
1.0 INTRODUCTION

This Draft Environmental Impact Report ("Draft EIR" or "DEIR") was prepared in accordance with the California Environmental Quality Act (CEQA) (Cal. Pub. Resources Code Sections 21000, et seq.) and the State CEQA Guidelines (14 Cal. Code Regs., Section 15000, et seq.). The County of Mendocino (County) is the lead agency for the environmental review of the proposed County of Mendocino General Plan Update ("project" or "proposed project") evaluated herein and has the principal responsibility for approving the project. This DEIR assesses the expected environmental impacts resulting from adoption of the proposed County of Mendocino General Plan Update and associated impacts from subsequent development under the plan.

1.1 PURPOSE OF THE EIR

The County, acting as the lead agency, has prepared this Draft EIR to provide the public and responsible and trustee agencies with information about the potential environmental effects of the proposed County of Mendocino General Plan Update. As described in State CEQA Guidelines Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of the proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and, where feasible, minimize environmental impacts of proposed development, and have an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA requires the preparation of an Environmental Impact Report (EIR) prior to approving any project which may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action which has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (State CEQA Guidelines Section 15378[a]). With respect to the proposed County of Mendocino General Plan Update, the County has determined that the proposed plan is a "project" within the definition of CEQA.

1.2 KNOWN TRUSTEE AND RESPONSIBLE AGENCIES

For the purposes of CEQA, a "trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California (State CEQA Guidelines Section 15386). The California Department of Fish and Game is a trustee agency with regard to the fish and wildlife of the state and designated rare or endangered native plants.

The term "responsible agency" includes all public agencies other than the lead agency that have discretionary approval power over the project or an aspect of the project (State CEQA Guidelines Section 15381). The following agencies are identified as potential responsible agencies:

- Redwood Valley County Water District
- Calpella County Water District
- Hopland Public Utilities District
- Laytonville County Water District
- Covelo Community Services District
- Irish Beach Water District
- Elk Community Services District

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- Albion – Little River Volunteer Fire Department
- Anderson Valley Fire Department
- Brooktrails Township Fire Department
- Comptche Volunteer Fire Department
- Covelo Fire Department
- Elk Volunteer Fire Department
- Fort Bragg Rural Fire Protection District
- Greenwood Ridge Volunteer Fire Department
- Hopland Fire District
- Iron Peak Volunteer Fire Department
- Leggett Valley Fire Protection District
- Little Lake Fire Protection District
- Long Valley Fire Protection District
- Mendocino Volunteer Fire Department
- Piercy Fire Protection District
- Potter Valley Fire Department
- Redwood Coast Fire Protection District
- Redwood Valley – Calpella Fire Department
- South Coast Fire Protection District
- Ukiah Valley Fire District
- Westport Volunteer Fire Department
- Anderson Valley Unified School District
- Arena Union Elementary School District
- Fort Bragg Unified School District
- Laytonville Unified School District
- Leggett Valley Unified School District
- Manchester Union Elementary School District
- Mendocino Unified School District
- Point Arena Joint Union School District
- Potter Valley Community Unified School District
- Round Valley Unified School District
- Ukiah Unified School District
- Willits Unified School District
- Mendocino County Local Agency Formation Commission
- Mendocino Council of Governments

- Mendocino County Office of Emergency Services
- Mendocino County Air Quality Management District
- Mendocino County Sheriff's Department
- Mendocino County Water Agency
- North Coast Regional Water Quality Control Board
- California Department of Conservation
- California Coastal Commission
- California Department of Fish and Game
- California Department of Forestry and Fire Protection
- California Department of Parks and Recreation
- California Department of Water Resources
- California State Lands Commission
- Caltrans District 1, Environmental Planning and Engineering
- Caltrans, Division of Aeronautics
- Native American Heritage Commission
- U.S. Army Corps of Engineers
- U.S. Bureau of Land Management
- U.S. Bureau of Reclamation
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Forest Service
- NOAA National Marine Fisheries Service (NOAA Fisheries Service)
- City of Fort Bragg
- City of Point Arena
- City of Ukiah
- City of Willits

1.3 TYPE OF DOCUMENT

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to State CEQA Guidelines Section 15168. According to Section 15168:

A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- 1) *Geographically,*
- 2) *As logical parts in the chain of contemplated actions,*

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- 3) *In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or*
- 4) *As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The program-level analysis considers the broad environmental effects of the overall proposed General Plan. This EIR will be used to evaluate subsequent projects and activities under the proposed General Plan. Additional environmental review under CEQA will be required and would be generally based on the subsequent project's consistency with the General Plan and the analysis in this EIR, as required under CEQA. When individual projects or activities under the General Plan are proposed, the County would be required to examine the project or activities to determine whether their effects were adequately analyzed in the Program EIR (State CEQA Guidelines Section 15168). If the projects or activities would have no effects beyond those disclosed in this EIR, no further CEQA compliance would be required.

