

**MENDOCINO COUNTY
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND)**

DATE:
CASE NUMBER: CDP_2014-0035
OWNER/APPLICANT: Yazell, Robert and Pamela
PROJECT DESCRIPTION: An Administrative Coastal Development Permit for a 1,752-square-foot one-story single-family residence, 600-square-foot garage, and 1,360 square feet of decking. Associated development includes septic, a propane tank, and improving an existing dirt road with gravel paving.
LOCATION: Approximately six miles north of Manchester, lying west of Alta Mesa Road, approximately 200 feet north of its intersection with Sea Cypress Drive in the Irish Beach subdivision. Located at 43750 Alta Mesa Road, Manchester; APN 132-072-09.
Environmental Checklist.
<i>"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i>
<i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist. This includes explanations of "no" responses.</i>

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

<u>I. AESTHETICS.</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 on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The subject parcel lies east of Highway 1 in the Irish Beach subdivision, south of Mallo Pass Creek and north of Irish Creek. Residential development, characteristic of a subdivision, make up the public views of this segment of Highway 1. A Caltrans turnout Vista Point sits west of Highway 1 ±1,250 feet north of the subdivision on the bluff with coastal views to the north and south. The project is ±0.31 miles south east of the Vista Point, and would not impact the scenic vista. State Highway 1 is not a designated state scenic highway.

The project site is not located within a mapped Highly Scenic Area (HSA) in the Mendocino County Local Coastal Program (LCP). The maximum permitted height for the Rural Residential (RR) zoning district for properties outside HSA is twenty-eight (28) feet (Mendocino County Coastal Zoning Code (MCC) Section 20.376.045). The application proposes a less than twenty (20) foot tall one-story residence and garage, which would be consistent with the height requirements of the LCP.

Chapter 3.5 of the LCP provides the policy framework for the protection of visual resources and the associated requirements for development in the Coastal Zone outside HSA. Policy 3.5-1 states in pertinent part:

Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The proposed development is ±900 feet east of Highway 1 and ±1,800 feet east of the coastal bluff with suburban residential development between public views and the project site. The location of the proposed residence would constitute a type of “in-fill” development, limiting impacts to natural areas. The project would be sited and designed to protect views to and along the ocean and scenic coastal areas.

The submitted ESHA Compliance Report recounts the subject parcel’s history. “The comparison of photos also shows that sometime between 1954 and 1998 a road was made from Alta Mesa Drive to the top of the knoll, where an area was cleared or scraped,” the report states. “These features are still present today.” As a result of previous development, the project would not impact natural land forms.

The application proposed the following building materials and colors:

Table 1: Proposed Project Materials and Colors		
Element	Materials	Color
Siding	Hardiplank or equivalent	Benjamin Moore – “Nocturnal Grey”
Trim	Radiatta pine	Benjamin Moore – “Stone Cutter”
Roofing	40 year architectural shingles	Dark brown
Window Frame	Fiberglass clad wood	Grey
Deck	Composite (Nexwood or equivalent)	Light grey

The one-story single-family residence and accessory residential development, dressed in natural tones and materials, would be visually compatible with the character of the surrounding suburban residential development.

The project application is consistent with LCP Policy 3.5-1. The visual resource policies of the LCP require new development to have a less than significant impact on the existing visual character and quality of the site and its surroundings.

The proposed development would likely be visible from the sea, appearing before a forested backdrop. The residence would not appear as a silhouette against the sky from the sea or any other vantage point. It would appear similar to the existing single-family residential development in the nearby community.

The MCC provides exterior lighting regulations intended to protect coastal visual resources. Exterior lighting is required to be within the zoning district’s height limit regulations, and also must be shielded and positioned in a manner that light and glare does not extend beyond the boundaries of the parcel. Compliance with the LCP would bring impacts below a level of significance. No lighting is shown on the proposed elevations. Due to the Coastal Zone’s sensitivity to light pollution and absent lighting specification in the application materials, **Mitigation Measure M1** would ensure that any exterior lighting will have a less than significant effect on day or nighttime views in the area.

Mitigation Measure M1. Prior to issuance of a building permit in reliance on Coastal Development Permit CDP_2014-0035, the applicant shall submit an exterior lighting plan and design details or manufacturer’s specifications for all exterior lighting fixtures. Exterior lighting shall be kept to the minimum necessary for safety and security purposes and shall be downcast and shielded, and shall be positioned in a manner that will not shine light or allow light glare to extend beyond the boundaries of the parcel in compliance with Section 20.504.035 of the Mendocino County Code.

