

**ATTACHMENT B**

**CEQA INITIAL STUDY  
MITIGATED NEGATIVE DECLARATION**

**CDP\_ 2014-0036**

**JULY 23, 2015**

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

**DATE:** July 23, 2015

**CASE NUMBER:** CDP\_2014-0036

**OWNER/APPLICANT:** Li Foo Alliance and Jackson Rancheria Development Corporation

**PROJECT DESCRIPTION:** The applicant requests the installation of a septic force line beginning at the eastern boundary of 5600 S. Highway 1 (Harbor House Property, APN 127-170-08) to transfer effluent within the Caltrans Highway 1 right-of-way to an offsite leach field located at 3915 S. Highway 1 (Li Foo Property APN 127-210-03) via a dedicated easement on 5931 S. Highway 1 (Jackson Rancheria Property, APN 127-182-16). Development includes the installation of a pumping tank and leachfield.

**LOCATION:** In the Coastal Zone along Highway 1 in the Town of Elk, beginning in the Highway 1 right-of-way at 5600 S. Highway 1 (APN 127-170-08) and extending south to 5915 S. Highway 1 (APN 127-210-03), through an easement on 5915 S. Highway 1 (APN 127-182-16).

**Environmental Checklist.**

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

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**1. Aesthetics:**

<b>I. AESTHETICS.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>I. AESTHETICS.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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"/>

The control panel for the satellite pump chamber may be visible from Highway 1. This equipment will be mounted on a wooden post on the western portion of the Li Foo Property within a small box with a sloped, shingled roof (**Attachment F: Control Panel Elevation**). The balance of the proposed development will be underground and not visible from any public place, including Highway 1. There will be a less than significant impact on scenic vistas.

Development will occur either within the footprint of existing improvements (trenching within the Highway 1 right-of-way) or underground on vacant property (Li Foo Property and Jackson Rancheria Property). There will be no impact to existing scenic resources.

Due to the nature of the proposed development (almost completely underground), there will be no impact on the existing visual character or quality of the project site or its surroundings.

There is no lighting proposed with the septic installation, and will therefore have no impact on light or glare in the area.

**2. Agricultural/Forestry:**

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

The development is proposed in an area characterized as “Grazing Land” and “Urban Built-Up Land” by the State of California Department of Conservation. The proposed project will not convert any lands designated “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” to non-agricultural uses.

Additionally, the parcels are zoned Rural Residential (Li Foo Property) and Rural Village (Jackson Rancheria Property). While limited agricultural uses are permitted in these districts, approval of this application will not convert any agriculturally zoned lands to non-agricultural uses.

No land subject to this application is under Williamson Act contract, nor is any land designated for forest land or timber production. This project will have no impact on agricultural or forestry resources, within the meaning of the California Environmental Quality Act.

### 3. Air Quality:

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

The project is located within the jurisdiction of the Mendocino County Air Quality Management District (AQMD). Any new emission point source is subject to an air quality permit, consistent with the district's air quality plan, prior to project construction.

The generation of dust during grading activities, another type of area-source emission, will be limited by the County's standard grading and erosion control requirements (MCC Sections 20.492.010; -020). These policies limit ground disturbance and require immediate revegetation after the disturbance. Consequently, these existing County requirements will help to ensure PM10 generated by the project will not be significant and that the project will not conflict with nor obstruct attainment of the air quality plan PM10 reduction goals. Approval of this project will not permit large-scale development that may result in a cumulatively considerable net increase in air pollution, including PM10.

Septic system design and construction must meet the standards of the Mendocino County Department of Environmental Health, which will ensure that the project will not create objectionable odors affecting a substantial number of people.

For additional review, the application was referred to AQMD. AQMD replied to the referral with no comment.

**4. Biological Resources:**

<b>IV. BIOLOGICAL RESOURCES: Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

The applicant submitted biological analysis prepared by Spade Natural Resources Consulting titled *Biological Scoping and Botanical Survey Report*, dated June 4, 2015, in concert with the application for the septic system. The report identifies multiple potential ESHA, as described below.

**Potential ESHA (Highway 1 component): Willow riparian area, coastal morning glory, bulrush wetland, grazed rush potential wetland**

Location. The biological report locates this potential ESHA along Highway 1 at the northern portion of the proposed project.

Development with Impact Potential. The project proposes two boring points (one within fifty feet of the potential ESHA, and two greater than fifty feet but less than one hundred feet of the potential ESHA) and underground direction drilling within fifty feet of potential ESHA.