This Draft EIR utilizes technical information and information from the Background Report presented to the public in 2003, background information updated from the 2003 report, along with other updated sources of data supported by the State CEQA Guidelines (see Section 15148 [Citation] and 15150 [Incorporation by Reference]). By utilizing these provisions of the State CEQA Guidelines, the County, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of this technological information.

1.4 INTENDED USES OF THE EIR

This EIR is intended to evaluate the environmental impacts of any subsequent land use activities associated with implementation of the proposed Mendocino County General Plan Update. This EIR should be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with projects in the county. Subsequent actions that may be associated with the proposed General Plan Update are identified in Section 3.0, Project Description, of this document.

1.5 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft EIR was established through environmental and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within the county, and public agency responses to the Notice of Preparation (NOP).

This Draft EIR is organized in the following manner:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an introduction and overview describing the purpose, type, and intended use of the EIR, responsible agencies, organization and scope of the EIR, the review and certification process, and a summary of comments received on the NOP.

SECTION 2.0 – EXECUTIVE SUMMARY

The Executive Summary (State CEQA Guidelines Section 15123) includes a summary of the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts, General Plan policies, possible mitigation measures, and identification of alternatives that reduce or avoid at least one environmental effect of the proposed General Plan.

SECTION 3.0 – PROJECT DESCRIPTION

A project description that provides the appropriate level of information necessary for the evaluation and review of environmental impacts is required under CEQA (State CEQA Guidelines Section 15124). This project description provides a detailed description of the proposed project, including the location and geographic characteristics of the county (the unincorporated portion of the county), intended objectives of the General Plan Update, background information, and a general description of the physical, economic, and technical characteristics, including the discretionary actions subject to CEQA and a list of related environmental review and consultation requirements.

SECTION 4.0 – ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Section 4.0 contains an analysis of environmental topic areas as identified below. Each subsection contains a description of the existing setting, identifies project-related impacts, and recommends appropriate General Plan policies and mitigation measures.

This section also includes an introduction to the environmental analysis that describes the general assumptions used to evaluate project-specific and cumulative environmental impacts. However, specific analyses are provided in each environmental issue area section.

The following major environmental topics are addressed in this section:

- 4.1 - Aesthetics/Light and Glare
- 4.2 - Agriculture
- 4.3 - Air Quality
- 4.4 - Biological Resources
- 4.5 - Cultural Resources
- 4.6 - Geology, Soils, and Mineral Resources
- 4.7 - Hazards/Hazardous Materials
- 4.8 - Hydrology and Water Quality
- 4.9 - Land Use
- 4.10 - Noise
- 4.11 - Population/Housing/Employment
- 4.12 - Public Services
- 4.13 - Transportation and Circulation
- 4.14 - Utilities and Service Systems

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SECTION 5.0 – CUMULATIVE IMPACTS SUMMARY

This section summarizes all identified cumulative impacts associated with the proposed project. As required by State CEQA Guidelines Section 15130, an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable when combined with existing, approved, proposed, and reasonably foreseeable projects (State CEQA Guidelines Section 15065(a)(3)).

SECTION 6.0 – ALTERNATIVES TO THE PROPOSED PROJECT

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project. This alternatives analysis provides a comparative analysis between the merits of the project and the selected alternatives.

SECTION 7.0 – LONG-TERM IMPLICATIONS OF THE PROJECT

This section contains discussions and analysis of various topical issues mandated by State CEQA Guidelines 15126.2. These include significant environmental effects that cannot be avoided if the project is implemented, significant irreversible environmental changes, and growth-inducing impacts.

SECTION 8.0 – REPORT PREPARERS

This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

APPENDICES

This section includes all notices and other procedural documents pertinent to the EIR, as well as all technical material prepared to support the analysis.