The recommended mitigation measure ensures project impacts will be held to a less than significant level.

II. AGRICULTURE AND FORESTRY RESOURCES. 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"/>

The project site is located in an area designated as “Rural Residential Land” by the State of California Department of Conservation Mendocino County Important Farmland map. The parcel is zoned Rural Residential, as are surrounding parcels to the east, west, and south, and while limited agricultural uses are permitted in the Rural Residential zoning district, approval of this application would not convert any agriculturally zoned lands to non-agricultural uses. The project would not convert any land designated “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” to non-agricultural uses.

The ±92 acre parcel to the north of the property is designated Rangeland in the LCP, and is presently under Williamson Act contract. MCC Section 20.508.020(A)(1) states, “No new dwellings in a residential area shall be located closer than two hundred (200) feet from an agriculturally designated parcel unless there is no other feasible building site on the parcel.” The proposed residence would be 122 feet from the northern property boundary and the adjacent agriculturally designated property. Shifting the residence 78 feet further south would require drastically increased clearing and grading, as a steep, vegetated slope is present on the south portion of the parcel. The proposed building site is considerably further away from the agriculturally designated parcel than five existing residences west of the subject property and in the Irish Beach subdivision. These residences are between five (5) and twenty (20) feet from the adjacent agriculturally designated parcel, and there have been no compatibility issues between the uses. The proposed project would have no impact on agricultural or forestry resources.

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 checked="" type="checkbox"/>	<input 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"/>

The subject parcel is located within the jurisdiction of the Mendocino County Air Quality Management District (AQMD). 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 AQMD also enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA-certified wood stoves and similar combustion devices to help reduce area source emissions.

While the project would not include a new point source, it could contribute to area source emissions by generating wood smoke from residential stoves or fireplaces. The County's building permit plan check process ensures that this and similar combustion source requirements are fulfilled before construction is permitted to begin, consistent with the current air quality plan. Consequently, the County's building permit approval process would help to ensure new development, including this project, is consistent with and will not obstruct the implementation of the air quality plan.

The generation of dust during grading activities, another type of area-source emission, is limited by the County's standard grading and erosion control requirements (MCC Sections 20.492.010; -020). These policies limit ground disturbance and require immediate revegetation after the disturbance. Consequently, these existing County requirements help to ensure PM10 generated by the project would not be significant and that the project would not conflict with nor obstruct attainment of the air quality plan PM10 reduction goals.

The project would establish a single-family residence in a suburban residential setting adjacent to existing residential uses. Residential uses in this location are consistent with the County's land use plan. Approval of this project would not permit large-scale development that could result in a cumulatively considerable net increase in air pollution, including PM10.

The proposed improvement to the dirt driveway is subject to air quality standards regarding fugitive dust and asbestos. Air Quality Management District Regulation 1, Rule 430 ensures consistency with local and regional fugitive dust and asbestos standards.

Additionally, there are no short-term or long-term activities or processes associated with the single-family residence that would create objectionable odors, nor are there any uses in the surrounding area that are commonly associated with a substantial number of people (i.e., churches, schools, etc.) that could be affected by any odor generated by the project.

IV. BIOLOGICAL RESOURCES: 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The certified Mendocino County LCP includes sections of both the MCC and the Coastal Element of the General Plan addressing Environmentally Sensitive Habitat Areas (ESHA). The MCC states that development having the potential to impact an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to determine the extent of sensitive resources, to document potential negative impacts, and to recommend appropriate mitigation measures.

The applicant submitted biological analysis prepared by William Maslach titled ESHA Compliance Report with their application for the proposed single-family residence. Special status species and communities identified in the report include Point Arena mountain beaver (PAMB) burrows, PAMB habitat (1.05 acres), and coastal brambles (0.20 acres). A wetland inventory revealed the project area is clear of wetlands “and no further wetland studies are warranted.”

MCC Section 20.496.020(A) requires that buffer areas “be established adjacent to all environmentally sensitive habitat areas....” The ordinance goes on to describe the ramifications of multiple buffer distances:

The width of the buffer area shall be a minimum of one hundred (100) feet, unless the applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and County Planning staff, that one hundred (100) feet is not necessary to protect the resources of that particular habitat area from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the Environmentally Sensitive Habitat Areas and shall not be less than fifty (50) feet in width.

There is no area on the parcel greater than one-hundred (100) feet from any ESHA, and very little area beyond fifty (50) feet from any ESHA (less than one-percent of the parcel). The proposed development would be sited within fifty (50) feet of identified ESHA, conflicting with Section 20.496.020(A)(1), which states that buffer areas shall not be less than fifty (50) feet in width.