Potential Impact. The biological report states, “detrimental impacts may occur from heavy equipment use, equipment staging or other direct construction encroachments into sensitive areas, accidental spills,

invasive seed contamination during construction, or temporary or permanent placement of fill or other materials.”

Mitigation and Avoidance Measures. The following measures are based on the recommendations of the project biologist to offset potential impacts of development on these potential ESHA:

- a. Exclusion fencing shall be placed at the outer boundary of the identified potential ESHA (riparian areas, wetlands and coastal morning glory), as allowable by Caltrans, prior to initiation of construction activities. Use of heavy equipment, staging, and other project impacts shall be limited to areas outside potential ESHA, and as far from potential ESHA as feasible.
- b. Prior to the issuance of a Coastal Development Permit, a Spill Prevention Plan shall be designed for the project, addressing spill concerns specific to the septic force lines.
- c. Heavy equipment shall be washed prior to entering the site to remove accumulated mud that can harbor invasive plant seed. Erosion control devices shall be weed free. Any seed used to stabilize soils shall consist of non-invasive plant species only.

Consistency with LCP ESHA Policies. The borings proximate to these potential ESHA are temporary in nature. The borings will be utilized for a maximum of twenty working days, per the Water Pollution Control Program prepared by Paulson Excavating, Inc. and submitted by the applicant, and will be drilled within the footprint of existing infrastructure (Highway 1). The potential ESHA near the boring points are subject to regular disturbance from the use of Highway 1 by vehicles and pedestrians. The nearby potential ESHA is also regularly disturbed and maintained by Caltrans, including mowing on at least an annual basis, leading the project biologist to conclude that the resources are “not considered very sensitive to disturbance.”

MCC Section 20.496.005 addresses the applicability of the ESHA chapter to proposed development, stating “This Chapter shall apply to all development proposed in the Coastal Zone unless and until it can be demonstrated to the approving authority that the projects will not degrade an environmentally sensitive habitat or resource area and shall be compatible with the continuance of such areas.” Staff finds that the proposed borings will not degrade any ESHA and is compatible with the continuance of ESHA due to the temporary nature of the borings, their location within the footprint of existing improvements, and the resources’ lack of sensitivity to existing heavy disturbance, provided the mitigation and avoidance measures recommended by the biological report are incorporated into the project design. **Supplemental Finding 1** through **Supplemental Finding 4** reflects this conclusion, and **Condition 12** requires the applicant to follow the mitigation and avoidance measures proposed by the biologist.

Underground directional drilling and installation of a force line will also encroach within fifty feet of the potential ESHA identified by the biological surveys. The potential for the drilling and force line to impact potential ESHA is equally diminished by the location of development within the footprint of existing improvements, and the nearby resources’ lack of sensitivity to existing heavy disturbance; however, the temporary nature of the borings does not extend to the permanent installation of the force line. Staff recommends **Condition 13** requiring the applicant to submit a wetland and riparian area monitoring and restoration plan prior to issuance of a Coastal Development Permit to be reviewed and accepted by Planning and Building and California Department of Fish and Wildlife. This plan shall outline methods by which a biologist will determine if the resources proximate to the drilling and force line have been negatively affected by the development. If negative impacts are determined to exist resulting from this project, the plan shall identify restoration activities to offset any identified negative impacts.

With the avoidance and mitigation measures recommended by the biologist as **Condition 12** and the implementation of a monitoring and restoration plan, as well as locating the drilling and force line within the footprint of existing improvements, and due to the lack of apparent sensitivity of the nearby resources due to existing heavy disturbance, staff finds that the drilling and force line will not degrade an environmentally sensitive habitat or resource area and shall be compatible with the continuance of such areas, pursuant to MCC Section 20.496.005.

### **Potential ESHA (Li Foo Property component): Grazed rush potential wetlands**

Location. The biological report locates this potential ESHA on the parcel north of the Li Foo property boundary.

Development with Impact Potential. The project proposes the installation of an underground pump station with an aboveground control panel, trenching of a septic line and installation of a leachfield over fifty and less than one hundred feet from the potential ESHA.

Potential Impact. The biological report states, “detrimental impacts may occur from heavy equipment use, equipment staging or other direct construction encroachments into sensitive areas, accidental spills, invasive seed contamination during construction, or temporary or permanent placement of fill or other materials.”