1.6 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

In accordance with Section 15082 of the State CEQA Guidelines, the County prepared a Notice of Preparation (NOP) of an EIR for the proposed General Plan Update on June 19, 2008. The County was identified as lead agency for the proposed project. This notice was circulated to the public, local, state, and federal agencies and other interested parties to solicit comments on the proposed project. A scoping meeting was held on June 26, 2008, to receive additional comments. In addition, the deadline for receiving written comments was extended to August 11, 2008. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix A**.

DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Upon completion of the Draft EIR, the County will file the Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code Section 21161).

PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the NOC, the County will provide public notice of the availability of the Draft EIR for public review and invite comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA, the review period for this Draft EIR is forty-five (45) days. Public comment on the Draft EIR will be accepted both in written form and orally at public hearings. Although no public hearings to accept comments on the EIR are required by CEQA, the County expects to hold a public comment meeting during the 45-day review period. Notice of the date, time, and location of the meeting will be made available to the public in county newspapers and on the Mendocino County Planning Team's website prior to the meeting. All comments or questions regarding the Draft EIR should be addressed to:

Mendocino County General Plan Update EIR
Attention: Planning Team
501 Low Gap Road, Room 1204
Ukiah, CA 95482

Comments may also be e-mailed to the Planning Team at planningteam@co.mendocino.ca.us.

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period and to oral comments made at any public hearing during such review period.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The County will review and consider the Final EIR. If the County finds that the Final EIR is "adequate and complete," the Board of Supervisors will certify the Final EIR. Upon review and consideration of the Final EIR, the County of Mendocino Board of Supervisors may take action to approve, revise, or reject the project. A decision to approve the proposed General Plan, for which this EIR identifies significant environmental effects, can only be made if accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093 and a Statement of Overriding Considerations for any effects that remain significant and unavoidable after the findings.

1.7 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The County received several comment letters on the NOP for the County of Mendocino General Plan Update DEIR. A copy of each letter is provided in **Appendix A** of this DEIR. The County received letters from the following federal, state, and local agencies, and other interested parties.

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- Brooktrails Township CSD
- California Public Utilities Commission
- California Department of Conservation
- California Department of Transportation, District 1
- Governor's Office of Emergency Services
- Airport Land Use Commission
- Mendocino Archaeological Commission
- Navarro Watershed Working Group
- Mendocino County Farm Bureau
- Mendocino County Inland Water and Power Commission
- Native American Heritage Commission
- Natural Resources Conservation Service
- Governor's Office of Planning and Research
- California Regional Water Quality Control Board – North Coast Region
- Sierra Club
- Ukiah Valley Sanitation District
- Westport Municipal Advisory Council
- Mendocino Council of Governments
- Kathy Bailey, Eugenia Herr, Barbara Goodell, Kathy Borst
- Christopher J. Neary
- Geraldine Rose
- Redwood Valley County Water District
- Molly Warner
- Patricia Jeffery
- Charles "Tony" Orth

The following summarizes the concerns in these letters:

- Public benefits of Willits 101 bypass and Brooktrails second and third access routes need to be described.
- Cumulative impacts of other area plans, such as the Brooktrails Township, City of Ukiah, City of Fort Bragg, City of Willits, Laytonville, Covelo, and Town of Mendocino, as well as the California Regional Blueprint Planning Program, should be considered.
- The LAFCo Municipal Service Review program should be addressed.
- Mutual aid agreements between fire service providers and fire service reimbursements for calls outside of fire districts should be addressed.

