

**PROJECT SUMMARY****Mendocino County Crisis Residential Treatment (CRT) Facility**

631 S. Orchard Avenue, Ukiah, California

Assessor's Parcel Numbers (APN): 002-340-50 and 002-340-48

September 20, 2020

The County of Mendocino (County) is proposing to construct a Crisis Residential Treatment (CRT) Facility on a 0.92-acre site located at 631 S. Orchard Avenue, Ukiah, and identified by Assessor's Parcel Numbers (APNs) 002-340-50 and 002-340-48 (Site). The Site is owned by the County and is located within the City of Ukiah city limits. The Site has a City of Ukiah land use designation of Commercial (C) (1995) and a zoning designation of Community Commercial (C-1) per the City of Ukiah Zoning Map (2017). No changes to the Site's current land use or zoning designations are proposed under the project.

The project includes the construction and operation of a 3,462 square-foot, one-story, CRT Facility with space for up to 10 beds for clients, a staff office/intake room, den, great room, kitchen, dining area, laundry room, and janitor/storage room. Associated improvements include an outdoor deck oriented to the north and recessed within the building exterior, a parking area, Low Impact Development (LID) features for stormwater capture and treatment, landscaping, a galvanized steel fence surrounding the proposed CRT Facility with gated pedestrian entrances, and driveways. Landscaping, including medium and large trees and shrubs along the east and wide sides of the Site and bioretention facilities located south of the structure, would be placed outside the proposed fence. Additional landscaping would be placed within the fence, including a garden area and various plantings surrounding the structure. All exterior lighting would be motion-censored, downcast, and shielded in compliance with regulations set by the International Dark-Sky Association. The project will additionally include a boundary line adjustment to accommodate the footprint of the proposed CRT Facility within one of the resulting parcels.

**City of Ukiah General Plan Conformance**

The proposed CRT Facility would be licensed and regulated by the Department of Health Care Services in accordance with California Code of Regulations (CCR) Title 22 and would be certified as a Social Rehabilitation Program, licensed as a Social Rehabilitation Facility, as defined by Health and Safety Code 1502(a), and authorized to operate as a Mental Health Rehabilitation Center. The Ukiah City Code (2019) defines a "community care facility" as "the facilities described in Health and Safety Code 1502(a)." In accordance with the Ukiah City Code *Regulations in Community Commercial (C-1) Districts* (2018), the proposed 10-bed CRT Facility (Community care facility) would be a permitted use on-site, subject to the approval of a use permit. However, per Government Code Section 65402(b), as the County proposes to construct a public structure on a County-owned property, the County is under no obligation to conform to City of Ukiah standards with regard to zoning or permitting. California Government Code Section 65402(b) requires that, prior to construction or authorization of construction, a county report the location, purpose, and extent of any proposed public structure to the planning agency having jurisdiction to determine conformity with the adopted general plan. On May 29, 2020, a letter was submitted to the City of Ukiah in accordance with this reporting requirement. No response was received from the City of Ukiah within 40 days of notification of the project. As such, in accordance with California Government Code Section 65402(b), the County has conclusively deemed that the proposed action is in conformity with the adopted general plan.

### **AB 52 Tribal Consultation**

On April 28, 2020 LACO Associates (LACO), on behalf of the County of Mendocino (County), contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and the contact information for the representatives of the Native American tribes associated with the project area. The NAHC response letter, dated May 1, 2020, indicated that a search of the SLF returned a positive result with connections to the Pinoleville Pomo Nation, and included a list of five (5) Native American tribes with cultural affiliations to the area. The list received from the NAHC included the Coyote Valley Band of Pomo Indians, Guidiville Indian Rancheria, Hopland Band of Pomo Indians, Pinoleville Pomo Nation, and Redwood Valley or Little River Band of Pomo Indians, with contact information for the Chairperson of each Tribe provided.

On June 2, 2020, in compliance with Assembly Bill (AB) 52, LACO, on behalf of the County of Mendocino, sent a consultation letter to each of the five (5) Native American tribes provided in the NAHC response letter, including the Coyote Valley Band of Pomo Indians, Guidiville Indian Rancheria, Hopland Band of Pomo Indians, Pinoleville Pomo Nation, and Redwood Valley or Little River Band of Pomo Indians. As of the date of the Initial Study, no requests for consultation have been received from any of the five (5) Native American tribes that were sent formal notification of the project in compliance with AB 52, as noted above. As no requests for consultation were received within the 30 day deadline specified by Public Resources Code section 21082.3 (d), the County of Mendocino, as Lead Agency, has deemed the Tribal consultation process complete.

