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Cc: [Lemos, June](#); [Miller, Tabatha](#)
Subject: comments regarding the Grocery Outlet Initial Study
Date: Tuesday, February 16, 2021 4:54:56 PM
Attachments: [3 public comments GO .odt](#)

Hi,
Please accept my comments. Please confirm that you received it.
Thanks, Annemarie Weibel

Public Comments by Annemarie Weibel, member Citizens for Appropriate Coastal Land Use about Initial Study (IS), and Environmental Checklist for Mitigated Negative Declaration (MND) regarding the Best Development Grocery Outlet Bargain Market planned for Fort Bragg.

The Grocery Outlet Bargain Market is a discount (bargain) store that buys goods from consumer packaged goods (CPG) manufacturers that have excess inventory or the packaging is damaged, for pennies on the dollar. Pepsi, Coca-Cola, and Nestle are such companies. Nestle is ***the world's biggest CPG that had a market cap value of \$267.5 billion at the end of 2017, with revenue approaching \$91 billion. The goal of the 74 year old Grocery Outlet business is to sell as many products to as many consumers as possible. They have 300+ stores across the nation and more than 1.5 million shoppers.***

The Coastal Act (in Public Resources Code, Section 30001.5), sets the following goals for LCPs in the Coastal Zone: • Protect, maintain, and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources. • Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the state. • Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners. • Assure priority for coastal-dependent and coastal-related development over other development on the coast. • Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses in the Coastal Zone.

The mission of the Coastal General Plan is to preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents. The following concepts articulate a vision of Fort Bragg that embraces its past and prepares for the future. Fort Bragg is: • A friendly city with a small town character and a strong sense of community. • A city which seeks to preserve its natural beauty and provide access to the scenic and recreational resources of its natural setting. • A city that values its roots in the fishing and timber industries and seeks to maintain a connection to its past, while preparing for the future. • A city with strong connections to its heritage and a commitment to the preservation of historic resources. • A city which strives to create an environment where business and commerce can grow and flourish. • A city that embraces its role as the primary commercial and service center on the Mendocino coast. • A city which promotes itself as a tourist destination and which provides the necessary infrastructure and services to support a growing population of transient visitors. • A city that supports efforts to preserve and strengthen the vitality of commerce in its central business district. • A city that fosters a business climate which sustains and nourishes the growth and expansion of local businesses and cottage industries. 1 - Introduction Page 1-9 July 2008 Fort Bragg Coastal General Plan • A tolerant city that welcomes and values the cultural diversity of its residents. • A city that values its youth and considers their needs in the planning of public spaces and facilities. • A safe city that emphasizes community-oriented policing and crime prevention. • A city that strives to provide housing opportunities for all income groups. • A city that provides an

adequate road system and public infrastructure to serve its residents, businesses, and future growth.

Various potentially significant environmental impacts are:

Aesthetics:

1 a, b, c, and d have significant environmental impacts that require a revised draft IS/MND along with corresponding mitigation measures, or need an EIR.

The project would have a substantial adverse effect on a scenic vista per the City's Community Design Element.

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas,....., to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

Policy CD-2.1 Design Review: All development that has the potential to affect visual resources shall be subject to Design Review, unless otherwise exempt from Design Review pursuant to Coastal Land Use & Development Code Section 18.71.050. Design Review approval requirements shall not replace, supersede or otherwise modify the independent requirement for a coastal development permit approved pursuant to the applicable policies and standards of the certified LCP. Ensure that development is constructed in a manner consistent with the Citywide Design Guidelines.

Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way. Program **CD-2.5.1:** Adopt additional Citywide Design Guidelines for scenic views and resources identified in Map CD-1. Consider including, at a minimum, the following guidelines: a) Discourage continuous buildings that block scenic views and require view corridors providing unobstructed views of the shoreline and/or the sea from public rights-of-way. d) Minimize the size of advertising, business identification, and directional signs to ensure scenic views are not obstructed. f) Prohibit or require screening of the following uses in scenic view corridors: signs and fencing which block the scenic views, mechanical equipment, refuse containers such as dumpsters, and the outdoor storage of materials.

My comments: This building does not restore and enhance scenic views of the building itself. We are told that the architectonic features make it look interesting. Have we learned nothing from masters like Frank Lloyd Wright? The new building with its columns and decorative attachments visually degrades the area. By tearing down the current building and moving the planned building further to the north some ocean views will be eliminated. It does not matter if this view to the ocean or to the river is only a sliver, a slice or a keyhole view. A visual analysis of the project's potentially significant impacts of the existing ocean views that will be blocked is necessary. It does not matter if the proposed project is not located in an area designated as having "potential scenic views toward the ocean or the Noyo River" if the project does not address the Coastal General Plan. The draft IS/MND indicates that "the proposed project would likely be visible from State Highway", therefore the ocean would also be visible from the

building site. Boundary line adjustments need to be analyzed for consistency of potential future development with the visual resource protection policies of the LCP. Development needs to be constructed in a manner that is consistent with the Citywide Design Guidelines.

