

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

FOR
**WESTPORT VILLAGE SOCIETY, INC.
COASTAL DEVELOPMENT USE PERMIT
AT 39000 N. HIGHWAY 1; APN: 013-890-01**
File No. U_2023-0012

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

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

February 16, 2025

TABLE OF CONTENTS

INTRODUCTION.....	1
PROJECT INFORMATION	1
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	8
DETERMINATION	8
ENVIRONMENTAL CHECKLIST.....	9
5.1 Aesthetics.....	9
5.2 Agriculture And Forestry Resources.....	10
5.3 Air Quality.....	12
5.4 Biological Resources.....	14
5.5 Cultural Resources.....	19
5.6 Energy.....	21
5.7 Geology And Soils.....	22
5.8 Greenhouse Gas Emissions.....	24
5.9 Hazards And Hazardous Materials.....	26
5.10 Hydrology And Water Quality	28
5.11 Land Use And Planning.....	30
5.12 Mineral Resources	31
5.13 Noise	32
5.14 Population And Housing.....	33
5.15 Public Services.....	34
5.16 Recreation.....	34
5.17 Transportation	35
5.18 Tribal Cultural Resources.....	37
5.19 Utilities And Service Systems.....	39
5.20 Wildfire	40
5.21 Mandatory Findings Of Significance.....	41

FIGURES AND TABLES

Figure 1: Location Map.....	4
Figure 2: Aerial Imagery.....	5
Figure 3: Plot Plan.....	6
TABLE 1: ADJACENT LAND USE AND ZONING	3

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), this Draft Initial Study (IS) has been prepared as documentation for a Negative Declaration (MND) for the proposed project to improve public coastal access by establishing a recreational trail, constructing a driveway, a parking lot, and a stairway from the blufftop to the Pacific Ocean. Additionally, the project proposes to install wayfinding signage at the trailhead, State Route 1, and various points throughout the property. This Draft IS/ND includes a description of the Project; the location of the Project site; an evaluation of the potential environmental impacts of Project implementation; and written statement that an Environment Impact Report (EIR) is not required because the project will not have a significant adverse impact on the environment.

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

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

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

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

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

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

PROJECT INFORMATION

FILE NUMBER: U_2023-0012

OWNER/APPLICANT: Westport Village Society, Inc.
P.O Box 446
Westport, CA 95488

AGENT: Thad Van Bueren
P.O Box 326
Westport, CA 95488

PROJECT LOCATION: In the Coastal Zone, 1.4± miles north of the Westport town center, situated west of the State Route 1 (SR1) and Branscomb Road (CR429) intersection, located at 39000 N. Highway 1, Westport; APN: 013-890-01.

TOTAL ACREAGE: 26± Acres

GENERAL PLAN:

Remote Residential – 20 Acres Minimum (RMR 20)

ZONING:

Remote Residential – 20 Acres Minimum (RMR 20)

PROJECT DESCRIPTION: Pursuant to CEQA Guidelines Section 15125, the Project Description is required to identify the existing baseline physical conditions. For this project, the baseline conditions include all existing development and the current parcel configuration. The permittee requests Coastal Development Use Permit to improve public coastal access by constructing a paved driveway at State Route 1 (SR1) post mile (PM) R79.023, a paved parking lot for five (5) vehicles including one (1) Americans with Disabilities Act (ADA) accessible parking space, improving and establishing an existing pedestrian footpath parallel to the ocean and SR1, and constructing a concrete stairway from the beach south of DeHaven Creek leading to the blufftop. The DeHaven Management Plan has been prepared by Thad Van Bueren on April 5, 2022. Westport Village Society, Inc. assumes liability and responsibility for operating and maintaining the project.

The proposed driveway would be constructed approximately 425 feet south of its intersection with Branscomb Road. Log barriers would be placed along the perimeter of the parking lot to prevent vehicular entry onto the surrounding terrain. Several shore pine trees, and non-native shrubs are proposed to be removed to allow for the driveway and parking lot. Establishment of the access trail will primarily entail minor improvements, mowing, and maintenance. The permittee obtained a State of California Department of Transportation (Caltrans) Encroachment Permit (Permit No. 01-24-N-RC-0009) on December 26, 2024, with special provisions that have been incorporated into the conditions of approval.

The proposed stairway would be constructed on an already disturbed area that has been previously used as an access route to DeHaven Beach. The stairway, as proposed, would require drilling piers into supporting bedrock and a retaining wall. The California Coastal Commission stated a wood type with a polyurea coating as a treatment method to preserve the wood, or Heart Redwood, or untreated cedar or redwood, or inert metal (aluminum) for sections of the stairway not in direct contact with the ground would be permitted. The use of timber treated with ACZA is not recommended by Coastal Commission staff for use adjacent to waters in the Coastal one, since it has the potential to leach into the ground and subsequent waterways. Substantial current research shows the bioaccumulation and toxicity of copper in aquatic habitats.

Signage would be posted at the parking lot trailhead advising visitors of rules which limit use to daylight hours and do not allow camping, fires, littering, and fireworks. A second sign would be posted at the parking lot trail head directing persons with disabilities access to beach and bluff viewpoints. A sign at the driveway approach on SR1 would state that Recreational Vehicles (RVs) and large vehicles are prohibited. Access to beach and viewpoints would be provided and signed for persons with disabilities. Barriers would be placed marking wheelchair ramps and the limits of safe approach of the bluff.

The project site is located within the Coastal Zone, 1.4± miles north of the Westport Town Center, 117± feet from the SR 1 and Branscomb Road (County Road: 429) intersection, located at 39000 N. Highway 1, Westport, Ca (APN: 013-890-01). The 26± acre parcel is bordered to the east by SR 1 and Westport-Union Landing State Beach to the north, the Pacific Ocean to the west, and Westport Beach RV Park and Campground to the south. The California Coastal Trail (CCT) is situated on the subject parcel and runs parallel to SR1. The subject parcel is dominated by an uplifted marine terrace bisected by DeHaven Creek from the east. The property ranges from mean sea level to a maximum elevation of 112 feet above sea level.¹

From east to west, slopes on the subject parcel range from 0 degrees to 86 degrees.² The project site is mapped within a Moderate fire hazard area and is served by CAL FIRE.³ Approximately 15.6 of the 26± acre parcel is an Environmentally Sensitive Habitat Area (ESHA). The swale on the northeastern side of the terrace includes a 2.7± acre wetland. Five (5) special status natural communities were identified in the project area including Dune Mat at the mouth of DeHaven Creek, Coastal Dune Willow on the northeast

¹ Van Bueren, Thad. DeHaven Management Plan. September 23, 2023.

² Estimated Slope Map.

³ Fire Hazard Zone Map.

portion, pockets of California Oatgrass Grassland on the northern and southern portion, Seaside Woolly Sunflower to the north, and Slough Sedge adjacent to the Coastal Dune Willow.

TABLE 1: ADJACENT LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Open Space, Dept. of Park & Recreation	Open Space (0)	19.25± Acres	State Park
EAST	Remote Residential (RMR20)	Remote Residential (RMR 20)	20±, 20.5± Acres	Visitor Accommodation, Undeveloped
SOUTH	Rangeland (RL160)	Rangeland (RL 160)	50.8± Acres	RV Park and Campground
WEST	Pacific Ocean	Pacific Ocean	N/A	N/A

Other Public Agencies Whose Approval is Required: N/A

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

PROJECT PLOT PLAN: See Page 6 of this document.

FIGURE 1: LOCATION MAP



Sources: Esri, HERE, DeLorme, InCREMENTAL Survey, © OpenStreetMap contributors, Robinson, NCEAS, NLS, OS, NMA, GeoGeoland, FEMA, Intermap and the GIS user community

CASE: U 2023-0012
OWNER: Westport Village Society
APN: 013-890-01
APLCT: Thad M. Van Bueren
AGENT: Thad M. Van Bueren
ADDRESS: 39000 Hwy 1, Westport