Mitigation and Avoidance Measures. The following measures are based on the recommendations of the project biologist to offset potential impacts of development on these potential ESHA:

- a. Exclusion fencing shall be placed at least fifty feet from the identified potential ESHA (grazed rush) establishing a buffer area of at least fifty feet prior to initiation of construction activities. Use of heavy equipment, staging, and other project impacts shall be limited to areas outside potential ESHA, and as far from potential ESHA as feasible.
- b. Prior to issuance of the Coastal Development Permit, a Spill Prevention Plan shall be designed for the project, addressing spill concerns specific to the septic force lines.
- c. Heavy equipment shall be washed prior to entering the site to remove accumulated mud that can harbor invasive plant seed. Erosion control devices shall be weed free. Any seed used to stabilize soils shall consist of non-invasive plant species only.

Consistency with LCP ESHA Policies. The pump station, control panel, septic line and leachfield are all proposed within one hundred feet of grazed rush potential wetlands. MCC Section 20.496.020(A)(1) requires buffer areas from ESHA of at least one hundred feet, “unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and [Wildlife] and County Planning staff, that one hundred feet is not necessary to protect the resources of that particular habitat area from possible significant disruption caused by the proposed development.” The MCC prescribes standards for determining the appropriate width of the buffer area.

The biological report includes a *Reduced Buffer Analysis for Harbor House off-site septic system replacement project* as Appendix D of the report. The Reduced Buffer Analysis is included in this Staff Report is attached. Staff finds that a buffer area of fifty feet is sufficient to protect the grazed rush potential wetland from possible significant disruption caused by the nearby development based on the conclusions of the Reduced Buffer Analysis, if the applicant adheres to the mitigation and avoidance measures proposed by the biologist. No development is proposed within the fifty foot buffer area. The mitigation and avoidance measures are recommended as Condition 14.

### **Potential ESHA (project-wide): California and northern red-legged frog**

Location. No amphibians were documented in the survey; however, watercourses observed adjacent to the project site were determined to have a low potential to provide breeding habitat for California and northern red-legged frogs during migration.

Development with Impact Potential. Project construction activities have the potential to impact amphibian habitat.

Potential Impact. The biological report states that special status frogs may be detrimentally impacted by placement of construction materials and erosion control devices, heavy equipment use, accidental spills, or sedimentation of waterways in the project area.

Mitigation and Avoidance Measures. The following measures are based on the recommendations of the project biologist to offset potential impacts of development on these potential ESHA:

- a. Within two weeks prior to construction, surveys for California and northern red-legged frogs shall be conducted by a qualified biologist. The biologist shall contact Planning and Building Services with the results of the study.
- b. Prior to commencement of construction, project contractors shall be trained by a qualified biologist in the identification of the California and northern red-legged frog. Construction crews shall begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of frogs. If a California or northern red-legged frog is detected, construction crews shall contact the US Fish and Wildlife Service (California red-legged frogs), California Department of Fish and Wildlife (northern red-legged frogs), and Planning and Building Services, to provide clearance prior to re-initiating work.
- c. If a rain event occurs during the construction period, all construction-related activities shall cease for a period of forty-eight hours after the rain stops. Prior to resuming construction activities, trained construction crew member(s) shall examine the site for the presence of frogs. If no California or northern red-legged frogs are found, construction activities may resume.

Consistency with LCP ESHA Policies. While no frogs were identified in the survey, the recommended mitigation and avoidance measures will limit impacts to special status amphibians, consistent with LCP ESHA policies. The recommended mitigation and avoidance measures are included as Condition 15.

#### **Potential ESHA (project-wide): Special status birds**

Location. No special status birds were documented in the survey; however, the potential for their presence during construction activities requires consideration.

Development with Impact Potential. Project construction activities have the potential to impact special status birds.

Potential Impact. Breeding birds may be impacted by the removal of vegetation and ground disturbance.

Mitigation and Avoidance Measures. The following measures are based on the recommendations of the project biologist to offset potential impacts of development on these potential ESHA:

- a. If vegetation clearing takes place during the bird breeding season (February through August), a qualified biologist shall perform preconstruction breeding bird surveys within fourteen days of the onset of construction or clearing of vegetation and report the findings to Planning and Building Services. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum fifty foot exclusion zone. Exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbances.