Section 20.496.020 requires that development less than one-hundred (100) feet from ESHA demonstrate that one-hundred (100) feet is not necessary for the protection of the ESHA from the proposed development. Section 20.496.020(A)(4) prescribes minimum standards for development within an ESHA buffer. In the ESHA Compliance Report, William Maslach addresses these minimum development standards and offers Mitigation Measures to achieve consistency with the LCP ESHA policies.

The project biologist prepared a Point Arena Mountain Beaver Mitigation and Monitoring Plan (PAMB MMP) as Appendix E of the ESHA Compliance Report to ensure that the project would not have an adverse impact on the sensitive resources at the site. Strict compliance with the PAMB MMP is required to mitigate project impacts below a level of significance.

Mitigation Measure M2. Approximately 0.47 acres of Monterey pine shall be removed to create 0.403 acres of good PAMB habitat and 0.071 acres of fair quality PAMB habitat by allowing native plants to become established. Tree removal shall occur between July 1 and November 30. Trees shall be felled toward the street and away from PAMB habitat. One or two logs per stand shall be retained on-site after having been felled to provide shade and moisture for native plants to become established and to provide potential cover for PAMB. Placement of the logs shall be supervised by a biologist. Monterey pine needle duff shall be raked so the average depth is less than five (5) inches to promote establishment of seedlings of native plants.

If natural recruitment of native species to the created PAMB habitat area is not successful after two (2) years, and if after that time there is not sufficient growth, container plants shall be planted to establish native plant growth. Relative cover of 25% or less of native plants shall trigger implementation of container planting. All areas shall be weeded of invasive species and monitored, with the results appended to annual PAMB presence/absence surveys (as recommended by Appendix E of the ESHA Compliance Report, the Point Arena Mountain Beaver Mitigation and Monitoring Plan).

Mitigation Measure M3. To mitigate impacts to PAMB behavior, burrows, and habitat, exterior and/or outdoor construction activities shall occur outside the PAMB breeding period (December 1 through June 30). The project shall comply with Appendix E of the ESHA Compliance Report, the Point Arena Mountain Beaver Mitigation and Monitoring Plan, including the Standard Project Requirements listed to ensure potential impacts to ESHA are avoided or minimized.

Mitigation Measure M4. Invasive plants on the site, including broom, Italian thistle, and poison hemlock shall be removed to improve PAMB habitat value and reduce the threat of invasive species colonizing the PAMB habitat created with the removal of Monterey pine.

Mitigation Measure M5. A deed restriction shall be placed on the property ensuring that PAMB habitat is protected in perpetuity and will ensure that both the applicant and future purchasers of the property will continue to be informed of all Coastal Development Permit requirements and conditions of approval that pertain to the property and of the limitations on future development.

Mitigation Measure M6. Construction activities shall adhere to Draft Point Arena Mountain Beaver Standard Protection Measures for No-Take Determinations, revised by US Fish and Wildlife, dated February 19, 2010.

Mitigation Measure M7. An additional PAMB presence survey shall occur within four (4) weeks of the commencement of construction activities. The survey results and any additional mitigations shall be approved by the US Fish and Wildlife Service prior to commencement of construction and the Coastal Development Permit would be modified prior to any additional mitigation measures.

Mitigation Measure M8. There shall be no operation of above-ground noise generating equipment (including chainsaws and weed eaters) within one-hundred (100) feet of active PAMB burrows or unsurveyed suitable PAMB habitat during the breeding season (December 1 through June 30).

Mitigation Measure M9. There shall be no operation of mechanical equipment which is in direct contact with or below the ground, which cause ground vibrations (including water well drilling, heavy equipment such as graders, soil excavators, air compressors, an directional boring equipment) within one-hundred (100) feet of active PAMB burrows or unsurveyed suitable PAMB habitat during the breeding season (December 1 through June 30), and not within fifty (50) feet during the remainder of the year.

Mitigation Measure M10. There shall be no operation of mechanical equipment which is in direct contact with or below the ground, which cause severe ground vibrations (including operation of log landings and soil compaction with vibrators) within 500 feet of active PAMB burrows or unsurveyed suitable PAMB habitat during the breeding season (December 1 through June 30), and not within one-hundred (100) feet during the remainder of the year. Very severe ground vibration disturbance (including pile driving or blasting) shall not occur within 500 feet at any time.