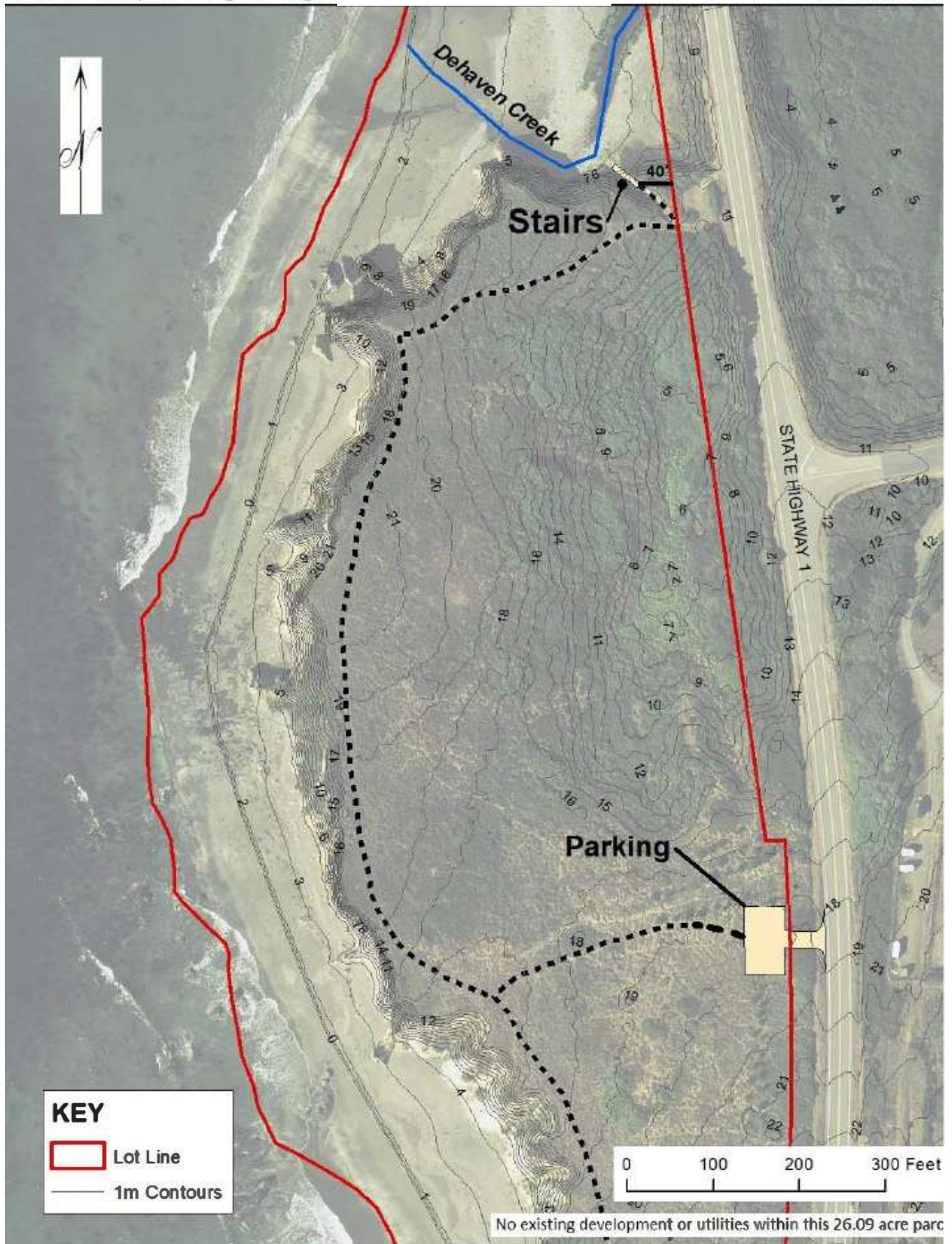
Coastal Zone Boundary
Highways
Major Roads

0 2,800 5,600 Feet
0 0.5 1 Miles
1:63,360
N
W
E
S
LOCATION

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

FIGURE 2: AERIAL IMAGERY

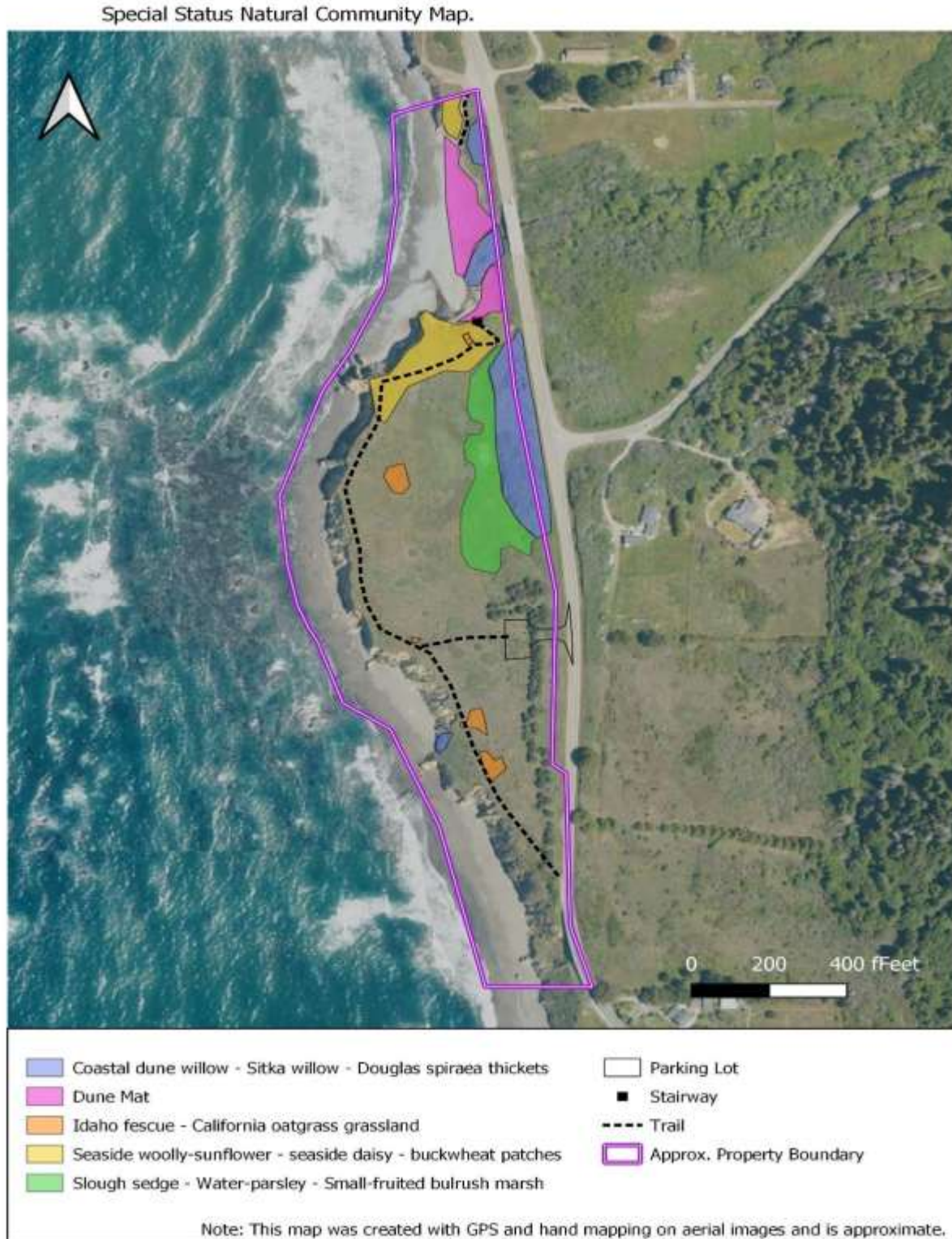




AP#013-890-0105, 39000 N. Highway 1, Westport, CA

Westport Village Society, I

FIGURE 4: ESHA



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

Based on this initial evaluation:


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

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

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

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

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



Signature

Shelby Miller

Printed Name



Date

Planner II

Title

ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

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

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

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

Additionally, the County has two roadway segments designated as “heritage corridors” by California Public Resources Code Section 5077.5. The North Coast Heritage Corridor includes the entire segment of SR 1 in the county, as well as the segment of U.S. Highway 101 from the junction with SR 1 in Leggett, north to the Humboldt County line. The Tahoe-Pacific Heritage Corridor extends from Lake Tahoe to the Mendocino County coast. It includes the entire segment of SR 20 within the County and the segment of US 101 from the SR 20 junction north of Calpella to the SR 20 Highway exit south of Willits.

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

According to the 2020 U.S. Census, there are three “Urban Areas” in Mendocino County: Ukiah, Willits, and Fort Bragg. Some of these Urban Areas extend into the unincorporated portions of the County. The Census

provides shapefiles for use in visualizing these Urban Areas. The following County regulations govern scenic quality:

- Mendocino County Code (MCC) Chapter 20.504 – Visual Resource and Special Treatment Areas
- Mendocino County Coastal Element Chapter 3.5 – Visual Resources, Special Communities and Archaeological Resources
- Ukiah Valley Area Plan Chapter 4 – Community Design
- Mendocino County General Plan Chapter 6 – Community Specific Policies

Mendocino County General Plan Policy DE-85: “*Viewshed preservation shall be considered when development is located in a highly scenic environment, adjacent to or atop a ridgeline or hill, and in similar settings.*”

a-d) **No Impact:** The proposed project would have no impact on a scenic vista. The project site is not located within a designated Highly Scenic Area. Development will not create a new source of substantial light or glare or substantially degrade the existing visual character or quality of public views of the site and its surroundings. The town of Westport is not an urbanized area, and the project would not conflict with applicable zoning or other regulations governing scenic quality. Due to the setting, the project would not degrade the existing visual character or quality of public views of the site and its surroundings. No glare or lighting is proposed for this project.

The project proposes to remove several trees and shrubs before constructing parking lot and staircase. The project is not located in a designated Highly Scenic area. Based on these conditions, there would be no impacts to scenic resources within a state scenic highway.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Aesthetics.

