impact:** There is no identified environmental impact mitigation plans with which the proposed project would conflict. The subject parcels is not known to host any sensitive or special species plants or animals, and is located roughly 25 miles from the HCP.

XII. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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"/>

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

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

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

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from 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-d) **No Impact:** The subject is currently developed with two dwelling units, several accessory structures, and vineyards. The new parcels would be limited in the types of residential structures that could be constructed, being restricted to accessory dwelling units (less than 1,200 square feet), guest cottages, and detached bedrooms.

e-f) **No Impact:** The proposed subdivision is not within an airport land-use plan area.

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

Thresholds of Significance: The project would have a significant effect on population and housing if it would 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); or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Discussion: The most recent census for Mendocino County was in 2017, with an estimated population of 88,018. 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) **No Impact:** While the proposed subdivision would allow for the establishment of additional accessory dwelling units, the size of and the current activities occurring on the proposed parcels would limit this type of development. Even so, the proposed subdivision would only allow for two additional units which would not result in substantial population growth.
- b-c) **No Impact:** The proposed subdivision would not displace any people or dwelling units. The project could potentially allow for two accessory dwelling units.

<u>XV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: The Mendocino County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the Mendocino County Operational Area. The subject parcel is located within the Ukiah Valley and is thus provided services by the Ukiah Valley Fire Protection District, Ukiah Unified School District, and the Mendocino County Sheriff's Office; these services were provided before the proposed subdivision, and will continue after subdivided.

- a) **No Impact:** The proposed subdivision is consistent with the provisions of public utilities and would not have an impact on the delivery of such services. A letter dated November 12, 2019, from the Ukiah Valley Fire Protection District was submitted by the applicant regarding the District's approval and willingness to service the subject parcel with its existing driveway layout.

<u>XVI. RECREATION.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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"/>

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

Discussion: The County of Mendocino manages a variety of public recreation areas including 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. Low Gap and Mill Creek are the closest county parks to the proposed subdivision, but are still located more than 2.5 miles, at minimum, from the project location. Additionally, the County is host to a variety of federal and state parks, reserves, and other state protected areas used for the purpose of recreation, with

13 located along the coast and 8 located throughout inland Mendocino County. The closest state or federal protected area to the proposed project is Lake Mendocino located 1.5 miles to the east, operated by the Army Corps of Engineers; and the South Cow Mountain OHV Recreational Area located approximately 8 miles southeast of the subject parcel, operated by the Bureau of Land Management.

- a-b) **No Impact:** As the proposed subdivision does not include any additional residential development, there would be no increase in demand for recreational areas or their facilities. Furthermore, the proposed subdivision does not entail the establishment of any additional recreational lands.

<u>XVII. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion: Mendocino County's Development Element Policy DE-149 states: "Major development applications shall include traffic studies to evaluate and mitigate cumulative effects on network level of service and safety." The California Department of Transportation (CalTrans) establishes Level of Service (LOS) goals through its Guide for the Preparation of Traffic Impact Studies. The LOS for operating State highway facilities is based upon measures of effectiveness (MOEs). These MOEs describe the measures best suited for analyzing State highway facilities (i.e., freeway segments, signalized intersections, on- or off-ramps, etc.). CalTrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities.

The County's Regional Transportation Plan goal's for the State Highway System states: "Provide safe, efficient transportation for regional and interregional traffic while maintaining quality of life for residents of the county."

- a, e) **Less Than Significant Impact:** The proposed subdivision will have an access easement to Parcel 2 to facilitate access, although the driveway already exists. Due to the size and configuration of the subject parcel, an exception request to deviate from the standard road width has been included with the project and accepted by the Department of Transportation. Additionally, the Ukiah Valley Fire Protection District has provided comment that there would be no issue in terms of emergency access.
- b, f) **No Impact:** There are no County plans with which the proposed subdivision would conflict that would impact public transit, pedestrian and bicycle infrastructure, or congestion management standards.
- c) **No Impact:** The proposed subdivision is not located within an airport land use plan, and thus would not be in conflict with any such regulations or policies.
- d) **Less Than Significant Impact:** Due to the shape of the subject parcel, the access for the proposed subdivision is only 20 feet for the first 200 feet of the driveway before being able to widen. The Ukiah Valley Fire Protection District has provided comments requesting a stop sign be installed at the end of the driveway, where it intersects with Parducci Road, to ensure safety for all uses

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

Thresholds of Significance: The project would have a significant effect on Tribal Cultural Resources if it would cause a substantial adverse change in the significance of a cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1.