Mitigation Measure M11. All workers on-site shall be notified of PAMB presence at the site and will receive training on minimization of impact to the PAMB and suitable habitat.

Mitigation Measure M12. There shall be no directional boring beneath active PAMB burrows or unsurveyed PAMB habitat at any time.

Mitigation Measure M13. Construction activities within fifty (50) feet of suitable PAMB habitat shall be completed with hand tools to the extent feasible.

Mitigation Measure M14. Construction fencing and straw wattles shall be erected along the edge of all suitable PAMB habitat adjacent to construction prior to any construction activities, and shall be properly maintained in place until all areas of disturbed earth have been stabilized. Fencing and straw wattles shall be checked and maintained as necessary at the beginning of every working day. No personnel, vehicles or materials shall pass the fencing. Personnel shall be made aware of the purpose of the fencing and the need to maintain it. A biologist shall supervise the erection and maintenance of the exclusion fencing and straw wattles.

Mitigation Measure M15. Any piled excavated dirt shall be covered to prevent movement downhill.

Mitigation Measure M16. No soil from the construction site shall be sidecast over the slope. Any extra excavated soil remaining after construction shall be removed from the site.

Mitigation Measure M17. Measures shall be taken to reestablish vegetation over areas of bare dirt caused by construction activities.

Mitigation Measure M18. There shall be no installation of lighting or extended use of night time illumination within one-hundred (100) feet of active PAMB burrows or unsurveyed suitable PAMB habitat.

Mitigation Measure M19. Prior to use on the site, heavy equipment shall be washed down off-site to prevent accidental contamination with invasive plant seed.

Mitigation Measure M20. A biologist shall perform preconstruction breeding bird surveys within fourteen (14) days of the onset of construction or clearing of vegetation if activities cannot be done between September 1 and November 30, accounting for PAMB breeding season.

Mitigation Measure M21. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum one-hundred (100) foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance.

Mitigation Measure M22. The breeding bird exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest.

Mitigation Measure M23. A biologist shall monitor any nest sites during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbances.

Mitigation Measure M24. To avoid disturbing bats that may roost in the Monterey pines, all tree felling shall occur between September 1 and October 31, after young have matured and prior to the bat hibernation period.

Mitigation Measure M25. Prior to construction, project contractors shall be trained by a qualified biologist in the identification of the California red-legged frog.

Mitigation Measure M26. Construction crews shall begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of frogs.

Mitigation Measure M27. If a special status frog is detected, construction crews shall contact the California Department of Fish and Wildlife or a qualified biologist prior to re-initiating work.

Mitigation Measure M28. If rain occurs during the construction period, all construction-related activities shall cease for a period of forty-eight (48) hours after the rain stops. Prior to resuming construction activities, trained construction crew member(s) shall examine the site for the presence of frogs. Construction activities may resume if no special status frogs are found.

Mitigation Measure M29. There shall be no degradation of suitable PAMB habitat contiguous with and within 200 feet of active PAMB burrows or unsurveyed suitable PAMB habitat. PAMB habitat degradation involves temporary alteration such as timber harvest, mowing, livestock grazing, herbicide application, removal of existing down wood, and burning.

Mitigation Measure M30. Shrubs and trees directly adjacent to the existing road extend over the road to some degree. For road and trail maintenance, a two (2) foot strip of vegetation on either side of the road or trail may be reduced in height to no less than two feet.

Mitigation Measure M31. There shall be no removal of suitable PAMB habitat that is contiguous with and within 400 feet of active PAMB burrows or unsurveyed suitable PAMB habitat, as mapped in the ESHA Report of Compliance. Habitat removal involves permanent loss such as paving, any road construction, construction of structures, and conversion to agriculture.

Mitigation Measure M32. Invasive plants listed by Cal-IPC shall not be used as landscaping species, and landscaping shall consist of native plants compatible with the on-site plant communities.

Mitigation Measure M33. No vehicle use, human foot traffic, soil excavation, cattle grazing or movement, or other potential sources of PAMB burrow collapse shall occur within twenty-five (25) feet of active PAMB burrows or unsurveyed suitable PAMB habitat at any time.

Mitigation Measure M34. Any outdoor rodent control shall only be performed by individuals qualified to distinguish between PAMB burrow openings and target species.

Mitigation Measure M35. Dogs and cats shall not be allowed within areas containing PAMB burrow systems or within unsurveyed suitable PAMB habitat.

Mitigation Measure M36. No activity shall occur which alters water drainage or hydrology of areas containing PAMB burrow systems or in unsurveyed suitable PAMB habitat.