5.2 AGRICULTURE AND FORESTRY RESOURCES

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

DISCUSSION: The California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) which produces maps and statistical data used for analyzing impacts on California's agricultural resources. The FMMP mapping survey covers roughly 98% of privately owned land in the state. Each map is updated at approximately two-year intervals. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called "Prime Farmland". Other critical designations include "Unique Farmland" and "Farmland of Statewide Importance." The most recent map covering Mendocino County was published in 2018.

The Williamson Act (officially the California Land Conservation Act of 1965) is a California law that provides relief of property tax to owners of farmland and open-space land in exchange for an agreement that the land will not be developed or otherwise converted to another use. The intent of the Williamson Act is to preserve a maximum amount of a limited supply of prime agricultural land to discourage premature and unnecessary conversion of prime agricultural land to urban uses.

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

Several zoning districts established by the Mendocino County Zoning Ordinance allow for agricultural uses. The Zoning Ordinance also establishes use types which are allowable by-right and conditionally in each zoning district. A zoning conflict may occur if a use is proposed which is not allowable in the corresponding zoning district. Mendocino County has adopted Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, which were most recently amended in 2018. Among the policies and procedures are regulations concerning compatible and incompatible uses on lands under a Williamson Act contract.

Public Resources Code Section 12220(g) defines "forest land" as *"land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits."*

Public Resources Code Section 4526 defines "timberland" as *"land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis."* In this definition, "board" refers to the California Board of Forestry and Fire Protection. Government Code Section 51104(g) defines "Timberland production zone" or "TPZ" as *"an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h)."*

- a-d) **No Impact:** Mendocino County General Plan Chapter 7 (Coastal Element) and Mendocino County Coastal Zoning Code (MCC), respectively classify and designate the site as Remote Residential (RMR). The subject property does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the subject property is not located within or adjacent to lands within a Williamson Act contract. Therefore, no impact to agricultural or forestry resources would occur as a result of implementing the proposed project.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Agricultural and Forestry Resources.

5.3 AIR QUALITY

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

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

MCAQMD operates air monitoring stations in Fort Bragg, Ukiah, and Willits. Based on the results of monitoring, the entire County has been determined to be in attainment for all Federal criteria air pollutants and in attainment for all State standards except Particulate Matter less than 10 microns in size (PM₁₀). In January of 2005, MCAQMD adopted a Particulate Matter (PM) Attainment Plan establishing a policy framework for the reduction of PM₁₀ emissions, and has adopted Rule 1-430 which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land as follows:

- 1) All visibly dry, disturbed soil road surfaces shall be watered to minimize fugitive dust emissions;
- 2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour;
- 3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed;
- 4) Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles and other surfaces that can give rise to airborne dusts;
- 5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour;
- 6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours; and
- 7) The operator shall keep a daily log of activities to control fugitive dust.

In December 2006, MCAQMD adopted Regulation 4, Particulate Emissions Reduction Measures, which establishes emissions standards and use of wood burning appliances to reduce particulate emissions. These regulations applied to wood heating appliances, installed both indoors and outdoors for residential and commercial structures, including public facilities. Where applicable, MCAQMD also recommends mitigation measures to encourage alternatives to woodstoves/fireplaces, to control dust on construction sites and unpaved access roads (generally excepting roads used for agricultural purposes), and to promote trip reduction measures where feasible.

In 2007, the Air Resources Board (ARB) adopted a regulation to reduce diesel particulate matter (PM) and oxides of nitrogen (NOx) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation imposes limits on idling, requires a written idling policy, and requires disclosure when selling vehicles. Off-road diesel-powered equipment used for grading or road development must be registered in the Air Resources Board DOORS program and be labeled accordingly. The regulation restricts the adding of older vehicles into fleets and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies.

In 1998, the California Air Resources Board established diesel exhaust as an Air Toxic, leading to regulations for categories of diesel engines. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material which contributes to PM_{2.5}. All stationary and portable diesel engines over 50 horsepower need a permit through the MCAQMD.

According to the US Environmental Protection Agency (EPA) Nonattainment Areas for Criteria Pollutants (Green Book), Mendocino County is in attainment for all National Ambient Air Quality Standards (NAAQS)⁴. In addition, Mendocino County is currently in attainment for all California Ambient Air Quality Standards (CAAQS). The County achieved attainment in 2021⁵. The Hydrogen Sulfide and Visibility Reducing Particles designations remain unclassified in Mendocino County.

MCAQMD CEQA Guidelines Thresholds of Significance. The MCAQMD adopted the following thresholds as recommendations for use in the CEQA process. For construction related criteria air pollutant emissions, construction and/or demolition of a project may cause a significant impact if it would:

- Emit more than 54 pounds per day (lb/day) of reactive organic gases (ROG) or volatile organic compounds (VOC);
- Emit more than 54 lb/day of nitrogen oxides (NOx);
- Emit more than 82 lb/day of PM₁₀ from exhaust; or
- Emit more than 54 lb/day of PM_{2.5} from exhaust. (MCAQMD 2010)

MCAQMD does not have a numerical significance threshold for fugitive dust emissions during construction. MCAQMD instead recommends implementing Best Management Practices (BMPs).

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

- a) **Less Than a Significant Impact:** The proposed project includes grading and paving a parking lot and driveway encroachment. The project, as proposed, would cut 15 cubic yards and fill 15 cubic yards. The project is expected to comply with existing regulatory requirements of MCAQMD. This includes MCAQMD Rule 1-430, which requires specific dust control measures during all construction operations, the grading of roads, or the clearing of land.

The PM Attainment Plan recommendations that may apply to the proposed project include Section XII (4), Construction and Grading Activities. This section includes increased enforcement of existing Air Quality regulations and developing a regulation that would require permits for projects that have over one acre of disturbance. Since the site disturbance would be less than one acre, the permittee would not be required to obtain a Grading Permit from MCAQMD. Therefore, the project would not conflict with, or obstruct, implementation of the applicable Air Quality Plan, and impacts would be less than significant.

⁴ U.S. Environmental Protection Agency (2023). Nonattainment Areas for Criteria Pollutants (Green Book). Retrieved from <https://www.epa.gov/green-book>

⁵ California Air Resources Board (2022). 2021 Amendments to Area Designations for State Ambient Air Quality Standards. Retrieved from <https://ww2.arb.ca.gov/rulemaking>

- b) **No Impact:** Mendocino County is currently in attainment for all criteria pollutants at both the State and Federal level.
- c) **Less Than a Significant Impact:** Some pollutant emissions may occur due to construction of the parking lot and driveway approach. The project would not involve any permanent or stationary sources of air pollution, but construction would temporarily bring construction equipment into the project site and onto roadways accessing the site. The nearest sensitive receptor is a residence located directly across the proposed driveway approach and parking lot, approximately 200 feet away.

Construction equipment and vehicles would access and move within the Project site throughout the short construction duration. Emissions would vary and would not occur for long periods; this minimizes the potential that any location would be exposed to substantial pollutant concentrations. Construction contractors would be required to follow the practices outlined in District Rule 1-430 – Fugitive Dust Emission, which would minimize the emissions of dust, for which the county is in non-attainment. This would ensure that receptors would not be exposed to substantial concentrations. Impacts under this criterion would be less than significant.

- d) **Less Than a Significant Impact:** The project would not include any sources likely to create objectionable odors. Construction would involve the temporary use of construction equipment and materials, such as fuels, that may generate intermittent, minor odors. Odors that occur in equipment exhaust would be minimized and would cease at the end of construction. Though the minimal paving and grading is not expected to result in significant odors, MCAQMD can determine that a source of odors be considered a public nuisance due to received complaints. MCAQMD then has the authority to require the source to implement mitigation measures to correct the nuisance conditions. This regulatory structure ensures that unanticipated odor sources that may arise from the project are handled appropriately. This would ensure that the impact would be less than significant.

MITIGATION MEASURES: None.

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

5.4 BIOLOGICAL RESOURCES

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

The following may also be considered a special status species:

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

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

The California Natural Diversity Database (CNDDDB) provides location and natural history information on special status plants, animals, and natural communities to the public, agencies, and conservation organizations. The data helps drive conservation decisions, aid in the environmental review of projects and land use changes and provide baseline data helpful in recovering endangered species and for research projects. Currently, CNDDDB has 32 species listed for Mendocino County that range in listing status from Candidate Threatened to Endangered. Planning & Building Services uses CNDDDB mapping to assist in identifying project-specific locations where special-status species have been found.

The US Fish and Wildlife Service’s (USFWS) Information for Planning and Consultation tool (IPaC) provides site-specific information on federally listed species. In addition, the USFWS National Wetlands Inventory houses information on the status, extent, characteristics, and function of wetlands.

Section 404 of the federal Clean Water Act establishes a program to regulate the discharge of dredged or fill material into waters of the United States. Section 404 requires a permit before dredged or fill material may be discharged unless the activity is exempt. Section 404 defines wetlands as *“those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstance do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bog, and similar areas.”*

At the state level, the Porter-Cologne Act governs water quality through nine Regional Water Boards and the State Water Board. Mendocino County is within the jurisdiction of the North Coast Regional Water Quality Control Board (the ‘Board’). The Board regulates discharges under the Act through the issuance of National Pollutant Discharge Elimination System (NPDES) permits. The Porter-Cologne Act also requires adoption of regional water quality control plans. The North Coast Basin Plan was most recently adopted in 2018 and establishes water quality objectives, implementation measures, and monitoring programs for the region.