Policy CD-5.1: *Parking Location: Wherever feasible, locate parking facilities to the rear of the development so that the building facade is contiguous with the street frontage, and parking areas are hidden from the street.*

Program CD-5.1.1: *Consider adopting the following standards for parking facilities: a) establish standards for shade tree planting; b) establish an appropriately-scaled landscaped perimeter around parking areas; c) provide bicycle and motorcycle parking in all new parking facilities that include more than ten spaces.*

My comments: *With the entire parking lot proposed on the southern end of the merged parcels the parking lot and the area for delivery trucks will be visible from both N. Harbor Drive and S. Franklin Streets instead of placing the parking lot in the rear of the building. There is no analysis in regards to **CD-5.1** or why it is not feasible to do that. Also listening to the engines and looking at the supersized delivery trucks should not take place along a road that has views of the ocean and the Noyo River. To have cars and trucks use the same entries or exits is not safe or aesthetically pleasing. Is one an entry, and the other an exit? Having trucks enter or exit such a narrow road as N. Harbor Drive would force them to use the other lane to make this maneuver. 37 new trees would be planted along the north, south, and east boundaries, with a few along the west boundary, as well as one tree within each of the parking lot landscaping islands, but only 8 trees (Monterey cypress) would provide substantial shade for the parking spaces (once they are mature).*

Program CD-2.5.1 d) *Minimize the size of advertising, business identification, and directional signs to ensure scenic views are not obstructed. f) Prohibit or require screening of the following uses in scenic view corridors: signs and fencing which block the scenic views.*

My comments: *You list the illuminated signage, the installation of a six-foot-tall illuminated monument sign on the southeast corner of the Site. The monument sign would have 15 square feet of branding on each side, in addition to the unbranded base (see Signage Package; Appendix E). Additionally, an 83.3 square foot illuminated channel sign would be located on the sign parapet along the front elevation. These signs do not support the need for aesthetics in a town that survives from tourism (mainly eco tourists that come here to escape the Grocery Outlets and other big box stores where they live). Even Auto Zone was asked to change their branding that they usually use. When McDonald's first moved to Fort Bragg they could not use their golden arches branding. The entry to the store with its 15 square feet of branding on each side, in addition to the unbranded base and additional 83.3 square foot illuminated channel sign located on the sign parapet along the front elevation should not be visible from S. Franklin Street and N. Harbor Drive. Neither should the installation of a six-foot-tall illuminated monument sign on the southeast corner of the Site. It seems to me that all these issues are pointing out that this location should be abandoned and a location for example north of town in the industrial area chosen. Regardless, Grocery Outlet needs to adapt their branding to comply with **CD-2.5.1 d**. Coastal General Plan Map CD-1 <https://city.fortbragg.com/DocumentCenter/View/1264/Map-CD-1-Scenic-Views-in-the-Coastal-Zone-PDF?bidId=>*

Agriculture/Forestry:

As this property is now zoned Highway Visitor Commercial it would be hard to rezone it. It would be better to plant the whole area with food and feed Fort Bragg's residents and tourists.

There are 3 mature trees on the property (see photos sent in) that prove that there are more plants in the northern lot than just shrubby plants. The checklist seems to confuse the lots.

Air Quality/Greenhouse Gas (GHG) Emission:

Policy LU-10.5: Minimize Impacts on Air Quality and Greenhouse Gasses. New development shall: 1) be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development, and 2) minimize energy consumption and vehicle miles traveled.

My comments: Due to the fact that the City of Fort Bragg adopted Climate Action Plan setting goals and a policy requiring the reduction of GHG (greenhouse gas) emissions, this project is inconsistent with **LU-10.5** absent the incorporation of energy reduction techniques or on-site or off-site carbon sequestration efforts as mitigation measures and/or permit conditions to offset the projected increase in GHG emissions and energy use. The draft IS/MND projects that GHG emissions and energy consumption will increase due this project regardless of the vehicle miles traveled. Not tearing down the building would greatly help with ***air quality and greenhouse gasses. In addition to the hospital and doctor's offices, there is also a local clinic close by and there are also several senior housing facilities, as well as a***

daycare. Dust and greenhouse gasses will not only be felt by people living in the neighborhood, but also by the many people who work close by (mental health, environmental health, social services, etc.)

Where is the additional air quality study?

Biological Resources/Biota:

Policy OS-5.1: Native Species: Preserve native plant and animal species and their habitat.

My comments: The Biological Review from August 2019 lists many possible species, but apparently only a gopher mound and a crow was seen. The Review did not consider the mature trees (two Monterey cypress on the west side of the "northern lot" and the pine tree just north of these two trees near South Street). See photo submitted. In order to protect and nurture animals we need to retain mature, healthy trees as much as possible as with water shortage and the harsh local climate (includes wind), trees here do not grow very fast. This project interferes with the continued ability to see native animal species observed on this site. Just because no animals were seen that day and when the biologist was present does not mean that they do not exist at times. The annual X-mas bird watch by the Mendocino Coast Audubon Society lists the birds that have been seen in area 3 in Fort Bragg (which includes the Project site) since 2011. https://www.mendocinocoastaudubon.org/mcas_xmas_fb.html
Great Blue Herons: 1 in 2011 and 7 in 2017, 5 in 2018 (protected state, least concern/not listed, migratory); White-tailed Kites: 2 in 2017, 1 in 2018 (protected state, fully protected according to some websites, but not on the list); Osprey: 1 in 2018 (not listed, but protected under the Federal Migratory Bird Treaty Act); Canada Geese: 3 in 2011, 31 in 2015, 36 in 2018 (not listed but protected under the Federal Migratory Bird Treaty Act); Bald Eagles: 2 in 2017 (state and federal protection, migratory); Belted Kingfisher: 2 in 2017, 4 in 2018 (not listed); Snowy Egret: 1 in 2018 (not listed but protected under the Federal Migratory Bird Treaty Act). The Review also lists the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, the California and Federal Endangered Species Act, as well as others. Talking with local birders, and citizen scientists who report to <https://ebird.org/home> would give you better information. I believe that you already have received a photo with a Great Blue Heron seen at the Project site. I personally have observed huge flocks of Canada Geese resting in

the grass at Redwood Elementary School, and the Middle School for years during their migration.