Mitigation Measure M37. No rodent control measures, including trapping and application of poison bait or fumigants, shall occur within 400 feet of active PAMB burrows or unsurveyed suitable PAMB habitat at any time.

Mitigation Measure M38. There shall be no construction of permanent barriers, including fences and unvegetated openings greater than fifty (50) feet wide, at any location at any time that may disrupt the dispersal of PAMB, or movement of PAMB between occupied sites. Any temporary barriers shall be removed during PAMB dispersal season (April 15 through September 30).

Mitigation Measure M39. Herbicides shall not be used in or near burrow areas during PAMB breeding season (December 1 through June 30) or dispersal season (April 15 through September 30).

Mitigation Measure M40. Human-generated garbage shall be lidded and tamper resistant to prevent attracting natural PAMB predators.

The California Department of Fish and Wildlife (DFW) reviewed the *ESHA Report of Compliance*, as required by Section 20.496.020, and provided the following comment and recommendations on December 15, 2015:

I concur with the mitigation and avoidance measures outlined in the Updated ESHA Report (including, but not limited to, those detailed in Section 9 – Mitigation Measures, Appendix D – Fuel Hazard Reduction Management Plan, and Appendix E – Point Arena Mountain Beaver Mitigation and Monitoring Plan).

My recommendations are as follow:

1. Avoidance and mitigation measures, as detailed in the Updated ESHA Report, should be incorporated as enforceable conditions for approval of CDP #2014-0035.

2. In order to prevent accidental human-caused disturbance or crushing of Point Arena mountain beaver burrows on the project site, sensitive habitat signage or other visual markers should be installed, if fencing will not be used.

DFW comments have been included in PBS Staff's recommendations for the project's approval.

The following mitigation measures are intended to satisfy DFW recommendations.

Mitigation Measure M41. Avoidance and mitigation measures, as detailed in the *ESHA Compliance Report* shall be incorporated as enforceable conditions of approval for Coastal Development Permit_2014-0035.

Mitigation Measure M42. To prevent accidental human-caused disturbance or crushing of PAMB burrows on the project site, sensitive habitat signage or other visual markers shall be installed.

The minimum development standards listed in Section 20.496.020(A)(4) require that structures are allowed within buffer areas only if there is no other feasible site available on the parcel, and the proposed development is the least environmentally damaging alternative. In the *ESHA Compliance Report*, the project biologist supplied an analysis of development alternatives to the proposed project. The alternatives analysis considers the initially proposed location and two different development locations.

Several competing constraints limit the viability of alternative development proposals, as explained in the alternatives analysis. The table below is adapted from *Table 5* of the alternatives analysis, and evaluates the various development scenarios against the environmental and policy constraints of the parcel.

Value or Concern	Objective	Best Scenario	Worst Scenario	No Project	Proposed Project	Alternative A	Alternative B
		[1] Yes	[2] Partial	[3] No			
Environmental	Avoid ESHA	1	3	1	2	2	2
	Avoid 50 ft ESHA buffer	1	3	1	3	3	3
	Avoid 100 ft ESHA buffer	1	3	1	2	2	3
	Increase PAMB habitat with mitigation	1	3	3	1	2	2
Property Setback	Avoid Parcel boundary setback	1	3	1	1	1	1
CalFire	Comply with driveway upgrade	1	3	1	3	1	1
	Fuel clearance needed	1	3	1	2	3	3
Project Objectives	Construct single-family residence	1	1	3	1	1	1
	Construct garage	1	3	3	1	3	3
	Project is economically feasible	1	3	1	1	3	1
TOTALS		10	28	16	17	21	20
		Very Good 10-13	Good 14-18	Fair 19-23	Poor 24-28		

Following analysis of all considered alternatives, the report concludes:

The no-project alternative...was evaluated for its environmental consequences if the proposed project does not proceed. If chosen, the obvious benefit to the environmental resources is the avoidance of all ESHA and their buffers and the ability of the road to eventually become habitat for Point Arena mountain beavers (PAMB). If not, the negative environmental consequence is the inability to remove several stands of nonnative Monterey pines immediately adjacent to PAMB burrows. These invasive trees are aggressively weedy and are known to decrease the biodiversity of and displace the native species within coastal scrub vegetation. The stand has spread from what appears to be a row of a dozen trees presumably planted sometime in the 1960s or 70s. By mitigating development within an ESHA buffer, the removal of Monterey pine stands and the conversion to coastal scrub, including a deed restriction on PAMB habitat, is proposed.