CDFW uses NatureServe’s Heritage Methodology to assign global and state rarity ranks for natural communities. CDFW’s Vegetation Classification and Mapping Program (VegCAMP) ranks California Natural Communities by their rarity and threat. Natural Communities with a rank of S1-S3 are considered Sensitive Natural Communities. The only comprehensive VegCAMP mapping completed in Mendocino County is that of Mendocino Cypress and Related Vegetation (Pygmy forest), Point Arena Stornetta Unit, and Garcia River.

Mendocino County General Plan Policy RM-28 and RM-29 relate to Biological Resources, including Action Item RM-28.1 regarding oak woodlands.⁶ Mendocino County currently has two active Habitat Conservation Plans (HCPs) with the U.S. Fish and Wildlife Service, the first of which provides protections for the Point Arena Mountain Beaver. The Fisher Family HCP (Permit #TE170629-0) covers 24 acres of coastal scrub and was adopted December 3, 2007, for a period of 50 years. The Fisher Family HCP applies to Assessor Parcel Number 027-211-02 located at 43400 Hathaway Crossing, Point Arena. The second HCP is Pacific Gas & Electric Company’s Multiple Region Operations and Maintenance HCP. The HCP was issued in 2020 for a period of 30 years. The HCP includes protections for several species across multiple jurisdictions. Since 2003, the Mendocino Redwood Company (MRC) has managed the County’s only Natural Community Conservation Plan which covers all lands owned by the MRC to preserve regionally important habitat.

Other regulations which apply to biological resources include the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the Lake and Streambed Alteration Program. California Fish and Game Code (FGC) Section 3503.5 states *“it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”*

California PRC Section 21083.4 requires, *“as part of the determination made pursuant to Section 21080.1, a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. For purposes of this section, “oak” means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526, and that is 5 inches or more in diameter at breast height.”*

- a, b) **Less Than a Significant Impact:** A Botanical and Wetland Delineation Report, prepared by Kyle Wear in July 2023, identified several environmentally sensitive habitat areas (ESHAs) on the project site and assessed whether potential impacts would occur from the proposed project. Five (5) special status natural species and several wetlands, which are considered environmentally sensitive habitat areas (ESHAs), were identified. The ESHAs onsite include:

Special Status Natural Community ESHA:

1. Dune Mat (*Abronia latifolia* – *Ambrosia chamissonis* Herbaceous Alliance),

⁶ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

2. Seaside Woolly-sunflower - seaside daisy - buckwheat patches (Eriophyllum staechadifolium – Erigeron glaucus – Eriogonum latifolium Herbaceous Alliance),
3. Coastal Dune Willow – Sitka Willow – Douglas Spiraea Thickets (Salix hookeriana – Salix sitchensis, Spiraea douglasii Shrubland Alliance),
4. Sough Sedge – Water-Parsley – Small-fruited Bulrush Marsh (Carex obnupta – Oenanthe sarmentosa – Scirpus microcarpus Herbaceous Alliance),
5. Idaho Fescue – California Oatgrass Grassland (Destuca idahoensis – Danthonia californica Herbaceous Alliance).

Wetland ESHA: The parcel contains several wetlands including a 2.7± acre anadromous swale on the eastern side of the parcel. There are several areas on the parcel that contain wetland indicator species such as willows, slough sedge, small-flowered bulrush, and giant horsetail.

Open Coastal Waters, Lakes, Streams and Rivers ESHA: The subject parcel contains DeHaven Beach and is adjacent to the Pacific Ocean. DeHaven Creek intersects with the subject parcel from the east and flows into the Pacific Ocean. DeHaven Creek and Beach are considered ESHA.

As proposed, the construction of the parking lot and driveway would be developed greater than 100 feet from any ESHA. The proposed stairway would be constructed within the 100 foot buffer of the Seaside woolly-sunflower-Seaside Daisy-buckwheat patches ESHA in a disturbed, mostly unvegetated, existing informal beach access point. This area is the most feasible and least environmentally damaging area of the parcel for the stairway. Kyle Wear stated, the proposed project will not impact special status plants or wetlands. The project does not propose removing any vegetation. For on-going maintenance, the permittee proposes to mow the on-site trail outside of the bloom period (February to October) to the extent that is feasible. Other maintenance would include weed whacking invasive grasses in summer months. Additionally, the Botanical Report stated the proposed public access improvement project is a resource-dependent use of ESHA.

Two site visits were conducted on the project site on January 2, 2024, and February 13, 2024, with the County and the California Department of Fish and Wildlife (CDFW) staff. Staff observed the existing trail's proximity to the bluff edge and requested the permittee to re-route it to meet a 25 foot setback. CDFW requested the permittee flag the re-routed trail to ensure it would not impact ESHA. The second site visit was conducted to confirm ESHA would be avoided. CDFW, as a Trustee Agency, understands the stairway would be constructed within 100 feet of special status plants and concurs with the reduction if the following recommendations are incorporated:

- Target invasive species (property wide) for removal for a period of 3-5 years.

Proposed Stairway

- The proposed stairway has been re-designed and is of a slightly smaller footprint than considered during previous site visits.
- CDFW would agree with the contractor recommendation to use a rubber-wheeled excavator as it would likely have less impact than a tracked piece of equipment.
- Harvest native plants, as feasible, and replant post-construction and after first rain event (typically October or November) including: seaside daisy, lupin, and woolly sunflower.
- If soil is to be excavated, it is recommended to save the top 6-8 inches and replace when construction is complete and shall not be used as fill elsewhere on project site.

From property line to the eastern side of trail behind stairway

- Along with appropriate erosion control measures, cast native, northern Californian grass seed mix appropriate for bluffs and ensure mix does not contain invasive and non-native species.

Trail Maintenance

- If and when the trail is re-routed to account for bluff retreat, native species should be avoided.

- Mowing should occur outside of the bloom period of native species (typically March to August).
- Target non-native species on the trail and outside of ESHA during spring and summer months using a weed whacker or loppers.
- Encourage re-growth of native plants by collecting native seed onsite and casting in early fall.
- Install signs near ESHA and native habitat locations that direct visitors to stay on trail. Signs could include language such as, “habitat restoration area – keep out”.

Parking lot and trail

- Considering some shore pines are proposed to be removed, CDFW recommends a minimum replacement ratio of 1:1 on either side of existing trees
- Install low, symbolic fencing on the driveway perimeter to reduce expansion of parking area and to guide users to stay on trail and within the proposed, developed areas.
- Install signs that state use prohibitions including fires, biking, motorized vehicles, and camping.

The project was referred to the California Coastal Commission (CCC) on November 28, 2023, and November 8, 2024. The CCC recommended the project include several Best Management Practices and to change the stairway wood type to an alternative material that would not leach into the ground or nearby waterways. Best Management Practices have been incorporated into the Conditions of Approval. In addition, Condition of Approval No. 42 requires the permittee submit a Stormwater Pollution Prevention Plan prior to the issuance of any building permit to address runoff concerns. All recommendations from CDFW and CCC were incorporated as conditions of approval. See Conditions of Approval numbers 28 through 39, 42 through 54 on the associated Resolution.

- c) **Less Than a Significant Impact:** As proposed, the construction of a staircase and a paved parking lot would be greater than 100 feet from any wetland ESHA onsite. The DeHaven Beach and Headlands Management Plan proposes to use asphalt concrete (AC) to pave the parking lot and driveway encroachment. Best Management Practices would be used before, during, and after construction and have been incorporated into the Conditions of Approval. The permittee proposes a Stormwater Pollution Prevention Plan (SWPPP) to control toxic runoff. As proposed, the project would not 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.
- d, e) **Less Than a Significant Impact:** The project implementation would not result in any significant changes to the protected biological resources or physical environment beyond the limits of the project areas. Construction of the stairway conflicts with the Mendocino County Code Chapter 20.496, which states that a project has potential to impact an environmentally sensitive habitat area (ESHA) if the development is proposed to be located within 100 feet of an ESHA and/or has potential to negatively impact the long-term maintenance of the habitat. Although the proposed stairway would be located within the 100 foot buffer, it would not pose an impact on ESHA. The project is not within the jurisdiction of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other habitat conservation plan. Therefore, the project would have a less than significant impact on biological resources.
- f) **No Impact:** The proposed project is not situated within or near an area with a Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. Therefore, the project would have no impact on any adopted conservation plans.

MITIGATION MEASURES: None.