The bat study needs to be completed ASAP. The review did not tell us at what time of the day the biologist looked for bats or other species. The Review is inconsistent with **OS-5.1**.

Policy OS-5.2: *To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.*

My comments: *The Project shifts the new building closer to the existing healthy trees in the northwest portion of the site. The checklist mentions that there are no trees on site that could provide nesting habitat for native birds which is wrong and also mentions that what is there is ornamental, which is wrong as well. The bioretention basin would be where the root system of the cypress tree would have the maximum impacts and damage. The placement of the building or the northwestern bioretention basin do not have any demonstrated connection to the permitted use or the project's economic viability. In addition the Project proposes to remove and replace this mature pine tree located just north of these two Cypress trees near South Street with new landscaping. I also could not find information about the size of the bioretention basins. Thus, this project is inconsistent with **OS-5.2**.*

Policy OS-1.2: *provides that "any area that meets the ESHA definition is ESHA and shall be accorded all the protection provided for ESHA in the LCP."* **Policy OS-1.1** defines ESHA as "Environmentally Sensitive Habitat Area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." "The following areas shall be considered ESHA: Any habitat area that is rare or especially valuable because of their special nature or role in an ecosystem and is easily degraded or disturbed by human activities or developments. Any habitat area of plant or animal species designated as rare, threatened, or endangered under State or Federal law. Any habitat area of species designated as Fully Protected or Species of Special Concern under State law or regulations. Any habitat area of plant species for which there is compelling evidence of rarity, for example, those designated 1b (rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere)

by the California Native Plant Society. Raptor foraging and roosting habitat constitutes ESHA, in which fill for a shopping center is not allowed. "Development within Other Types of ESHA shall protect ESHA against any significant disruption of habitat values and shall be limited to the following uses: a. Resource Dependent Uses.

I am glad to read that you want to comply with regulations set by the International Dark-Sky Association. Artificial lights have devastating effects on many animals and especially bird species birds that migrate or hunt at night, and navigate by moonlight and starlight. Artificial light can cause them to wander off course and toward the dangerous nighttime landscapes of cities. Every year millions of birds die colliding with needlessly illuminated buildings, illuminated signs like the Grocery Outlet signs and towers. Migratory birds depend on cues from properly timed seasonal schedules. Artificial lights can cause them to migrate too early or too late and miss ideal climate conditions for nesting, foraging and other behaviors.

The checklist seems to confuse the lots.

Biological Resources/Soil:

Policy OS-1.3: *Development in ESHA Wetlands: Diking, Filling, and Dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted where there is no feasible less*

environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following uses:

- a. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
- b. Maintaining existing or restoring previously dredged depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- c. New or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- d. Incidental public service purposes, including but not limited to burying cables and pipes or inspection of piers and maintenance of existing intake and outfall pipelines.*
- e. Restoration purposes.*
- f. Nature study, aquaculture, or similar resource dependent activities.*

My comments: *The project indicates the presence of hydric soil, which the LCP identifies to constitute protected wetlands, in which cut and fill grading for a Grocery Outlet store is not a permitted use according to **Policy OS-1.3**. Therefore it is crucial that the biological study includes a follow up studies during the wet season and throughout the year to rule out the presence of wetland species.*

Cultural/Tribal Cultural Resources:

My comments: *Was the city consulted, as in the past the city had a list of all the tribes that automatically wanted to be notified of any developments in their vicinity? Was a local archaeologist hired to do the field work or consulted?*

Economic Resources:

Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

My comments: *The Grocery Outlet store would be in close proximity to existing commercial businesses offering the same or similar products (i.e., Harvest Market, Safeway, Purity, Down Home Foods, B&C Grocery, Columbi's Market, and Nello's Market. They along with gas stations and liquor stores will have to compete with this formula business and it will detract from their economic vitality and is not consistent with the small town, rural character of Fort Bragg. These economic impacts have not been analyzed in the draft IS/MND and the project is likely inconsistent with **LU-4.1** as a result. The impact on existing grocery stores must be analyzed. Can the community support another grocery store or will one of the existing full-service stores go under? Are the anticipated tax receipts from the proposed Grocery Outlet Bargain Market offset by loss of tax receipts at the other stores? If so, by how much? In addition we need to strive towards self sufficiency and local control, not line the pockets of the 1% and be starving when the prices raise due to gas increases. Also having these mega trucks deliver goods on our roads tears up the roads, makes driving unsafe, and stops us from baking our own bread and tending our gardens. I am concerned that the many cheap items for sale attract many middle and low income people who are addicted to alcohol & tobacco and through their addiction face personal economic challenges.*

Energy:

Policy OS-6.2: Development Review Process: Make energy conservation an important criterion in the development review process.

My comments: *The checklist indicates that the project would not 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. I*

disagree. Also much of this energy would not have to be spent if the current building would be kept in place. The draft IS/MND does not include a review or discussion of energy conservation related to the proposed project, nor is such information contained in the application materials. Without such analysis or review during the review process, this project remains inconsistent with **OS-11.6**.

Geology/Soils:

My comments: The Project site is located within the area of the North Coast segment of the San Andreas Fault System, which locally is bounded by the San Andreas Fault Zone on the west and the Maacama Fault Zone on the east. The USGS has estimated that the San Andreas Fault System has a 10% probability of generating an $\geq M6.7$ earthquake between 2000-2030 (Mendocino County General Plan EIR sec. 4.6. Geology, Soils, and Mineral Resources, at 4.6-5) and the estimated maximum capable earthquake magnitude for the Maacama Fault is $M7.3$. (Id., at 4.6-6.) In addition, the region located off Cape Mendocino, is characterized by thrust faults, capable of strong and extended seismic shaking; the 1700 earthquake on the Cascadia Subduction Zone is estimated to have been a $M9.0$ event. (Id.) A geology and soils impact is considered significant pursuant to CEQA (CEQA Guidelines threshold of significance) if implementation of the proposed project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure, including, but not limited to, liquefaction, if the development is located on expansive soil, and/or if the development is located on soil that would become unstable as a result of the project and potentially result in lateral spreading, subsidence, liquefaction, or collapse.