### **Mitigation Measures**

**CUL-1:** In the event archaeological resources or human remains are inadvertently unearthed or discovered during construction, all further excavation and disturbances within 100 feet of the discovery shall be halted, and the Director of Planning and Building Services (PBS), in the case of discovery of archaeological resources, or the Sheriff-Coroner, in the case of discovery of human remains, shall be immediately notified.

For the discovery of archaeological resources, all activity in the vicinity of the resource(s) shall cease until the discovery can be evaluated by the Director of PBS or a duly authorized representative, in consultation with the Mendocino County Archaeological Commission (Commission). If the Director of PBS does not arrange for an inspection of the area of discovery within 72 hours of receiving the notification and has not issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may resume. If the Commission, or an authorized representative, determines that the resource(s) is one of archaeological significance, the person who made the discovery shall be notified and an appropriate treatment plan for the resources shall be developed. The Commission shall consult with archaeologists and Native American representatives, as deemed necessary, in determining appropriate treatment for prehistoric or Native American cultural resources. In considering any suggested mitigation proposed by the archaeologist and Native American representative, the Commission will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed in other parts of the project area while mitigation for cultural resources is being carried out.

For the discovery of human remains, all activity in the vicinity of the discovery shall cease until specifically authorized by the Sheriff-Coroner. The Sheriff-Coroner shall notify a designated

representative of the Commission and if the remains are considered to be those of a Native American Indian, the Sheriff-Coroner shall also make notification as required by Section 7050.5 of the California Health and Safety Code. The Sheriff-Coroner shall determine, in consultation with the Commission and Native American representatives, as deemed necessary, the jurisdiction and custody of the human remains. Should human remains be discovered as part of an archaeological site, the Sheriff-Coroner or the Commission on behalf of the Sheriff-Coroner shall additionally solicit recommendations of the Native American Heritage Commission. No further excavation or disturbance within 100 feet of the point of discovery may proceed until the lapse of 30 days or written approval of the Commission, whichever occurs first.

**GEO-1:** The project and potential future development at the Site shall comply with the recommendations pertaining to site grading and preparation, footings, concrete slab-on-grade floors, asphalt pavement, and seismic design parameters provided in the Geotechnical Exploration and GeoHazard Report (Geotech Report), prepared by LACO Associates and dated June 3, 2020 (see Appendix D). Prior to issuance of building permits, the County of Mendocino Department of Planning and Building Services shall review and approve of the site development plans, which must demonstrate project compliance with the recommendations of the Geotech Report (LACO, 2020), in addition to any seismic requirements of the latest adopted edition of the CBC. In addition, all soil engineering recommendations and structural foundations shall be designed by a licensed Professional Engineer. All on-site geotechnical engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.

**GEO-2:** In the event that fossils or fossil-bearing deposits are discovered during project construction, the contractor shall notify a qualified paleontologist to examine the discovery and excavations within 50 feet of the find shall be temporarily halted or diverted. The area of discovery shall be protected to ensure that fossils are not removed, handled, altered, or damaged until the Site is properly evaluated, and further action is determined. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the County of Mendocino for review and approval prior to implementation.

**HYDRO-1:** In the event groundwater is encountered during foundation excavation activities, the contractor shall dewater the excavation area prior to placing concrete. Extracted groundwater shall be discharge in a manner that does not cause erosion at the discharge point. Any dewatering activities on-site shall be conducted under the supervision of a Qualified Stormwater Practitioner (QSP).

**NOISE-1:** Implementation of the following measures are required during the duration of the project construction period to reduce potential noise impacts on the nearby sensitive receptors:

- Construction shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, with no construction activities permitted on Saturday, Sunday, or holidays;

- All internal combustion engine-driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment shall be equipped with mufflers and impact tools shall be equipped with shrouds or shields.
- All unnecessary idling of internal combustion engines on-site shall be prohibited.