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

5.5 CULTURAL RESOURCES

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

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

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

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

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

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

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

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

The California Office of Historic Preservation (OHP) houses the Built Environment Resource Directory (BERD). BERD files provide information regarding non-archaeological resources in OHP’s inventory. Each resource listed in BERD is assigned a status code, which indicates whether resources have been evaluated as eligible under certain criteria. This tool provides information to assist in identifying potentially historic resources throughout the County.⁷

- a-c) **Less Than Significant Impact:** An Archaeological Survey was conducted on the project site by Thad Van Bueren on April 5, 2022. Archaeological and/ or historic resources were identified and will be managed as an environmentally sensitive area to avoid significant impacts from development and ongoing public access and use. The proposed development would be greater than 100 feet from any historical and archaeological resource. Conditions of approval have been incorporated to install signs to keep visitors on trail and out of the identified environmentally sensitive areas. The proposed project does not anticipate impacting any human remains on the parcel. The project was referred to Northwest Information Center (NWIC) and the Archaeological Commission on November 28, 2023, and November 8, 2024. The Archaeological Survey was accepted by the Archaeological Commission and NWIC. The Discovery Clause has been added as a condition of approval. The project was also referred to Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians.

On December 15, 2023, Sherwood Valley Band of Pomo Indians stated “the Tribe is requesting the information MC Planning and Building will receive from [Northwest Information Center] and also the Archaeological Survey. The Tribe has no further cultural resource information to add at this time. The proposed project is within Sherwood Valley traditional territory and

⁷ California Department of Parks and Recreation (2023). Office of Historic Preservation. *Built Environment Resource Directory (BERD)*. Retrieved from https://ohp.parks.ca.gov/?page_id=30338.

contemporary use is still very prevalent in this cultural resourced area. As this project moves forward the Tribe may request cultural monitoring on-site. In the event of an inadvertent discovery the Tribe would like to go on the record as the MLD of the area.” As of November 21, 2024, Cloverdale Rancheria, Potter Valley Tribe, and Redwood Valley Rancheria have not responded.

MITIGATION MEASURES: None.

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

5.6 ENERGY

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

DISCUSSION: On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

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

- a, b) **No Impact:** The proposed project would not require consumption of energy or energy resources during operation. The project may require minimal consumption of energy during construction. However, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the project would have no impact on energy.

MITIGATION MEASURES: None.

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

5.7 GEOLOGY AND SOILS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input 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 direct or indirect 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 wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

The California Geological Survey (CGS) houses the web-based California Earthquake Hazards Zone Application (EQ Zapp), which allows a user to check whether a site is in an earthquake hazard zone.⁸ The California Department of Conservation also houses a general-purpose map viewer that contains layers displaying locations and data related to the California Landslide Inventory, the Seismic Hazards Program, Earthquake Shaking Potential, Historic Earthquakes, and others.

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

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

Subsidence refers to broad-scale change in the elevation of land. Subsidence is commonly caused by groundwater extraction, oil extraction, underground reservoir pumping of gas, dissolution of limestone aquifers (sinkholes), collapse of a mine, drainage of organic soil, or initial wetting of dry soil (hydrocompaction). The US Geological Survey (USGS) regularly publishes information on land subsidence in California, including a map showing areas of land subsidence due to groundwater pumping, peat loss, and oil extraction.⁹

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

Unique geologic features are rocks or formations which:

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

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

- a) **Less Than a Significant Impact:** The Department of Conservation California Earthquake Hazards Zone Application map indicates the subject parcel is not within an Earthquake Fault Zone. This parcel has not been evaluated by California Geological Survey for liquefaction hazards. A Geotechnical Investigation and Slope Stability Analysis was prepared by Brunsing Associates, Inc. (BAI) on July 23, 2024. No evidence of faulting was observed by BAI and the potential for fault rupture at the project site is considered low. The LCP Land Capabilities Map indicates the blufftop parcel is situated on Marine Terrace Deposits (Zone 2). North of the project site where DeHaven Creek and the beach intersect has the potential to flood. Marine Terrace Deposits are susceptible to seismic activity, leading to intermediate to strong shaking.

BAI stated the proposed stairway is in the most feasible location considering it has previously been disturbed. BAI stated that a retaining wall has been judged necessary for the public access stairway. In addition, all the recommendations presented in the report are intended to provide support for the proposed stairways 75-year lifespan. Any plants located at the top of the bluff may be anchoring the bluffs and slowing erosion. Removing any plants at the top of

⁸ California Department of Conservation (2021). California Geological Survey. *EQ Zapp: California Earthquake Hazards Zone Application*. Retrieved from <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>.

⁹ U.S. Geological Survey. Liquefaction Susceptibility. Retrieved from <https://earthquake.usgs.gov/education/geologicmaps/liquefaction.php>.

bluff is prohibited unless a qualified geologist determines the removal of plants would not increase erosion. BAI stated, “the proposed stairway, at base landing elevation 14 feet above mean sea level, will be subject to occasional storm waves during high tides” and “our recommended foundation system, piers drilled deep into bedrock, should withstand the effects of periodic, surficial wave erosion over the next 75 years”. Staff recommends Condition of Approval No. 19 to post signage at the head of the stairway advising visitors of high tide conditions and to take caution. BAI stated the subject parcels blufftop, west of the proposed stairway, are slumping northerly, into the creek channel. The landslides do not appear to be enlarging easterly, toward the proposed stairway location. With shallow moderately hard bedrock encountered in our borings, the potential for deep-seated landsliding is considered low”. Therefore, the proposed project does not anticipate directly or indirectly causing adverse impacts on landslides, liquefaction, and seismic activity.

- b) **Less Than a Significant Impact:** The proposed stairway would be constructed on an area that appears to have been disturbed and used as an unestablished access point historically. Proposed earthwork includes 15 cubic yards of cut and 15 cubic yards of fill. The Geotechnical Investigation states, “within fill areas, weak loose soils and improperly compacted soils should be removed to a depth of at least 2.5 feet below existing grades. The exposed soils should be scarified to about six inches deep”. The California Department of Fish and Wildlife stated, if soil is to be excavated, it is recommended to save the top 6-8 inches and replace when construction is complete and shall not be used as fill elsewhere on project site”. A condition of approval was incorporated to also prohibit landowner from removing vegetation near the bluff edge to prevent erosion. As proposed, the project would not result in the loss of topsoil or substantial soil erosion.
- c) **Less Than a Significant Impact:** According to the Geotechnical Investigation and Slope Stability Analysis conducted by Brunsing Associates, Inc (BAI) on July 23, 2024, landsliding within the project site is considered low. The proposed stairway would require a retaining wall to prevent buildup of hydrostatic pressure and designed to resist hydrostatic pressures. With the recommendations in the Geotechnical Investigation, the proposed project would have a less than significant impact on geology and soils.
- d) **No Impact:** The proposed project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and does not anticipate creating a substantial direct or indirect risk to life or property.
- e) **No Impact:** The project does not involve the construction of a dwelling or any other structure that would include plumbing fixtures. Therefore, septic infrastructure would not be required.
- f) **No Impact:** Based on the findings within the archaeological survey report and historical resource evaluation, the site is not expected to contain any paleontological resources or unique geologic features.

MITIGATION MEASURES: None.

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

5.8 GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. Executive Order B-30-15 and SB 32 extended the goals of AB32 and set a 2030 goal of reducing emissions 40 percent from 2020 levels. Land use decisions affect GHG emissions associated with transportation, water use, wastewater treatment, waste generation and treatment, energy consumption, and conversion of natural and working lands.

In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission, which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those, which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO₂e (CO₂ equivalent) of operation emission on an annual basis. Additionally, Mendocino County's building code requires new construction to include energy efficient materials and fixtures.

Because Mendocino County is primarily rural, the amount of greenhouse gases generated by human activities (primarily the burning of fossil fuels for vehicles, heating, and other uses) is small in total compared to other, more urban counties (although higher per capita due to the distances involved in traveling around the county) and minuscule in statewide or global terms¹⁰. However, like all other areas worldwide that contribute to global warming, Mendocino County will be affected by climate change and shares a responsibility to address this issue. Long-term efforts will focus on reductions in greenhouse gas sources in the county through a comprehensive greenhouse reduction plan for both County operations and the broader area governed by Mendocino County.

Construction emissions are generally short-term or temporary in duration, however, they still have the potential to significantly impact air quality¹¹. The main contributors to this short-term adverse impact to air quality are fugitive dust emissions (PM₁₀), for which Mendocino County is in nonattainment for the California ambient air quality standard, and emission of ozone forming gases ROG and NO_x. Fugitive dust emissions are generally associated with grading, movement of soil, and other site preparation activities. ROG and NO_x emissions break down to form ozone and are associated primarily with gas and diesel equipment exhaust and the application of various exterior building coatings.

- a) **Less Than Significant Impact:** There is no applicable federal, State, or local threshold pertaining to construction related GHG emissions. The BAAQMD CEQA Guidelines, which are used by the Mendocino County Air Quality Management District, do not include GHG-related screening criteria or significance thresholds for construction. Given the relatively small size of the project scale, the project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional, or State level. Construction activities include grading and paving the driveway and parking lot and excavation for the staircase. The parking lot would consist of ten (10) parking spaces. The Secretary for Resources has found that Accessory Structures including but not limited to small parking lots do not have a significant effect on the environment¹². The project does not anticipate generating an increased rate of vehicle miles traveled.