While proximity to PAMB burrows was not used in the Evaluation of Alternatives Matrix Table, it was certainly a factor in choosing which project would have the least impact. CalFire enforces standards of defensible space around residences and structures through Public Resources Code 4291 that requires maintaining a defensible space of 30 feet and a zone of fuel reduction for an additional 70 feet. By Alternative B, and to a lesser extent Alternative A, the amount of vegetation disturbance within 50 ft of the development is far greater than the Proposed Project. Additionally, through Alternative A the leachfield would be moved to the top of the hill where there is insufficient soil to allow for the leachfield effluent to percolate, rendering the alternative nearly infeasible.

Four options for the Proposed Project were developed: Option 1 retains the development as proposed with a 864 ft² garage; Option 2 retains the development as proposed but reduces the garage to 600 ft² and eliminates that master bedroom; Option 3 incorporates Option 2 but retains the master bedroom; Option 4 incorporates Option 3 but moves the development to the southern section of the cleared area on top of the knoll.

Option 3 is the preferred option because it reduces the footprint of the garage and clusters the development to the northern portion of the cleared area where it is closest to the existing access road, thereby making use of existing cultural features and not encroaching into the southern section of the cleared area. It also allows for the

construction of a residence that is compatible with existing development on nearby parcels in the subdivision. The average size of a residence in the surrounding area is ~1,937 sq. ft. while the proposed residence is 1,752 sq. ft. (11% smaller).

Alternatives to the proposed development, including different projects and alternative locations, have been considered and analyzed by a qualified professional, as required by MCC Sections 20.496.020(A)(4)(b) and 20.532.060(E). The proposed development is the least damaging, feasible alternative development scenario on the parcel.

In addition to identifying the least damaging feasible development scenario, the standards for development within a buffer area also require that mitigation measures shall replace the protective values of the buffer area on the parcel, at a minimum ratio of one-to-one, which are lost as a result of the development (Section 20.496.020(A)(4)(e)). The proposed mitigation measures will create approximately 0.47 acres of new PAMB habitat, replacing what is lost at a one-to-one ratio.

Furthermore, development within ESHA buffers must also minimize impervious surfaces and minimize removal of vegetation (Section 20.496.020(A)(4)(f)). The proposed residence location relies heavily on the existing impacted area, utilizing an unnatural land form (scraped hilltop). This development location also utilizes the existing access and does not require driveway expansion.

The application and preliminary biological reports were forwarded to U.S. Fish and Wildlife for review. In their referral letter, the agency writes, "The Service considers that if the project is as described in the December 15, 2014 report, and if all protective measures in that report are incorporated into the project and permits, then the Service would consider the project to not be at risk of incidental take of the Point Arena mountain beaver, which is listed under the federal Endangered Species Act as endangered."

California Department of Fish and Wildlife have reviewed the project and the Report of Compliance. Fish and Wildlife staff concur with the mitigation and avoidance measures outlined.

In summary, the proposed project impacts biological resources due to the proximity of development to said resources. The mitigation recommended reduces project impacts to a less than significant level.

<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

On April 8, 2015, the project was referred to the Mendocino County Archaeological Commission to review an archaeological survey prepared for the parcel by Thad Van Bueren dated February 27, 2015. The archaeological survey found no cultural, historical or archaeological sites in the survey area. The Archaeological Commission accepted the survey and recommended no conditions for the development permit.

The Commission also advised the applicant of the Mendocino County Archaeological Resources Ordinance, and specifically Section 22.12, commonly referred to as the "Discovery Clause," which prescribes the process for protection of resources that may be discovered during project construction.

The project will have a less than significant impact on cultural resources due to the lack of identified resources on the site and adherence to existing MCC requirements regulating the discovery of resources.

VI. GEOLOGY AND SOILS. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

The property does not lie within, nor does it adjoin a mapped Alquist-Priolo Earthquake fault area or Landslide and Liquefaction Zone, per California Division of Mines and Geology mapping. The San Andreas fault is located approximately one (1) mile south of the project site and is the nearest active fault. This project would not conflict with any state or local seismic hazard policy or plan.

The project development site would be located approximately 1,100 feet from the edge of the coastal bluff. Development associated with the project is subject to the County's erosion control and post construction drainage requirements, found in the Coastal Zoning Code and Stormwater Ordinance, and implemented with the approval of a building permit.