Kazan assessed these issues with the geotechnical report in 1995 for the City of Fort Bragg/Hare Creek mall Project and referenced an estimated 0.10g horizontal acceleration associated with an historical earthquake.

The USGS Earthquake Design Map would inform us of the peak acceleration contours.

I am concerned that a unique paleontological resource or site or unique geologic feature would be directly or indirectly destroyed and the mitigation should at least that an archaeologist would be present every time the ground of that southern plot would be touched.

Hazards/Hazardous Materials:

My comments: The Project involves proposed trenching and placing utilities underground, which potentially includes hazardous materials in their conduits, fixtures, and equipment. The Project centrally relies on a spatially and temporally extended food and goods production, storage, disposal, and transportation chain that, in its individual components and cumulatively, likely also has potentially significant adverse effects on the environment in California (as well as elsewhere). A Day Care also is close to the site. The IS/MND should be revised to address these direct and cumulative Project impacts and be *recirculated for public review and comment*.

Health/Safety:

My comments: *The store with its emphasis on filling shelves from floor to ceiling is designed to give customers the feel of abundance so that it is tempting to buy the goods. Candies, chocolates, and soft drinks (Pepsi and Coca-Cola aisles) are causing obesity, diabetes, and weight issues. Many of the goods contain red, yellow and green dyes that cause cancer. Compared to the area that offers frozen and canned food, fresh produce is minimal. Is this what we gift to our children, our future? Cheap alcohol is another temptation. Stores like this contribute also to other severe health conditions. Together with the lack of money for health insurance and lack of medical care locally, the negative consequences of stores like this will overwhelm our town's ability to cope. In addition I am very concerned that our town would be negatively effected by the weekly advertisements (they already got the town ready when for about one year the newspapers included weekly*

advertisements for the Grocery Outlet), circulars (extra bargain items) and Wow! deals you won't believe! Are we as a city so desperate for money from these bargain stores that we do not realize that we are shooting ourselves in the foot? Tourists will not frequent these stores while visiting this area or will not visit our town anymore as this is not what attracted them to our town in the first place. Some locals might shop there, but to the detriment of other stores that will be forced out. Why have we still not created a Formula Business Ordinance? The community has been waiting for 5 years for such an Ordinance. The production, packaging, storage, and transportation of these goods would likely have significant adverse effect on the environment directly, indirectly, and cumulatively. The Project emits mentioning the height of the proposed retaining wall.

Hydrology/Water Quality:

Policy OS-12.1: Developments of Special Water Quality Concern. The categories of development listed below have the potential for greater adverse coastal water quality impacts, due to the development size, type of land use, impervious site coverage, or proximity to coastal waters. A development in one or more of the following categories shall be considered a "Development of Special Water Quality Concern," and shall be subject to additional requirements set forth in **Policy OS-12.2** (see below) to protect coastal water quality. Developments of Special Water Quality Concern include the following: c) Developments that result in the creation, addition, or replacement of 10,000 square feet or more of impervious surface area. d) Parking lots with 5,000 square feet or more of impervious surface area, potentially exposed to stormwater runoff. h) All developments within 125 feet of the ocean or a coastal waterbody (including estuaries, wetlands, rivers, streams, and lakes), or that discharge directly to the ocean or a waterbody, if such development results in the creation, addition, or replacement of 2,500 square feet or more of impervious surface area.

a. "Discharge directly to" the ocean or a waterbody means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands. i) Any other development determined by the review authority to be a Development of Special Water Quality Concern.

My comments: The store itself is a 16,000 sq. ft. building, the parking lot is 24,299 sq. ft., and the hardscape is 30, 669 sq. ft., which does not include the building. The impervious surface area that is potentially exposed to stormwater runoff is astronomical. This project is inconsistent with OS-12.1 since it does not include the requirements set forth in

Policy OS-12.2 (see below) to protect coastal water quality because it does not include a Water Quality Management Plan (WQMP), prepared by a qualified licensed professional, which supplements the Runoff Mitigation Plan required for all development.

Policy OS-12.2: Additional Requirements for Developments of Special Water Quality Concern. All Developments of Special Water Quality Concern (as identified in **Policy OS-12.1**, above) shall be subject to the following four additional requirements to protect coastal water quality: 1) Water Quality Management Plan. The applicant for a Development of Special Water Quality Concern shall be required to submit for approval a Water Quality Management Plan (WQMP), prepared by a qualified licensed professional, which supplements the Runoff Mitigation Plan required for all development. The WQMP shall include hydrologic calculations per City standards that estimate increases in pollutant loads and runoff flows resulting from the proposed development, and specify the BMPs that will be implemented to minimize post-construction water quality impacts. 2) Selection of Structural Treatment Control BMPs. As set forth in **Policy OS-10.4**, if the review authority determines that the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters as required by Policy OS-9.3, structural Treatment Control BMPs shall also be required. The WQMP for a Development of Special Water Quality Concern shall describe the selection of Treatment Controls BMPs, and applicants shall first consider the

BMP, or combination of BMPs, that is most effective at removing the pollutant(s) of concern, or provide a justification if that BMP is determined to be infeasible. 3) 85th Percentile Design Standard for Treatment Control BMPs. For post-construction treatment of runoff in Developments of Special Water Quality Concern, Treatment Control BMPs (or suites of BMPs) shall be sized and designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1- hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs. 4) Goal for Runoff Reduction. In Developments of Special Water Quality Concern, the post-development peak stormwater runoff discharge rate shall not exceed the estimated pre-development rate for developments where an increased discharge rate will result in increased potential for downstream erosion or other adverse habitat impacts.