¹⁰ County of Mendocino. General Plan. Resource Management Element.

¹¹ Mendocino County General Plan. 2008.

¹² CEQA Guidelines. Categorical Exemptions Class 11. Section 15311 Accessory Structures.

- b) **Less Than a Significant Impact:** There is no adopted local or regional plan, policy or regulation for the purpose of reducing GHG emissions. Project construction would cause a temporary increase in GHGs; however, as discussed, Project emissions would not have a significant effect on the environment. The project does not conflict with any applicable policy or plan.

MITIGATION MEASURES: None.

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

5.9 HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Mendocino County has adopted a Hazardous Waste Management Plan to guide future decisions by the County and the incorporated cities about hazardous waste management. Policies in this General Plan emphasize source reduction and recycling of hazardous wastes and express a preference for onsite hazardous waste treatment over offsite treatment. The Hazardous Waste Management Plan proposed a number of hazardous waste programs and set forth criteria to guide the siting of new offsite hazardous waste facilities. However, to date, no facilities have been cited in the county. In 1997, the County Division of Environmental Health assumed responsibility for administering hazardous waste generation and

treatment regulations. Solid Waste and Hazardous Waste and Materials Management Policy DE-203 states: *All development projects shall include plans and facilities to store and manage solid waste and hazardous materials and wastes in a safe and environmentally sound manner.*

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

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

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

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

- a-g) **Less Than a Significant Impact:** The proposed project would improve public access to the CCT and Pacific Ocean by constructing a driveway, a parking lot, and a staircase descending from a blufftop to a public beach. Construction materials would include the use of asphalt concrete and epoxy grout. The project proposes a Stormwater Pollution Prevention Plan to prevent runoff from the project. The project anticipates keeping the site in a neat and orderly condition, free of trash and debris at all times. The project site is not within a quarter mile of a school nor two miles from an airport. The project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. The proposed construction of the parking lot and driveway is anticipated to be completed in two days. Emissions from construction vehicles would be minimal and temporary. The California Department of Transportation (Caltrans) issued an Encroachment Permit for the proposed project (Permit No. 01-24-N-RC-0009) and requires Best Management Practices to be implemented to prevent the release of hazardous materials or waste into the environment.

Additionally, the stairway, as proposed, would require drilling piers into supporting bedrock and a retaining wall. The California Coastal Commission stated a wood type with a polyurea coating as a treatment method to preserve the wood, or Heart Redwood, or untreated cedar or redwood, or inert metal (aluminum) for sections of the stairway not in direct contact with the ground would be permitted.

The project does not anticipate impairing the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project would not directly or indirectly result in a significant loss, injury, or death involving wildland fires.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Hazards or Hazardous Materials.

5.10 HYDROLOGY AND WATER QUALITY

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

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

Water Code Section 1005.1 defines groundwater as *water beneath the surface of the ground, whether or not flowing through known and definite channels.* Both surface water and groundwater define a watershed, as they move from higher to lower elevations. In Mendocino County, groundwater is the main source for municipal and individual domestic water systems, outside of the Ukiah Valley, and contributes significantly to irrigation. Wells throughout Mendocino County support a variety of uses, including domestic, commercial, industrial, agricultural needs, and fire protection. The County's groundwater is found in two distinct geologic settings: the inland valleys and the mountainous areas. Mountainous areas are underlain by consolidated rocks of the Franciscan Complex, which are commonly dry and generally supply less than 5 gallons per minute of water to wells. Interior valleys are underlain by relatively thick deposits of valley fill, in which yields

vary from less than 50 gallons per minute to 1,000 gallons per minute. There are six identified major groundwater basins in Mendocino County. Groundwater recharge is the replacement of water in the groundwater aquifer. Recharge occurs in the form of precipitation, surface runoff that later enters the ground, irrigation, and in some parts of California (but not in Mendocino County) by imported water. Specific information regarding recharge areas for Mendocino County's groundwater basins is not generally available, but recharge for inland groundwater basins comes primarily from infiltration of precipitation and intercepted runoff in stream channels, and from permeable soils along the margins of valleys. Recharge for coastal groundwater basins takes place in fractured and weathered bedrock and coastal terraces, and along recent alluvial deposits and bedrock formations. If recharge areas are protected from major modification - such as paving, building and gravel removal - it is anticipated that continued recharge will re-supply groundwater reservoirs.

Chapter 4.13 of the Mendocino County Coastal Element, Sustainability Policy Action number S-5.1, states new projects that *create or replace 2,500 square feet or more of impervious area shall implement site design measures to reduce stormwater runoff and increase groundwater recharge*. Mendocino County Code Title 16 establishes water and sewage regulations. It is primarily the responsibility of the Division of Environmental Health (EH) to implement these regulations, including permitting wells and septic systems. Chapter 16.30 establishes stormwater runoff pollution prevention procedures. The purpose of Chapter 16.30 is to *"protect and promote the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.), and the Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drainage system."*

The National Flood Hazard Layer maintained by the Federal Emergency Management Agency (FEMA) can be used to review project impacts from flooding. The Department of Water Resources Division of Safety of Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers and submitted by dam owners for hazardous dams and appurtenant structures. These maps are based on a hypothetical failure of a dam or appurtenant structure. DSOD maintains a web map that displays this information.

Projects may be subject to applicable regulations found in MCC Chapter 16.30. Section 16.30.040 prohibits elicit discharges. Section 16.30.070 requires implementation of Best Management Practices (BMPs) to the maximum extent practical for reducing pollutants in stormwater.

- a) **Less Than a Significant Impact:** The proposed project includes constructing a paved driveway, parking lot, and stairway descending from a blufftop to a public beach. A Geotechnical Investigation was prepared for this project on July 23, 2024, by Brunsing Associates, Inc. (BAI). On April 29, 2024, BAI conducted a subsurface exploration by drilling and sampling three auger test borings at approximately 5.5 to 8.3 feet in depth, using a portable drill rig. BAI stated no groundwater was encountered during the test. Construction of the proposed stairway includes drilling piers into bedrock. If groundwater is encountered, the contractor shall dewater the holes. The project would incorporate a Stormwater Pollution Prevention Plan (SWPPP) and to capture runoff and Best Management Practices to prevent environmental degradation. The stairway, as proposed, would require drilling piers into supporting bedrock and a retaining wall.

To prevent potential leaching and toxicity into the ground and subsequent waterways, the California Coastal Commission stated a wood type with a polyurea coating as a treatment method to preserve the wood, or Heart Redwood, or untreated cedar or redwood, or inert metal (aluminum) for sections of the stairway not in direct contact with the ground would be permitted. The project does not anticipate violating water quality standards or waste discharge requirements or degrade surface or groundwater. The project, as proposed, would have a less than significant impact on hydrology.

- b) **No Impact:** The proposed project would not require the use of groundwater or surface water. The project, as proposed, does not anticipate decreasing groundwater supplies nor interfering with groundwater recharge.

- c) **Less Than a Significant Impact:** Per the Geotechnical Investigation prepared on July 23, 2024, by Brunsing Associates, Inc. (BAI), groundwater was not observed during the drilling and sampling of three test borings. The project would not alter the course of a stream or river or through the addition of impervious surfaces. DeHaven Creek is located north of the proposed stairway site. BAI stated that the creek channel has meandered significantly in the past. The proposed stairway could be subject to future stream flows as DeHaven Creek continues to meander. The project includes implementing a Stormwater Pollution Prevention Plan to capture runoff. The project does not anticipate resulting in erosion or increasing the rate of surface runoff. The project would not result in flooding on or off-site or impede or redirect flood flows. The project would have a less than significant impact on hydrology.
- d) **Less Than a Significant Impact:** The LCP Land Capabilities map indicates north of the proposed stairway and within the beach area, flooding and tsunamis could occur. Per the Geotechnical Investigation prepared by Brunsing Associates, Inc. (BAI) on July 23, 2024, the proposed stairway will be subject to occasional storm waves during high tides. Wave action is expected to worsen as sea level rise takes effect. With the recommendations prepared by BAI regarding foundation systems, the project does not anticipate releasing pollutants due to project inundation. With the recommendations included as conditions of approval, the project would have a less than significant impact on hydrology.
- e) **Less Than a Significant Impact:** The project does not anticipate conflicting with or obstructing the implementation of a water quality control plan or sustainable groundwater management plan. The California Coastal Act Section 30231 intends to minimize the negative effects of waste water discharges and entrainment, control runoff, and prevent groundwater supplies from being depleted, etc.¹³ BAI states, if groundwater is found in the pier holes (the excavated spaces for the piers), concrete shall be placed in a way that maintains its strength, prevents contamination by water, and avoids structural issues. Groundwater dewatering or concrete placement shall not result in discharges of contaminated water or cement slurry into the surrounding environment, this could potentially harm coastal waters and conflict with the California Coastal Act. Best Management Practices shall be implemented for dewatering, concrete placement, and runoff control to prevent water quality impacts.

MITIGATION MEASURES:

FINDINGS: The proposed project would have **INSERT IMPACT** on Hydrology and Water Quality.