The project would not result in substantial soil erosion or loss of topsoil with the implementation of typical erosion control measures. These measures would be in place before site grading may commence, and must be maintained during construction activities. The completed project would include drainage improvements at the development site, as required by the Stormwater Ordinance, that would prevent concentrated runoff from entering any water body, including the Pacific Ocean.

Furthermore, drainage is subject to MCC Section 20.492.025. The proposed development would increase the amount of impervious surfaces on the parcel, increasing post-construction runoff. Increases in impervious surfaces in a watershed, such as roofs and roads, increase surface runoff from a site creating the potential to cause erosion and degrade aquatic health. Development in any watershed can have cumulative impacts on watershed health; therefore, it is recommended that rooftop and driveway runoff be directed to landscaped areas to slow the rate of runoff and increase infiltration. Native and drought

tolerant plants are recommended for landscaped areas. **Mitigation Measures M43** would reduce impacts from increasing the impervious area, and provide the development with adequate drainage.

Mitigation Measure M43. Prior to issuance of a building permit in reliance on Coastal Development Permit CDP_2014-0035, the applicant shall submit for approval by Planning and Building staff a drainage and erosion control plan. The plan shall detail erosion and sediment Best Management Practices, including concrete wash out area, staging, stockpile locations, and tree protection areas, as necessary. Roof downspouts shall be directed to landscaped areas and avoid discharging off the parcel.

VII. GREENHOUSE GAS EMISSIONS. 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"/>

Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 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, including 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. This project as proposed, creating one new single-family residence, would have no impact and be below the threshold for project significance of 1,100 metric tons CO₂e.

Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures. Given the limited scale of the new residence, the GHG generated by the project will not have a significant impact on the environment.

VIII. 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

The project will establish a residential use involving the routine transport, use and disposal of hazardous materials in small or limited quantities. These include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. Storage of these materials in the open may result in contaminated stormwater runoff being discharged into nearby water bodies, including the Pacific Ocean.

This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site and then disposed at an approved collection facility, such as the Albion Transfer Station. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities. The nearest school is located over four (4) miles from the project site (Manchester Elementary School), and would not be impacted by the limited quantities of hazardous materials present at or discarded from the project. Consequently, potential impacts involving the transport, use or disposal of hazardous materials are less than significant.

The nearest airport (Lofty Redwoods Airport) is over twelve (12) miles from the project site. The project site is not subject to any airport land use plan. The project will not result in any physical change to an existing roadway that would impair its use as an evacuation route.

The parcel is located in an area California Department of Forestry (CDF) characterizes with a high fire hazard severity rating. The project application was referred to CDF for input. CDF submitted recommended conditions of approval (CDF #302-14) on January 27, 2015, requiring the applicant to abide by typical conditions concerning address standards, driveway standards, and defensible space standards. Approval of the development permit requires compliance with CDF's recommendations, limiting impacts to a less than significant level.

<u>IX. HYDROLOGY AND WATER QUALITY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Mendocino County Division of Environmental Health (DEH) reviewed the proposed septic improvements, and the Irish Beach Water District (IBWD) will serve the development with water. In a letter dated January 23, 2015, DEH provided no recommended conditions of approval for the development permit. DEH commented that the leachfield must maintain an eight (8) foot buffer from the driveway. DEH will have the opportunity to review building permit applications prior to development of the project, at which time they will ensure proper setbacks to leachfield areas are in place. No mitigation is required relating to wastewater or water service.

The submitted ESHA Compliance Report identifies no drainage areas or streams on the property. There would be no impacts to drainage patterns, including through the alteration of the course of a stream or river. Furthermore, the project is not located within a mapped one-hundred (100) year flood hazard area, and therefore will not impede or redirect flood flows, and will not expose people or structures to a significant risk involving flooding, including flooding as a result of the failure of a levee or dam.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is situated in a long established suburban residential area, and proposed adjacent to existing residential development. The new development would be consistent with the established community.

The proposed project would be consistent with all policies of the Local Coastal Program of the General Plan and the MCC, except Section 20.496.020(A)(1) relating to buffer widths from Environmentally Sensitive Habitat Areas; however, denial of the project based on this policy would constitute a regulatory taking. The Supplemental Findings included with the project Staff Report address the analysis of alternatives, the mitigation measures proposed to offset impacts, and evidence supporting the investment-backed expectation of the applicant to develop the parcel with a single-family residence.

The proposed development is not located in an area subject to a habitat conservation plan or natural community conservation plan.