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.

According to Chapter 3 (Development Element) of the Mendocino County General Plan (2009), the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County's redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. The entire southern third of Mendocino County was the home of groups of Central Pomo. To the north of the Central Pomo groups were the Northern Pomo, who controlled a strip of land extending from the coast to Clear Lake. The Coast Yuki claimed a portion of the coast from Fort Bragg north to an area slightly north of Rockport. They were linguistically related to a small group, called the Huchnom, living along the South Eel River north of Potter Valley. Both of these smaller groups were related to the Yuki, who were centered in Round Valley. At the far northern end of the county, several groups extended south from Humboldt County. The territory of the Cahto was bounded by Branscomb, Laytonville, and Cummings. The North Fork Wailaki was almost entirely in Mendocino County, along the North Fork of the Eel River. Other groups in this area included the Shelter Cove Sinkiyone, the Eel River, and the Pitch Wailaki.

- a-d) **No Impact:** The proposed project was referred to Sonoma State University, who responded with comments on December 21, 2016 with the recommendation that a survey be conducted for the subdivision. The project was initially reviewed by the Mendocino County Archaeological Commission on September 13, 2017, who required a survey be conducted on the subject parcel. The survey was submitted to and reviewed by the Mendocino County Archaeological Commission at the January 10, 2018 meeting with the survey and recommendations being accepted as conditions to the project.

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

Thresholds of Significance: The project would have a significant effect on utilities and service systems if it would 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; not have sufficient water supplies available to serve the project and

reasonably foreseeable future development during normal, dry, and multiple dry years; result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; 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; or not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

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, c) **No Impact:** The proposed subdivision is not connected to the Ukiah wastewater treatment facility, but utilizes multiple on-site septic systems to manage wastewater.
- b) **No Impact:** The subject parcel and existing development are already connected to the Millview Water District for the provision of water supplied. The Department of Environmental Health has provided a condition to the project requesting a will serve letter from the local water district.
- d-e) **No Impact:** The proposed subdivision will utilized existing septic systems to manage solid waste as the parcel is not connected to the sewage service of the Millview Water District. The Department of Environmental Health has provided conditions for the applicant to remain compliant with solid waste disposal standards.

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

other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on wildfire if it would impair an adopted emergency response plan or emergency evacuation plan; 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; 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; or 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.

Discussion: 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-d) **No Impact:** The subject parcel has a flat topography and is easily accessible from Parducci Road. Furthermore, comments from the Ukiah Valley Fire Protection District indicate approval of the subdivision and no concerns have been raised with regards to fire safety issues. Therefore, the installation of infrastructure that could result in or exacerbate wildfires is not considered a problem. All existing structures have been permitted by approved building permits, thus requiring sign off by the fire district.

<u>XXI. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on mandatory findings of significance if it would 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; 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.); or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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.

Potential environmental impacts from the approval of a PERMIT TYPE to PROJECT DESCRIPTION have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

- a) **No Impact:** The proposed subdivision has little potential to degrade the quality of the environment or impact any species and their habitat. The subdivision would provide two existing dwelling units their own legal parcels, with future development of the two new parcels restricted by setbacks, parcel size, and existing uses.
- b) **Less Than Significant Impact:** The proposed project could have some cumulative impacts on the environment. However, as previously noted, the restrictions on the proposed parcels would limit any cumulative impacts in the future due to parcel size, setbacks, and existing uses.
- c) **No Impact:** The proposed subdivision does not have any component that would impact human beings.