Policy LU-10.4: Ensure Adequate Services and Infrastructure for New Development.

Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development shall be grounds for denial of the development.

My comments: The draft IS/MND includes no meaningful analysis of the adequacy of the City's water supply sources and infrastructure to provide water to the proposed project.

LU-10.4 requires that such analysis be included and this project is thus not consistent with **LU-10.4**. The City has developed a water model that predicts future availability of water supply based on historic water supply and usage rates. Unfortunately, the City's water model does not adequately include analysis of the projected impacts of climate change and sea-level rise on the City's future water supply. However, when data about historic king tides, the impacts of which will increase when projected sea-level rise occurs, and their interference with the City's ability to divert water from the Noyo River is included, the City's own water model projects that the City will not have adequate water supply for existing development with a mere one-foot increase in the sea level, let alone adequate water supply for new development like this project. The City of Fort Bragg has a demonstrated inadequate municipal water supply system, which has involved saline water contamination of, and restrictions on use of, its water supply (e.g., during the recent multi-year drought), with associated significant adverse effects on coastal resources. The municipal water system thus has inadequate capacity to accommodate the proposed new commercial development, which is not a coastal-dependent land use, but which would by its demand for very limited potable water in the City serve to preclude coastal-dependent land uses, essential public services, basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and coastal *visitor-serving land uses*. The draft IS/MND does not state, or analyze, what the maximum daily demand of water might be or whether the City's available potable water supply (e.g., during drought conditions, when certain of the City's water production sources are inoperative) is adequate to meet that cumulative demand for potable water by the Project. The City should analyze the true potential maximum daily and annual (364.25 day) Project demand for water, and in a recirculated *IS/MND present that analysis for public review*.

Land Use/Planning:

Policy LU-3.5: Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

My comments: Rather than to reuse and adapt and the vacant existing building on the site with almost the same floor area as the new building, this project, which is in a commercial district, proposes to demolish the existing building. The IS/MND includes no explanation or analysis of the viability of the existing building to serve the project objectives rather than a new structure.

Policy CD-1.10: *All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.*

Policy LU-5.6: *The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

*My comments: This project involves the development of the southern parcel into a parking lot for general commercial development, the proposed Grocery Outlet store. That parcel is frequently used by the Harbor Light Lodge and Super 8 customers who need more space for their RV's, for locals who attend events at the Harbor Light Lodge (traffic school, meetings of the Mendocino Coast Democratic Club, etc.) and need additional parking and for parking of large vehicles (big rig trucks and recreational vehicles) of transient visitors staying at the adjacent lodging facilities, as well as visitors and locals seeking coastal access to the Noyo Harbor and Noyo Beach via the existing public access trail and stairs across North Harbor Drive and adjacent to the Harbor Light Lodge. To usurp this area this project would be converting a visitor-serving use that provides public opportunities for coastal recreation through the adjacent access trail and stairs. This project would not be consistent Because general commercial development (the proposed use) is disfavored compared to visitor-serving uses that provide and enhance public opportunities for coastal recreation (the existing use of the southern parcel) this project is not consistent with **LU-4.1**.*

Fishing and logging are no longer the main income here, but tourists and locals love to frequent the north side of Noyo Harbor often using N. Harbor Drive. Having a Grocery Outlet at this location would significantly impact priority coastal dependent commercial fishing, tourism, restaurants, markets, ocean tours, and traffic in the Noyo Harbor. The draft IS/MND omits analysis of alternative potential sites within the Project site for development that is specifically and fully consistent with all applicable standards of development review. The Project is inconsistent with numerous Coastal Commission certified LCP land use plan (Coastal Element) policies. The IS/MND should specifically and fully analyze the Project, considered as a whole, for consistency with these LCP policies, and be recirculated for public review and comment.

The draft IS/MND failed to disclose and analyze the Project's cumulative effects on land use and conflicts with adopted controlling land use standards of development regulation. The City should analyze the true cumulative effects of the Project and its conflicts with the controlling standards, and in a recirculated IS/MND present that analysis for public review.

Noise:

The policies of the Noise Element are not part of the City of Fort Bragg certified Local Coastal Program and do not govern the review and approval of coastal development permits. A. Purpose The purpose of the Noise Element is to protect the health and welfare of the community by promoting development which is compatible with established noise standards.

*This element has been prepared in conformance with Government Code Section 65302(f) and the guidelines adopted by the State Office of Noise Control, pursuant to Health and Safety Code Section 46050.1. Existing and future noise problems in the Planning Area are identified. Policies and implementation programs are provided to reduce the community's exposure to excessive noise levels. Accomplishing this task requires an evaluation of the noise generation from sources such as roads, highways, and stationary sources such as industrial facilities. **Noise Element • Policies N-1.1 through N-1.6.***