<u>XI. MINERAL RESOURCES.</u> 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"/>

The ESHA Compliance Report describes the abandoned borrow pit use present on the parcel:

...sometime between 1954 and 1998 a road was made from Alta Mesa Drive to the top of the knoll, where an area was cleared or scraped. These features are still present today. Although they have been described as an abandoned open borrow pit recognized by the Bureau of Mines (Spade 2014), no evidence of this specific type of use was confirmed from the U.S. Geological Survey mineral resources database, historical information of California Mines in Mendocino County (California Division of Mines 1961), or Mendocino County's lists of permits under the Surface Mining and Reclamation Act (SMARA). A recent review of the County's files showed no permitting for this parcel; however, since SMARA was not enacted until 1975 (PRC § 2710-2796) there may have been a delay in the County's permitting system (Speka 2015). Regardless of the site's history, it is evident that significant modification was made to the natural topography.

While there is physical evidence of historical resource extraction, there is no record identifying the resource or its value. The parcel's zoning code and land use plan designate the parcel Rural Residential, and does not permit extractive use types, including mining and processing by-right or as a conditional use. Development of the single-family residence would not result in the loss of availability of a known mineral resource, nor will it result in the loss of a locally-important mineral resource recovery site delineated on a land use plan.

<u>XII. NOISE.</u> 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"/>

With the exception of short-term construction related noise, the proposed development will not create a new source of noise that will impact the community. Noise created by the single-family residence is not anticipated to be significant, and no mitigation is required.

<u>XIII. 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"/>

The project would permit a new single-family residence in a zoning district and General Plan land use designation intended for residential development. The project would not trigger the need for new public roads or other infrastructure that may indirectly trigger population growth. Consequently, the project would not generate unanticipated population growth in the local area. The project would not require the displacement of any person living or working the area. No impacts are expected, and no mitigation is required.

<u>XIV. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is served by CalFire and the Redwood Coast Protection District. The development of a single-family residence in an existing subdivision community would not create additional significant service demands or result in adverse physical impacts associated with delivery of fire, police, parks or other public services.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located east of Highway 1, and is not designated as a potential public access trail location on the LCP maps. There is no evidence of prescriptive access on the site, nor would the development generate enough recreation demand to require the construction of additional facilities. The project would have no impact on public access or recreation, and no mitigation is required.

<u>XVI. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

The parcel is currently provided with an existing private driveway that intersects Alta Mesa Road. The proposed residence would be located at the terminus of this private driveway. Mendocino County Department of Transportation (DOT) was invited to provide comment on the application. A letter to Planning and Building Services from DOT, dated February 9, 2015, recommended conditional approval, provided the applicant obtains an encroachment permit to construct an appropriate residential driveway approach. The proposed development would provide adequate emergency access and have no impact on circulation.

The proposed residential use is consistent with Mendocino County's LCP for the area and would be a low-trip generating use, which would not degrade performance of the existing private roadway. The project would not be located within an area subject to a congestion management program.

The nearest airport (Lofty Redwoods Airport) is over twelve (12) miles from the project site. The project site is not subject to any airport land use plan. The proposed project would not have any effect on local air traffic patterns.

Any impacts to transportation and circulation would be less than significant.

<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project would generate domestic wastewater processed by a proposed on-site septic system, which would be required to meet local standards for septic design and location. The Mendocino County Division of Environmental Health (DEH) reviewed the project application and recommended conditional approval of the development permit. In a letter dated January 23, 2015, DEH provided no recommended conditions of approval for the development permit. DEH commented that the leachfield must maintain an eight (8) foot buffer from the driveway. DEH will have the opportunity to review building permit applications prior to development of the project, at which time they will ensure proper setbacks to leachfield areas are in place. No mitigation is required relating to wastewater.

The County's Stormwater Ordinance will ensure construction activities on the site limit the project's stormwater impacts to a level that is not significant.

Impacts related to utilities and service systems would be less than significant.

<u>XVIII. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project's potential to degrade the quality of the environment, as described in the first Mandatory Finding of Significance, would be less than significant provided it incorporates the mitigation measures recommended in this Initial Study.

None of the of the project's mitigated impacts are cumulatively considerable because the project's potential impacts are limited to the project site, and the approval and establishment of the project will not alter the existing setting nor amend an existing regulation that would create a circumstance where the incremental effect of a probable future project will generate a potentially significant environmental impact.

The project will not generate any potential direct or indirect environmental effect that will have a substantial adverse impact on human beings including, but not limited to, exposure to geologic hazards, air quality, water quality, traffic hazards, noise and fire hazards.

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

DATE

JULIANA CHERRY
PLANNER III