DETERMINATION: On the basis of this initial evaluation:

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

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

04-23-2020

DATE


SAMI VANDY VANDEWATER
PLANNER II

Resolution Number _____

County of Mendocino
Ukiah, California
May 21, 2020

MS_2016-0007 – DAVID TOLLINI

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE
DECLARATION AND GRANTING A MINOR SUBDIVISION

WHEREAS, the applicant, JAVIER RAU, filed an application for a Minor Subdivision with the Mendocino County Department of Planning and Building Services to subdivide a 6.76± acre lot into a 2.0± acre lot and a 4.5± acre lot, 4.5± miles north of Ukiah center, on the south side of Parducci Road (CR 224), 520± feet west of its intersection with Tollini Lane (CR 228); located at 3550 Tollini Lane, Ukiah (APN: 169-071-29).; General Plan RR; Zoning RR:1; Supervisorial District 5; (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on April 29, 2020 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on May 21, 2020, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

1. **General Plan and Zoning Consistency Findings:** The subject parcel has a General Plan Land Use Designation of Rural Residential (RR) and the Project is consistent with the General Plan definition. Additionally, the subject parcel lies within the Zoning District of Rural Residential (RR:1), and the Project is consistent with the Zoning Districts per Sections 20.048 of the Mendocino County Code.
2. **Access:** The Project includes exception to County road standards regarding road width and cul-de-sac requirements. Both the Mendocino County Department of Transportation and the Ukiah Valley Fire Protection District have provided their approval of the exceptions.
3. **Division of Land Regulations:** The Project is consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations.
4. **Environmental Protection Findings:** The CEQA initial study completed by staff identified the Project to have less than significant to no impact on the environment, and any concerns are adequately addressed through the conditions of approval so that no adverse environmental impacts will result from the Project; therefore a Negative Declaration is adopted.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Negative Declaration set forth in the Conditions of Approval. The Planning Commission certifies that the Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds

that the Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Minor Subdivision, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES F. FEENAN
Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ
Director

MARILYN OGLE, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL

MS_2016-0007 – DAVID TOLLINI

MAY 21, 2020

APPROVED PROJECT DESCRIPTION: Minor Subdivision of a 6.76± acre lot into a 2.0± acre lot and a 4.5± acre lot.

CONDITIONS OF APPROVAL: For a Minor Subdivision which has been approved according to the Mendocino County Code, the following "Conditions of Approval" shall be completed prior to filing a Parcel Map.

ALL CONDITIONS OF APPROVAL MUST BE MET PRIOR TO EXPIRATION OF TWENTY-FOUR (24) MONTHS FROM DATE OF APPROVAL, UNLESS RENEWED PURSUANT TO THE MENDOCINO COUNTY CODE.

Standard Conditions

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.208.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Board of Supervisors has expired and no appeal has been filed with the Board of Supervisors.
2. **The Minor Subdivision shall expire and become null and void two (2) years after the effective date, unless an extension of time is obtained.** The County will not provide notice prior to the expiration date. A total of two (2) eighteen (18) month extensions of time, approved by the Subdivision Committee, shall be permitted.
3. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 20 of the Mendocino County Code.
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 Zoning Administrator.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
6. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
7. 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.

Aesthetics

8. The following note shall be placed on the Parcel Map stating:

All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.

Air Quality

9. A notation shall appear on the Parcel Map stating:

Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval

10. A note shall appear on the Parcel Map stating:

Prior to the development phase of the project, the subdivider shall contact the Mendocino County Air Quality Management District for a determination as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR section 93105 and 93106 relating to naturally occurring asbestos. Written verification from the Air Quality Management District shall be submitted to the Department of Planning and Building Services stating that the project is in compliance with State and Local regulations relating to naturally occurring asbestos.

Biological Resources

11. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,406.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to February 12, 2018 (within 5 days of the end of any action taken). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. The applicant has the sole responsibility to insure timely compliance with this condition.

Cultural Resources

12. A note shall appear on the Parcel Map stating:

In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

13. Those "Recommendations" outlined in the Archaeological Report dated **12/14/2017**, prepared by **Thad van Bueren**, Registered Professional Archaeologist, shall be complied with. In the event that additional archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

Geology & Soils

14. The subdivider shall acknowledge in writing to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
- That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
 - Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
 - All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
 - Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
 - An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
 - A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to

Hazards and Hazardous Materials

15. The subdivider shall comply with those recommendations of the *Ukiah Valley Fire District* (letter dated 11/12/2019) or other alternatives as acceptable to the *Fire District*. Written verification shall be submitted from *Fire District* to the Department of Planning and Building Services that this condition has been met to the satisfaction of the *Fire District*.

Hydrology and Water Quality

16. The applicant shall provide the Division of Environmental Health adequate advance written notice (minimum of 15 days) of the date and time any field soil testing procedures for any proposed on-site sewage systems to allow the Division of Environmental Health staff to be present for soil testing.
17. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel #2 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).