Policy N-1.6 Mitigate Noise Impacts: Mitigate noise impacts to the maximum feasible extent. Program N-1.6.1: Require acoustical studies and noise reduction measures, when warranted, for new developments and roadway improvements which affect noise sensitive uses such as residences, schools, hospitals, libraries, and convalescent homes. Program N-1.6.2: Require acoustical studies and noise reduction measures for any project that would potentially generate non-transportation noise levels in a residential area such that noise levels would exceed the planning standards set forth in Program N-1.2.2 and/or Table N-5. Program N-1.6.3: Work with Caltrans to ensure that adequate noise studies are prepared and alternative noise mitigation measures are considered when State and Federal funds are available. Program N-1.6.4: Consider and carefully evaluate the noise impacts of all street, highway, and other transportation projects. Program N-1.6.5: Recommend acoustical studies and noise reduction measures for all projects that would be exposed to noise levels in excess of those deemed normally acceptable, as defined in Table N-4. Program N-1.6.6: Consider developing an ordinance that regulates the allowable hours of construction activities. Program N-1.6.7: Consider requiring post-construction testing and sign-off by an acoustical engineer for residential projects exposed to an Ldn in excess of 65 dB to ensure compliance with applicable exterior and interior standards in the Noise and Land Use Compatibility Standards. Program N-1.6.8: Restrict truck traffic to designated routes. <https://city.fortbragg.com/DocumentCenter/View/1259/Element-08--Noise-PDF?bidId=>

My comments: Based on the checklist I am concerned with these issues. 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 b) Generation of excessive groundborne vibration or groundborne noise levels. The impact would be substantial and needs more than a simple mitigation. Working on a Saturday should not be permissible, working from 7am to 7pm also not acceptable. By keeping the current building people would get less noise. The demolition of the current building and building of a new one that would take close to 1 year is not easy to deal with especially for the neighbors, as well as the tourists who pay a lot of money to stay at one of the lodges. To break up concrete is a noisy activity. Big trucks delivering building materials and idling their engines adds to the noise.

Noise would bounce back from the south side of the harbor and reverberate all over the harbor area.

Population/Housing:

My comments: Based on the draft IS/MND the store will be operated by 15 to 25 full-time staff and 2 managers. What are the salary ranges for these full-time employees? Many employees will be part-time to avoid paying benefits that often come with full-time employment. These benefits are crucial when the hourly wage would be \$13 an hour for employers who have 25 or less workers. That means no sick leave, no health insurance, no

pregnancy support, no time off after giving birth to bond with the baby, etc. For that salary a even a single person can not survive around here. Also there are no rentals available that are affordable, or no rentals period. Why do we keep building stores when people can not find places to live? Housing needs to be built by the company as a mitigation.

Public Services/Wildfires:

My comments:

Whereas the draft IS/MND describes the Project to include bioswales I did not see the size of them, nor the identified percolation capacity or perimeter overland flow controls. **There are four types of bioswales that can be constructed based on the needs of the location.** How can we comment on a preliminary grading and drainage plan? Does this IS/MND propose deferral of a Project grading plan to City grading ordinance review, notwithstanding that the LCP prohibits excavation of hydric soils (an LCP regulatory wetland)? Does the Project drainage scheme proposes to infiltrate storm water runoff beneath the development envelope? When will the final grading and drainage plan be complete so it can be recirculated for public review? Why are we not creating permeable paving and use rainwater harvesting? Mitigations have to be worked out as fire hydrants might not have enough pressure and, the city might not have enough water, and the police might not have enough personnel to deal with homeless and poor people who will make this place the new hangout on their way to the river or ocean. The cameras only work inside the building and not in the whole neighborhood for a store that is open from crack of dawn until 10pm.

Recreation:

Policy LU-5.6: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Policy LU-5.7: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

My comments: This project involves the development of the southern parcel into a parking lot for general commercial development, the proposed Grocery Outlet store. That currently vacant parcel is frequently used for parking of large vehicles (e.g., big rig trucks and recreational vehicles) of transient visitors staying at the adjacent lodging facilities (i.e., the Harbor Light Lodge and Super 8) as well as visitors and locals seeking coastal access to the Noyo Harbor and Noyo Beach via the existing public access trail and stairs across North Harbor Drive and adjacent to the Harbor Light Lodge. This project seeks to convert a visitor-serving use (i.e., an informal parking area) that provides public opportunities for coastal recreation through the adjacent access trail and stairs. Because general commercial development (the proposed use) is disfavored compared to visitor-serving uses that provide and enhance public opportunities for coastal recreation (the existing use of the southern parcel) this project is not consistent with **LU-4.1**. It is also not consistent with **LU-5.7** as the parking lot would displace an existing parking area serving recreational uses and public access to the coastal resources of Noyo Harbor and Noyo Beach without providing a comparable replacement area.

Policy OS-16.7: *Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to or concurrent with construction of the approved development. Mitigation shall not substitute for implementation of a feasible project alternative that would avoid impacts to public access.*

My comments: This project includes the replacement of an existing unimproved parking area providing public access to recreational opportunities with a parking lot to serve a general commercial use but it does not include any mitigation measures (e.g., an off-site replacement of the existing parking area that provides relatively equivalent access to the coastal resources) to address or reduce these impacts. The lack of mitigation required by **OS-16.7** prevents this project from being consistent with it. Mitigation should be included and analyzed in the draft IS/MND.

Transportation/Traffic:

Policy PF-1.2(b) requires that “Demonstration of adequate road facilities shall include information demonstrating that (i) access roads connecting to a public street can be developed in locations and in a manner consistent with LCP policies; and (ii) that the traffic generated by the proposed development, and all other known and foreseeable development, will not cause Levels of Service (LOS) of roads, streets, and intersections within the City to reduce below LOS standards contained in **Policy C-1.1** of the Circulation Element of the Coastal General Plan.”