Consistency with LCP ESHA Policies. While no special status birds were identified in the survey, the recommended mitigation and avoidance measures will limit impacts to avian wildlife, consistent with LCP ESHA policies. The recommended mitigation and avoidance measures are included as Condition 16.

As a result of the recommended conditions of approval, staff finds the project consistent with LCP ESHA policies, and that the project will not have a negative impact on coastal environmental resources.

As a result of the recommended conditions of approval, staff finds the project consistent with LCP ESHA policies, and that the project will not have a less than significant impact on biological resources.

**5. Cultural Resources:**

<b><u>V. CULTURAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The applicant included an archaeological survey with the project application (*Archaeological Survey for a Septic Repair Project for the Harbor and Griffin Houses in Elk, CA*, prepared by Thad Van Bueren, M.A., dated October 14, 2014). The survey was referred to the Mendocino County Archaeological Commission for review. In a letter dated May 13, 2015, the Archaeological Commission accepted the survey with the condition that the applicant follow the recommendations specified on page 14 of the survey.

These recommended conditions require that trenching on the Harbor House Property, Jackson Rancheria Property, and Li Foo Property be monitored by a professional archaeologist, and prescribes measures to be taken should any cultural resources be identified during development. These are recommended as conditions of approval Condition 8 and Condition 9.

While there are no culturally significant resources identified that could be impacted by this project, the recommended conditions of approval will ensure there will not be adverse impacts on any known archaeological or paleontological resource.

**6. Geology and Soils:**

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

The properties do not lie within, nor do they adjoin a mapped Alquist-Priolo Earthquake fault area or Landslide and Liquefaction Zone, per California Division of Mines and Geology mapping. The San Andreas fault is located approximately four miles west of the project and is the nearest active fault. This project does not conflict with any state or local hazard policy or plan relating to faults, ground shaking or landslides.

Erosion management is subject to Mendocino County Code Section 20.492.025, which requires that water flows in excess of natural flows resulting from the project development be mitigated, and construction related erosion is adequately managed. The applicant submitted a *Water Pollution Control Program (WPCP)* dated September 14, 2014. The WPCP identifies Best Management Practices to offset construction-related runoff, including placement of straw and redwood mulch, preservation of existing vegetation and outlet protection. The WPCP states that "soil stabilization materials and equipment will be available onsite to be utilized when measurable precipitation is forecast." Condition 11 is recommended requiring the applicant to adhere to the stormwater and erosion control methods prescribed in the WPCP, which will limit soil erosion impacts to a less than significant level.

The application includes a Site Evaluation Report, which was reviewed by Mendocino County Department of Environmental Health. The soils in the project area have been deemed adequate to support the proposed septic system.

## 7. Greenhouse Gas Emissions:

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

Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHG) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. In order to address global climate change associated with air quality impacts, CEQA statutes were amended to require evaluation of GHG emission which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (AQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs, and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the AQMD, these CEQA thresholds of significance are the same as those which have been adopted by the Bay Area Air Quality

Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO<sub>2</sub>e (CO<sub>2</sub> equivalent) of operation emission on an annual basis. This project as proposed will have no impact and be below the threshold for project significance of 1,100 metric tons CO<sub>2</sub>e.

Given the limited scale of the proposed development, the GHG generated by the project will not have a significant impact on the environment.

**8. Hazards and Hazardous Materials:**

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project design includes installation of a two-inch diameter force main within a six-inch high-density polyethylene (HDPE) casing. This element of the project design will safeguard against spills and leaks in the system, which mitigate any potential hazard to the public or environment due to the transport of effluent to a less than significant level.

An additional two-inch pipe will be installed within the six-inch HDPE casing to act as a spare or backup in the event that the first fails. The proposed system was reviewed by Mendocino County Department of Environmental Health for consistency with design and construction standards for septic systems. As a result, the system will not create a significant hazard to the public due to future failures in the system.

The project is not located within an airport land use plan, nor within the vicinity of a private airstrip. The project will not result in any physical change to the existing roadway that would impair its use as an evacuation route. While the project will require work within the right-of-way and temporary alterations to the road surface, the applicant has received an encroachment permit from Caltrans to offset circulation impacts to a less than significant level. The complete project will not alter existing roadway conditions.