18. The applicant shall provide the Division of Environmental Health an acceptable site evaluation report (DEH Form # 42,04) for a replacement system for the existing structure(s) located on parcel(s) 1 + 2 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirement (DEH Form # 26.09).
19. The applicant shall submit to the Division of Environmental Health an acceptable site development plan at a scale of not more than 1 inch = 50 feet showing all adjacent parcels on one sheet completed by a qualified individual showing the location and dimensions of the initial sewage disposal system(s), 100% replacement area(s), acceptable setback distances to water wells and other pertinent setback distances which may impact project site development.
20. The applicant shall submit to the Division of Environmental Health an acceptable standard mineral analysis performed by a certified public health laboratory from an identified source on the subdivision. Compounds to be tested for, at a minimum, are: Calcium, Iron (total), Magnesium, Manganese (total), Potassium, Sodium, Bicarbonate, Carbonate, corrosivity (pH), alkalinity (total), total dissolved solids, turbidity, Chloride, Fluoride, Nitrate, Sulfate, Calcium hardness, Magnesium hardness, and total hardness.
21. The applicant shall either (1) submit to the Division of Environmental Health, a letter from the district(s) or agency(s) stating that water and/or sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 & 17.56); or (2) the applicant shall submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered improvement plans for the future installation of services (and main extensions, where required) for each lot and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII.

Transportation

22. There shall be provided an access easement of 40 feet in width from a publicly maintained road to each parcel being created. Documentation of access easement(s) shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.

Note: Per County of Mendocino Road and Development Standards, the minimum easement width for private minor subdivision roads shall be sixty (60) feet, except where the road does not have the potential to serve more than four parcels, in which case the minimum easement width shall be forty (40) feet.

23. If a Parcel Map is filed, all easements of record shall be shown on the parcel map. All utility lines shall be shown as easements with widths as shown of record or a minimum of ten (10) feet, whichever is greater.
24. Subdivision road within the access easement shall be improved in accordance with County of Mendocino Road and Development Standards drawing A10H and the following minimum standards:

Road Width	26 feet
Surface Width	20 feet
Minimum Ditch Offset	5 feet
Design Speed	25 miles per hour
Base	6 inch min. of Class 3 aggregate base
Surface Type	Double bituminous seal

25. Install or replace drainage culverts where necessary. New or replaced culverts shall be a minimum of 12 inches in diameter and designed by a California Registered Civil Engineer to accommodate the 10-year storm event with a headwater to depth ratio of no greater than 1.0. In no case shall a new or replaced culvert be smaller than an upstream culvert.
26. A 40-foot radius turnaround shall be constructed within the 50-foot radius easement at terminus of access to the satisfaction of the Mendocino County Department of Transportation.
27. Where topography precludes the use of a cul-de-sac design, and if approved in writing by the applicable fire protection services provider(s), in lieu of the turnaround described in Condition 26, subdivider shall construct a "Hammerhead-T" turnaround within a forty (40) foot wide by eighty (80) foot long easement at the terminus of the access easement. Turnaround shall be constructed with eight (8) inch minimum rock base, twenty (20) feet wide and sixty (60) feet long, with twenty (20) foot radius surfacing returns.
28. Road improvements shall be constructed in accordance with improvement plans prepared by a Civil Engineer and approved by the Mendocino County Department of Transportation. In appropriate situations, when specifically requested and approved in advance by the County Engineer, required improvements may be constructed without formal improvement plans. If so approved, all work must be completed under the direct supervision and control of a California Registered Civil Engineer who, upon completion of the improvements, shall file a report with the Mendocino County Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices.
29. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed. Prior to the filing of the parcel map, required road improvements must be inspected and approved by the Department of Transportation. Current inspections fees apply.
30. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

Subdivision Conditions

31. Building/Development Setbacks indicating Front/Rear/Side to all property boundaries (existing and proposed) and roadway/easements shall be designated on the Parcel Map.
32. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the Parcel Map, the subdivider must: (1) Obtain a Certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) Pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

THIS DIVISION OF LAND IS DEEMED COMPLETE WHEN ALL CONDITIONS HAVE BEEN MET, AND THE APPROVED PARCEL MAP IS RECORDED BY THE COUNTY RECORDER.