My comment: As we do not know if the traffic studies were performed during the summer school vacation on a summer holiday or major local event weekend (e.g., the Fort Bragg Salmon Barbecue on the first Saturday in July) they thus do not constitute true peak day measurements of traffic. The project could contribute to future traffic intersection impacts. This impact would be cumulatively considerable. The Project is based on inadequate data to connect Grocery Outlet to Highway 1, without directly or cumulatively incurring unmitigated significant adverse traffic impacts. Further, given the existing and planned traffic capacity limitations of Highway 1, including, but not limited to the area of its intersection with N. Harbor Drive, South Street, and Cypress Street, the Project will impermissibly function to significantly adversely effect and preclude Coastal Act priority public access and recreation, commercial recreation, and visitor-serving land uses in the affected area. The draft IS/MND does not mention construction vehicles that would access the site via Highway 1, which may likely have significant impacts on public access, recreational, and other Coastal Act high priority traffic use of Highway 1 in the area. Would it require “temporary rerouting” during construction that connects the public, visitor-serving roads with Highway 1. Would the City need to (a) analyze the potentially significant environmental, coastal resource, and public access recreational impacts of any such road, and the changes in the kinds and intensities of use it may likely entail, as part of this IS/MND before acting on this MND or Project CDP?

Policy C-1.2: Coordinate Land Use and Transportation: Ensure that the amount and phasing of development can be adequately served by transportation facilities. **Program C-1.2.1:** Review development proposals for their direct and cumulative effects on roadway Level of Service standards. During the development review process, City staff will determine whether traffic studies need to be carried out and the scope of such studies.

My comments: A traffic study was prepared for this project, and concluded that the project would contribute, in a cumulatively considerable manner to further deterioration of the LOS standards at several studied intersections established by the Coastal General Plan, but no mitigation has been designed. Without such mitigation measures, the project cannot be considered to be “adequately served” by the City’s transportation facilities. Moreover, there is no discussion or analysis of the site’s access to public transportation or pedestrian-oriented facilities. Thus, this project is not consistent with **C-1.2**.

Policy C-1.3: Do not permit new development that would result in the exceedance of roadway and intersection Levels of Service standards unless one of the following conditions is met: a) Revisions are incorporated in the proposed development project which prevent the Level of

Service from deteriorating below the adopted Level of Service standards; or *b) Funding of prorata share of the cost of circulation improvements and/or the construction of roadway improvements needed to maintain the established Level of Service is included as a condition or development standard of project approval.*

My comments: This project is also inconsistent because neither of the listed conditions for potential approval are met by the proposal. This is true despite the traffic study specifically recommending intersection improvements to the intersection of Main and South Streets. That said, no such mitigation measures are feasible for that intersection because of CalTrans prohibition on signalized intersections in close proximity to the Noyo River Bridge. Without such mitigation or other revisions to the project to prevent the LOS from deteriorating further, it is inconsistent with **C-1.3**.

Policy C-1.4: Include specific time frames for the funding and completion of roadway improvements for projects which cause adopted roadway and intersection Level of Service standards to be exceeded. Require security, bonding or other means acceptable to the City to ensure the timely implementation of roadway mitigations.

My comments: This project is not consistent with C-1.4 because there are no time frames established for the completion of roadway improvements and the project causes the LOS to exceed the applicable standards.

Policy C-1.5: Traffic Impact Fees. When traffic impact fees are collected, establish a schedule from the date of collection of said fee for the expenditure of funds to construct roadway improvements that meets project needs. Where a project would cause a roadway or intersection to operate below the adopted traffic Level of Service standards, the roadway or intersection improvements should be completed in a timely manner but no later than five years after project completion.

My comments: This project results in intersections projected to operate below LOS standards, but no roadway or intersection improvements are proposed. Because roadway and intersection improvements are necessary per the traffic study as well as relevant Coastal General Plan policies discussed, the project must also incorporate a timeline for such improvements that ensures completion within the maximum five years permitted by **C-1.5**. Absent these revisions the project is not consistent with **C-1.5**.

Policy C-6.2: Improve Existing North Harbor Drive: Consider improvements to North Harbor Drive to increase capacity and safety for vehicles and pedestrians. Any improvements to North Harbor Drive shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.

My comments: This project involves improvements along North Harbor Drive (e.g., sidewalks) but there is no analysis of the consistency of the proposed improvements with the applicable policies of the LCP, including policies concerning maintaining public access to coastal resources served by the informal parking area on the southern portion of the parcels. Thus, this project is not consistent with **C-6.2** absent revisions to include consistency analysis of the proposed improvements to North Harbor Drive.

Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.

My comments: The northeastern boundary of this project is adjacent to the intersection of S. Franklin and South Streets, which is currently a two-way stop on S. Franklin Street. That intersection does not include north-south crosswalks for safer pedestrian access across South Street nor does it include installing stop signs on South Street to convert the intersection into a four-way stop, which would improve conditions necessary for safe pedestrian access. The City Council has previously identified this intersection for pedestrian

and vehicular safety upgrades, including conversion into a four-way stop. The draft IS/MND does not include this relevant information or corresponding analysis of the issue of pedestrian safety for patrons to access the Grocery Outlet across South Street. This should be addressed by revising the draft IS/MND to include such analysis and the likely addition of an additional mitigation measure to upgrade that intersection to a four-way stop or providing a prorata fair-share contribution to those intersection improvements.

Policy C-9.7: Improve Pedestrian Safety.

Program C-9.7.1: Continue to provide traffic controls and well-lit intersections in areas with a high volume of pedestrian movement.

My comments: The Project provides no continuous pedestrian sidewalk along S. Franklin Street as required by **Policy C-9.1**. This project also does not propose to provide recommended traffic controls at the intersection of Franklin and South Streets, which is likely to produce a “high volume of pedestrian movement” because the Grocery Outlet likely to attract patrons without the means to afford private vehicle transportation since it is a discount grocery store in a location that is to the south of most residential development in the City. As such, it is reasonable to predict the bulk of patrons accessing the site on foot will be travelling from the north along Franklin Street and across South Street. The draft IS/MND does not include any analysis of safe pedestrian access through this intersection (or otherwise) and it should be revised to include this critical information and analysis. Thus, the project is not consistent with C-9.7 without revising the IS/MND to analyze and address this area of concern.