**9. Hydrology and Water Quality:**

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

The applicant submitted a *Water Pollution Control Program (WPCP)* dated September 14, 2014 (attached). The WPCP identifies Best Management Practices to offset construction-related runoff, including placement of straw and redwood mulch, preservation of existing vegetation and outlet protection. The WPCP states that “soil stabilization materials and equipment will be available onsite to be utilized when measurable precipitation is forecast.” **Condition 11** is recommended requiring the applicant

to adhere to the stormwater and erosion control methods prescribed in the WPCP, which will mitigate any impacts to water quality due to runoff.

The proposed septic system will have no effect on groundwater quantities or the water table. Alterations to the existing drainage pattern will be temporary, with potential impacts mitigated by the WPCP. The proposed drainage pattern will be equivalent to the existing drainage pattern once construction is completed. No streams or rivers will be diverted or affected by the development.

The project is not located within a mapped 100-year flood hazard area, and therefore will not impede or redirect flood flows, and will not expose people or structures to a significant risk involving flooding, including flooding as a result of the failure of a levee or dam.

Hydrology and water quality impacts will be less than significant, with mitigation as recommended in the WPCP.

**10. Land Use and Planning:**

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

The proposed project is consistent with all policies of the Local Coastal Program of the General Plan and the MCC, as specifically enumerated in the Coastal Permit Approval Checklist.

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

**11. Mineral Resources:**

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

The project is not located in an area of known mineral resources. No impact is expected and no mitigation is required.

## 12. Noise:

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

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

## 13. Population and Housing:

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

The project would not trigger the need for new public roads or other infrastructure that may indirectly trigger population growth. Consequently, the project would not generate unanticipated population growth in the local area. The septic system will not require the displacement of any person living or working in the area. No impacts are expected, and no mitigation is required.

**14. Public Services:**

<b><u>XIV. PUBLIC SERVICES.</u></b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is served by CalFire and the Elk Community Services District. The installation of a septic system will not create additional significant service demands or result in adverse physical impacts associated with delivery of fire, police, parks or other public services. Impacts to circulation will be temporary and will adhere to the terms specified by Caltrans in the approved encroachment permit.

**15. Recreation:**

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

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

**16. Transportation/Traffic:**

<b><u>XVI. TRANSPORTATION/TRAFFIC.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed septic system will serve existing development provided with existing access. The proposed development will have no impact on access at any of the parcels subject to the application or on traffic volumes in the area.

The project will require approximately 1,500 linear feet of work within the Highway 1 right-of-way. As a precursor to development in the right-of-way, the applicants were required to secure an Encroachment Permit from Caltrans.

Following the initial project referral, Planning staff received a letter dated November 21, 2014 from Caltrans. The letter stated in part, "per Section 607.1 of the Caltrans Encroachment Permit Manual, general policy states that longitudinal encroachments are not approved. However, requests for exception to the policy can be submitted to the Division of Design for consideration." Staff discussed the situation during a phone call with Caltrans and found that this policy applies only to encroachments by private entities.

The applicant worked with Caltrans over the next several months to obtain an Encroachment Permit. Staff was provided with a copy of a letter from Caltrans to an agent for the applicant dated April 2, 2015 stating that the encroachment permit "will be approved pending submittal of an agreement between Elk Water District and the Li Foo Alliance and the Harbor House to have the Elk Water District to own, operate and maintain the portion of sewer line within the State Highway Right of Way." This agreement would exempt the project from the Caltrans prohibition on private longitudinal encroachments.

The applicant secured an agreement between Harbor House and the Elk Water District, resulting in approval of Encroachment Permit 0114-6-UL-0255, providing clearance for the work in the right-of-way. Condition 10 is recommended requiring the applicant to conform to the provisions of the of Encroachment Permit 0114-6-UL-0255 to ensure that impacts to traffic and circulation are less than significant within the meaning of CEQA.

**17. Utilities and Service Systems:**

<b><u>XVII. UTILITIES AND SERVICE SYSTEMS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project was referred to the Regional Water Quality Control Board, who did not reply with comment. The proposed septic system will serve existing facilities, remedying a failed system and correcting existing and ongoing environmental impacts resulting from the failed system. The project is proposed to supply existing facilities with adequate wastewater capacity where there is an existing inadequate system.

No additional solid waste will be generated as a result of this project. Impacts related to utilities and service systems are less than significant without mitigation.

**18. Mandatory Findings of Significance:**

<b><u>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</u></b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

("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)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

**DETERMINATION:**

On the basis of this initial evaluation:

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

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DATE

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SCOTT PERKINS  
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