5.11 LAND USE AND PLANNING

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

DISCUSSION: All lands within the unincorporated portions of Mendocino County are regulated by the General Plan and zoning ordinance with regards to land use. Several localized plans also regulate land uses in the County, including the Mendocino Town Plan, Ukiah Valley Area Plan, Gualala Town Plan, and community-specific policies contained within the General Plan. Discretionary projects are referred to several agencies with jurisdiction over aspects of the project as well as other interested parties.

¹³ Public Resources Code Division 20. California Coastal Act (2024). Chapter 3. Article 4. <https://www.coastal.ca.gov/coastact.pdf>. Accessed 12/23/2024.

- a) **No Impact:** The project would not physically divide an established community because development would be limited to the subject property, which does not contain an established community within it.
- b) **No Impact:** The General Plan Coastal Element and Coastal Zoning Code contain policies and regulations aimed at avoiding or mitigating environmental impacts. The Project has been determined to be consistent with applicable regulations as described elsewhere in this document and the associated Staff Report.

MITIGATION MEASURES: None.

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

5.12 MINERAL RESOURCES

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

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

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

- a) **No Impact:** The project includes improving public access to the CCT and the Pacific Ocean. The project would not result in the loss of availability of known mineral resources of value to the region and residents of the state. The Grant Deed states there may be minerals lying below a depth of 500 feet, but the landowner does not own the rights to extract these resources. The project does not propose extracting any mineral resource.
- b) **No Impact:** The proposed project would not result in the loss of availability of a locally important mineral resource recovery site.

MITIGATION MEASURES: None.

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

5.13 NOISE

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

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

Major noise sources in Mendocino County consist of highway and local traffic, railroad operations, airports, commercial and industrial uses, recreation, and community facilities. Highways with traffic that generates significant noise include State Route 101, 1, 20, 128, 162, 175, and 253. The only active railroad is the Skunk Train which runs between Fort Bragg and Willits. Public Airports include Ukiah Municipal, Willits Municipal (Ells Field), Round Valley Airport, Boonville Airport, Little River Airport, and Ocean Ridge Airport (Gualala). Major industrial sources of noise include lumber mills and timber production facilities. Other noise sources are identified in the General Plan. General Plan Policy DE-98, DE-99, and DE-105 relate to noise, including Action Item DE-99.2.¹⁴

- a) **Less Than a Significant Impact:** The proposed project anticipates construction would be no greater than 30 days to complete. The construction is not expected to create substantial noise beyond the standards outlined in the General Plan and the Exterior Noise Limit Standards found in Appendix C of the County Code. The project includes improving public access to the CCT and a public beach, DeHaven Beach. The parking lot would be open from sunrise to sunset and signage would be posted. Noise would depend on the number of visitors and shall be temporary. Therefore, the project would have a less than significant impact on noise.
- b) **Less Than a Significant Impact:** Any ground borne vibration would be intermittent and temporary during construction. Construction would be temporary.
- c) **No Impact:** The site is not in the vicinity of a private airstrip, airport land use plan area, or public airport.

MITIGATION MEASURES: None.

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

¹⁴ The County of Mendocino (2009). *General Plan*. Retrieved from <https://www.mendocinocounty.gov/government/planning-building-services/plans/mendocino-county-general-plan>.

5.14 POPULATION AND HOUSING

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

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

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

During the 1880's Westport was a lumber shipping point and supply center for mills and lumber camps north of Ten Mile River, potentially rivaling Mendocino in size. Today its cluster of 50 buildings huddled against the elements retains clearly defined town edges almost unknown in California. Westport's spectacular setting and its compact form contribute more to its character than does the architecture of individual buildings. Except for the Switzer-Fee house (c.1884) just south of town, Westport consists of modest homes, most old, a few new or remodeled. Its grocery store, post office, two inns, restaurant and deli provide as many services as resident and tourist populations can support. Many residents work in Fort Bragg.

- a) **No Impact:** The public access project would not induce substantial unplanned population growth in the area, either directly or indirectly. Westport, in nature, is very rural and has a low population. The project would not increase new homes, business development, or infrastructure needs.
- b) **No Impact:** The public access project would not displace substantial numbers of existing people or housing. The project is specifically to improve public access by constructing a driveway, parking lot, and a staircase. The subject parcel is currently undeveloped and is rural in nature. Therefore, the proposed project would have no impact on population or housing.

MITIGATION MEASURES: None.

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

5.15 PUBLIC SERVICES

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:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- a-e) **Less Than a Significant Impact:** The proposed project would improve public access by constructing a parking lot, a driveway, and a stairway from the blufftop descending to Pacific Ocean. The project would not anticipate a greater intensity on fire, police, schools, or other services. The project would improve the availability of parks within this area. Therefore, a less than a significant impact would occur on public services.

MITIGATION MEASURES: None.

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

5.16 RECREATION

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

DISCUSSION: The County of Mendocino manages a variety of public recreation areas including the Low Gap Park in Ukiah, Bower Park in Gualala, Mill Creek Park in Talmage, Faulkner Park in Boonville, Indian Creek Park and Campground in Philo, and the Lion's Club Park in Redwood Valley, all of which are operated by the Mendocino County Cultural Services Agency. Additionally, the County is host to a variety of state parks, reserves, other state protected areas used for the purpose of recreation, with 13 located along the coast and 8 located throughout inland Mendocino County. The closest protected area to the proposed project is the Mendocino National Forest, located 9± miles east of the subject parcel.

- a) **No Impact:** The proposed project would improve public access to DeHaven Beach and California Coastal Trail (CCT). The CCT is a work-in-progress with the goal of providing trail access to and along California's 1,100-mile-long coast. When complete, the CCT will be a continuous trail system along or near the coast, linking the Oregon border to the Mexican border. The vision is for a continuous system that connects parks, beaches, bicycle routes, hostels, and the state trails networks.¹⁵ The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities that would result in deterioration of such facilities. The project, as proposed, would have no impact on physically deteriorating regional parks or recreational facilities.
- b) **Less Than a Significant Impact:** The proposed project would improve public access by dedicating the areas of the subject parcel to public leisure activities like hiking. The project would have a minimal impact on the environment. However, no environmentally sensitive habitat areas would be impacted by the proposed project. Therefore, a less than significant impact would occur on the environment.

MITIGATION MEASURES: None

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

5.17 TRANSPORTATION

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

DISCUSSION: General Plan Policy DE-131, DE-148, DE-149, and DE-157 relate to transportation, including Action Item DE-138.1. The Mendocino Council of Governments (MCOG) most recently adopted a Regional Transportation Plan on April 7, 2022. The Regional Transportation Plan is a long-range planning document that provides a vision of regional transportation goals, policies, objectives, and strategies. These may be relevant to individual projects when conducting environmental review.

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

According to the 2018 Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, "many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact." The 2010 MCOG Travel Demand Forecasting Model

¹⁵ California Coastal Commission. Public Access Action Plan. June 1999.

estimates daily trip generation values for various land uses and geographic areas in Mendocino County and may be used to assist in determining whether projects exceed the screening threshold.

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

- a) **Less Than a Significant Impact:** The proposed project includes constructing a paved driveway and parking lot on the west side of State Route 1 (SR1) at post mile (PM) R79.023 and approximately 425 feet south of the intersection with Branscomb Road. The proposed project would not conflict with any program, plan, ordinance, or policy. The permittee applied for a Caltrans District 1 Encroachment Permit (No. 01-24-6RC-0009) which states the encroachment is situated south of a controlled access freeway delineated with a wider right of way along SR 1. The driveway is proposed to meet Caltrans requirements including, but not limited to, adequate sight distance. A standard traffic control plan (T13) will be implemented during construction of the driveway in the right-of-way (SR 1) as described in the Encroachment Permit Application. The Encroachment Permit states, “no less than once a year, Westport Village Society (permittee) will assess the need for any repairs or adjustments to how the facility is used. This will permanently impact highway operations for the benefit of the public by facilitating pedestrian coastal access”.

The project was referred to Caltrans and Mendocino County Department of Transportation (MCDOT) for comments. On December 1, 2023, MCDOT responded with no comments at this time. On December 11, 2024, Caltrans responded to the project referral. In summary, Caltrans recommends the County include approval of signage located on SR1 at the driveway approach that state “No Entry by RVs/ No Vehicles Towing Trailers”. Caltrans will require an encroachment permit for the proposed parking lot and driveway. Caltrans requires all driveways that meet the state highway system to be paved. Caltrans issued an Encroachment Permit (Permit No. 01-24-N-RC-0009) for the project on December 26, 2024. With the incorporation of Caltrans requirements, the project would have a less than significant impact on transportation.