- Water and sewer expansion to meet the needs of future developments should be addressed.
- Alternative "green" energy sources such as solar should be explored.
- Project-related rail safety impacts should be addressed.
- Conversion of important farmland, as well as conflicts with land under Williamson Act contracts, should be discussed.
- Growth-inducing and cumulative impacts with respect to agricultural lands should be addressed.
- Consideration should be given to using the Department of Conservation's Land Evaluation and Site Assessment Model to establish the environmental significance of impacts to important farmland.
- Feasible alternatives to location or project configuration that would lessen or avoid impacts to important farmland should be considered.
- Potential for an Agricultural Conservation Easement Program should be addressed.
- Consideration should be given to adopting the State's LOS thresholds for the State Highway System.
- Support for the Ukiah Valley traffic impact mitigation program should be provided.
- Development of a traffic model to adequately forecast travel demand and improvement projects is needed.
- Development of a county road system that provides local and regional access, as well as development of a balanced and coordinated transportation system, should be addressed.
- Sections of state planning law involving potential hazards should be examined and potential hazard issues should be identified.
- Changes within the jurisdiction of the Airport Land Use Commission that could impact airports should be addressed.
- Impacts associated with encroachment into culturally sensitive areas of the county should be addressed.
- Restoration of the Navarro River Watershed through water conservation, fish-friendly agriculture, repair of riparian habitat in Anderson Valley, and roadway improvements should be addressed.
- Impacts associated with any reduction in protection of resource lands should be analyzed.
- Naturally-occurring landslides should be addressed.

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- Water temperature, the detrimental effects of water quality to anadromous fish in the watershed and marine environment, and the effect of marine currents on anadromous fish, water quality, water supply, biological communities, and ecosystems should be discussed.
- The amount of acreage of rangeland currently present, as well as the benefits to wildlife habitat from the grazing of livestock, should be addressed.
- Air quality impacts, including particulate matter resulting from unpaved roads versus agriculture and increased CO₂ resulting from burning fossil fuels versus naturally-occurring events, should be addressed.
- Nonrenewable energy, as well as the impacts of developing nonrenewable energy resources, should be analyzed.
- The amount, location, and impacts of naturally-occurring asbestos should be addressed.
- The amount of special-status species found on rangeland should be compared to the amount found on public lands.
- Impacts resulting from timber harvest should be addressed.
- Impacts to forest resources should be addressed.
- Current watershed regulations and areas subject to those regulations should be identified.
- Water supply issues, including protection, enhancement, and conservation, should be addressed.
- Sensitive environments and resource corridors should be defined and impacts associated with protecting them should be analyzed.
- All costs, benefits, and impacts of proposed General Plan policies should be analyzed.
- Appropriate regional archaeological centers and the Native American Heritage Commission should be contacted to determine potential impacts to historical and archaeological resources.
- Potential impacts to accidentally discovered cultural resources should be addressed.
- Local risks and hazards associated with fires should be addressed.
- Rainwater catchment, the prevention of flooding by storage, and groundwater recharge should be addressed.
- Biomass facilities should be encouraged.
- Adequate riparian setbacks from roadways, structures, and developed parks should be required as mitigation from impacts resulting from urbanization.

- Balance between creek maintenance for flood control and sufficient shade canopy should be considered.
- Low impact development techniques should be used to mitigate stormwater runoff impacts.
- Wastewater treatment capacity relative to growth should be analyzed.
- Implementation of a grading ordinance should be considered to mitigate discharge of sediments to water bodies.
- Unpermitted dams should be addressed.
- Water supply impacts specific to agricultural uses should be evaluated.
- Recovery of state and federally listed salmonid species should be addressed.
- Adequate and affordable housing, especially in association with adequate water and sewer service, should be addressed.
- Traffic and safety impacts on State Route (SR) 128 under full buildout conditions should be analyzed.
- Adequate and affordable housing, especially in association with adequate water and sewer service, should be addressed.
- Provision of adequate high speed Internet services to facilitate economic growth should be addressed.
- Noise impacts associated with agricultural and airport uses should be addressed.
- Impacts to deer and other ranging species resulting from increased fencing should be addressed.
- Impacts resulting from private roadway erosion should be addressed.
- Global climate change impacts should be addressed.
- Regional wages, demographics, and housing impacts should be addressed.
- General Plan goals should be implemented through associated action items.
- Thresholds of significance for rezoning or otherwise granting entitlements to lands subject to Williamson Act contracts should be addressed.
- The appropriate baseline conditions should be identified.
- Traffic safety and hazards associated with increased wine tasting rooms along SR 128 between Yorkville and Navarro should be addressed.
- Conflicts between agricultural uses and adjacent residential uses should be addressed.

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- Impacts from increased private roads for new development in agricultural, forest, and rangelands should be addressed.
- Impacts of increased building height limits, including fire service impacts associated with fighting fires in such buildings, should be addressed.
- Impacts resulting from increased night sky lighting should be addressed.
- Alternatives should be analyzed at a level equal to that of the proposed project.