- b) **Less Than a Significant Impact:** The project would result in the establishment of a new use and anticipates increasing the intensity of existing uses. The project may generate additional trips and vehicle miles traveled. The proposed project includes a 10-space parking lot. However, the project would create a minimal impact on VMT and would be less than significant.
- c) **Less Than a Significant Impact:** The proposed project would construct a driveway and parking lot west of SR1. The proposed driveway would be constructed at PM R79.023. Alternative driveway locations were considered but would impact environmentally sensitive habitat areas or would be unsafe due to a curve in the roadway. We were informed the location is outside of the controlled access highway. The driveway is engineered to meet Caltrans requirements including, but not limited to, adequate sight distance. The proposed driveway and apron will be constructed within the Caltrans right-of-way (RW) abutting the existing 3-foot paved shoulder of the southbound lane. There are no gates or fences separating the RW from the WVS property west of the highway. A standard traffic control plan (T13) will be implemented during construction of the driveway in the RW as described in the Encroachment Permit Application. The driveway and parking lot will be paved, and little maintenance is anticipated for the useful life of that durable facility. The parking lot and driveway will be used by the public and inspected no less than once a year by WVS to assess the need for any repairs or adjustments to how the facility is used. This will permanently impact highway operations for the benefit of the public by facilitating pedestrian coastal access. As proposed, the project would have a less than significant impact on hazards due to geometric design.

- d) **No Impact:** The proposed project was referred to CALFIRE, in which, resulted in CALFIRE recommending the driveway be constructed to CALFIRE Road Standards pursuant to California Code of Regulations Title 14, Division 1.5, Chapter 7, §1273.01-§1273.06, §127.08-§1273.09. A Condition of approval regarding road standardization was incorporated into the Resolution.

MITIGATION MEASURES: None.

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

5.18 TRIBAL CULTURAL RESOURCES

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

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

The area known now as Mendocino County has a long history of occupation and use by Native American groups. Notably the Russian and Eel Rivers as well as other watercourses, valleys, and coastal areas provided rich and varied habitat for early human occupation. The first dated chronological periods and related cultural patterns within the region were developed by David A. Fredrickson in his 1973 Ph.D. dissertation¹⁶ and 1984 regional synthesis.¹⁷ This research provides a baseline archaeological information for the area, but there still remains significant gaps in archaeological data for the region that affects our understanding of regional cultural history.

¹⁶ Fredrickson, David, A. 1973. *Early Cultures of the North Coast of the North Coast Ranges, California*, UC Davis

¹⁷ Fredrickson, David, A. 1984. *The North Coastal Region*, California Archaeology

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

- a) **Less Than a Significant Impact:** An Archaeological Survey was conducted on the project site by Thad Van Bueren on April 5, 2022. Archaeological and/ or historic resources were identified and will be managed as an Environmentally Sensitive Habitat Area (ESHA) to avoid significant impacts from development and ongoing public access and use. The proposed project would be constructed greater than 100 feet of any tribal cultural resource. A Condition of Approval was incorporated to install signage to advise visitors to stay on trail and away from ESHA. The archaeological and/or historic resource would not be adversely impacted or changed by the proposed development. The permittee, Westport Village Society Inc (WVS), consulted with local tribes prior to property acquisition and while scoping the DeHaven Management Plan. An on-site meeting was subsequently hosted by WVS on May 13, 2023, with key representatives of the Cahto Tribe, Coyote Valley Band of Pomo, Intertribal Sinkiyone Wilderness Council, Kai Poma nonprofit, Potter Valley Tribe, Round Valley, Scotts Valley Band of Pomo, and Sherwood Valley Band of Pomo invited to attend. The meeting resulted in the Tribes in favor of protecting cultural resources, conserving natural resources and habitats, and maintaining access for traditional gathering, fishing, and cultural activities.

The proposed project was referred to the Northwest Information Center (NWIC), Cloverdale Rancheria, Potter Valley Tribe, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. NWIC stated "the proposed project has a low possibility of containing unrecorded archaeological sites. We recommend the further plans and measures described in the Archaeological Survey prepared by Thad Van Bueren." On February 14, 2024, the Archaeological Commission accepted the survey and recommended the recommendations in the Archaeological Survey.

On December 15, 2023, Sherwood Valley Band of Pomo Indians stated "the Tribe is requesting the information MC Planning and Building will receive from [Northwest Information Center] and also the Archaeological Survey. The Tribe has no further cultural resource information to add at this time. The proposed project is within Sherwood Valley traditional territory and contemporary use is still very prevalent in this cultural resourced area. As this project moves forward the Tribe may request cultural monitoring on-site. In the event of an inadvertent discovery the Tribe would like to go on the record as the MLD of the area." As of November 21, 2024, Cloverdale Rancheria, Potter Valley Tribe, and Redwood Valley Rancheria have not responded. The project would have a less than significant impact on Tribal Cultural Resources.

MITIGATION MEASURES: None

FINDINGS: The proposed project would have **LESS THAN A SIGNIFICANT IMPACT** on Tribal Cultural Resources.

5.19 UTILITIES AND SERVICE SYSTEMS

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

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

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

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

- a) **Less Than Significant Impact:** The project proposes a stormwater pollution prevention plan to control runoff. The project does not include constructing any new stormwater drainage system.

The project would have a less than significant impact on stormwater. The project would not require water, electricity, natural gas, or solid waste disposal.

- b-e) **No Impact:** The proposed project would improve public access to The Pacific Ocean and the California Coastal Trail by constructing a driveway, parking lot, and stairway from the blufftop to the beach. The proposed project does not anticipate generating solid waste or wastewater. The proposed project would not require water usage, as no bathroom or drinking fountains are proposed for the project.

MITIGATION MEASURES: None.

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

5.20 WILDFIRE

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

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

- a) **No Impact:** The project to construct a stairway, parking lot, driveway, and establish a trail on a blufftop parcel would not impair an adopted emergency response plan or emergency evacuation plan. The project, as proposed, would not create any physical obstructions along access routes.
- b) **No Impact:** The project would be situated on a relatively flat ocean terrace with native and non-native vegetation. The proposed stairway would be constructed on a sloped area of the parcel. The proposed parking lot and driveway would clear vegetation. The project site is mapped within a Moderate Fire Hazard area. The project does not anticipate exposing project occupants to uncontrolled spread of wildfire or pollutant concentrations from a wildfire. The project includes installing signage to prohibit fires of any kind on the subject parcel.

- c) **No Impact:** The project would not require the installation or maintenance of associated infrastructure.
- d) **Less Than a Significant Impact:** The project site consists of a gently sloping upper terrace bounded by State Route 1 to the east, by steep ocean bluffs to the west, and the channel of DeHaven Creek to the north. The DeHaven Creek intersects with the Pacific Ocean at the beach area to the north of the proposed stairway. A Slope Stability Analysis and Geotechnical Investigation was prepared for the proposed project on July 23, 2024, by Brunsing Associates, Inc. (BAI). BAI did not observe landslides at the proposed stairway site, however, there was evidence of landslides approximately 50 to 100 feet southwest of the stairway. The stairway, at base landing elevation is 14 feet above mean sea level, will be subject to occasional storm waves during high tides. Wave action is expected to worsen as sea level rise takes effect. However, BAI recommended a foundation system, and piers drilled deep into bedrock that should withstand the effects of periodic, surficial wave erosion over the next 75 years. Condition of Approval 19 was incorporated to advise visitors of high tide conditions and to take caution. In addition, Condition of Approval 17 was added to place signs along the trail advising visitors to stay on trail to ensure public safety and prevent falls from the cliff. With BAI and Staff recommendations incorporated as conditions of approval, the project would have a less than significant impact on exposing people or structures to significant risks including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **No Impact** on Wildfire.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;

- Eliminate important examples of the major periods of California history or pre-history;
 - Achieve short term goals to the disadvantage of long term goals;
 - Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
 - Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.
- a) **Less Than a Significant Impact:** The proposed project to construct a driveway, parking lot for ten cars, and a stairway does not anticipate substantially degrading the quality of the environment or reduce the habitat of a fish or wildlife species or threaten to eliminate plant or animal species. The project site contains several environmentally sensitive habitat areas (ESHAs) including a beach, a creek, wetlands, and several sensitive natural communities. The proposed stairway would be constructed within the 100-foot buffer but in the least environmentally damaging area. The project does not anticipate any degradation to any ESHA. If any native species are encountered during construction, a condition of approval has been added to require replanting native species and casting native seed to encourage biodiversity. Therefore, a less than significant impact is anticipated.
- b) **No Impact:** The public access project does not anticipate impacts that are individually limited or cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects. The project site is undeveloped and there are no other projects on the parcel. The project includes constructing a driveway, a parking lot, and a stairway from the blufftop to the beach. Construction of the stairway would require drilling piers into the bedrock and a retaining wall to prevent hydrostatic buildup. The parcel to the north is undeveloped and to the south is a public beach and a RV campground. The project does not anticipate creating a cumulative impact on the environment that would impact future projects.
- c) **Less Than a Significant Impact:** The project proposes the construction of a driveway, parking lot, a stairway, and to establish a segment of the California Coastal Trail. Conditions of Approval have been incorporated into the Resolution to address public safety concerns including installing signage to advise visitors to stay off cliffs, stay away from environmentally sensitive habitat areas, and to warn visitors of high tide conditions. As proposed, the project would have a less than significant impact on human beings indirectly and directly.

MITIGATION MEASURES: None.

FINDINGS: The proposed project would have **Less Than a Significant Impact** on Mandatory Findings of Significance.