Policy C-14.1: Development to Pay Its Fair Share: Require new development to pay its fair share of transportation improvements to maintain levels of service and traffic safety in the City.

My comments: See consistency analysis for **C-1.2, C-1.3, C-1.4, C-1.5, C-9.3, and C-9.7**. This project is inconsistent with **C-14.1** because it does not require the project applicant/developer to make any fair-share contribution for necessary transportation infrastructure improvements that the traffic study identified were necessary to maintain LOS and traffic safety in the City. The Project, for want of a vehicular traffic mitigation plan that reduces its impacts to below the level of significance and establishes coordinated non-motorized means of circulation (e.g., connecting ADA-compliant sidewalks, and bike paths), will have impermissible direct and cumulative significant adverse effects on public recreational traffic, contrary to the requirements of the Coastal Act (PRC sec. 30604(c), 30254) and LCP policies **C-1.3, C-1.4, C-9.2, C-9.4, C-10.2, C-10.5**.

Where is the 100-foot turning radius for emergency vehicle turnaround?

The Traffic Impact Analysis notes, that these streets and intersections including the issues with Highway 1 are inadequate to serve current traffic demands during peak hours, and the Project is incapable of implementing traffic mitigation measures that reduce the Project’s significant adverse effects on traffic to below the level of significance. As more money was allocated to establish Vehicles Miles Traveled (VMT) thresholds there is no point to try to comment on the traffic study. It needs to be recirculated. I did send previous comments to the city council especially in regards to the traffic study and will save these additional comments until the study gets recirculated again.

Utilities/Service Systems:

Policy OS-11.6: Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater

infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants. All permeable pavement that is not effective in infiltrating as designed will be replaced with effective stormwater detention and infiltration methods.

My comments: This project involves a significant amount of hardscaping and paved areas but no indication that the hardscaping and pavement proposed for this project “shall use permeable pavement materials and techniques” anywhere on the project site. Although there are non-paved landscaping areas that will be permeable, there is no analysis indicating that permeable pavement materials were considered at all for the paved areas, let alone rejected as infeasible. This project is inconsistent with **OS-11.6** because it neither incorporates permeable paving materials nor analyzes and rejects such materials and infeasible in accordance with **OS-11.6**

Mandatory Findings of Significance:

My comments: According to the checklist a, b, and c pose significant impacts.

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? 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). c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

The Project does not conform, in various specific parts, to the mandatory standards of the City LCP land use plan (“Coastal General Plan”) or to the mandatory standards of the City LCP CZO (“Coastal Land Use and Development Code”). These Project inconsistencies constitute unmitigated significant direct and cumulative adverse effects on the environment, on coastal resources, and on public access and recreational opportunities in the coastal zone, contrary to the City LCP and the Coastal Act.

The Project is not served by adequate existing public water and street/ roadway/intersection infrastructure and therefore does not conform, in specific parts, to the mandatory standards of the City LCP land use plan (“Coastal General Plan”) or to the mandatory standards of the City LCP CZO (Coastal Land Use and Development Code). These Project inconsistencies constitute unmitigated significant direct and cumulative adverse effects on the environment, on coastal resources, and on public access and recreational opportunities in the coastal zone, contrary to the City LCP and the Coastal Act.

Some drawings mention “Not to Scale”, which renders shown dimensions both internally inconsistent and unsupported.

Unless some serious mitigations are used, the whole document rewritten and given for review I believe that we need and EIR to deal with this project.

Thanks for considering my input.
Sincerely, Annemarie Weibel

2-16-2021

From: [Smith, Diane@Wildlife](mailto:Smith,Diane@Wildlife)
To: [O'Neal, Chantell](mailto:O'Neal,Chantell)
Cc: [Babcock, Curt@Wildlife](mailto:Babcock,Curt@Wildlife); [Garrison, Jennifer@Wildlife](mailto:Garrison,Jennifer@Wildlife); [Korhummel, Rhiannon@Wildlife](mailto:Korhummel,Rhiannon@Wildlife); [Mason, Dana@Wildlife](mailto:Mason,Dana@Wildlife); [Wildlife CEQA Comment Letters](#); [Falcone, Gil@Waterboards](mailto:Falcone,Gil@Waterboards); [King, Kaete@Waterboards](mailto:King,Kaete@Waterboards); [Iantosca, Catherine M.@Waterboards](mailto:Iantosca,Catherine M.@Waterboards)
Subject: CEQA_2021_0010-R1-MEN-Best_Grocery_Outlet_FINAL.pdf
Date: Tuesday, February 16, 2021 1:39:16 PM
Attachments: [CEQA_2021_0010-R1-MEN-Best_Grocery_Outlet_FINAL.pdf](#)

Hello:

Please see the attached document. All distribution has been completed electronically.

Regards,
-Diane

Diane Smith
Administrative Officer I
California Department of Fish and Wildlife
Region 1 - Northern
diane.smith@wildlife.ca.gov
Cell: (530) 945-0755
Ph: (530) 225-2851
Fx: (530) 225-2055

Every Californian should conserve water. Find out how at:

<http://saveourwater.com/>



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 16, 2021

Chantell O'Neal
City of Fort Bragg
416 North Franklin Street
Fort Bragg, CA 95437
coneal@fortbragg.com

SUBJECT: Draft Initial Study and Mitigated Negative Declaration for Best Development Grocery Outlet Project (SCH #20201010142)

Dear Chantell O'Neal:

The California Department of Fish and Wildlife (CDFW) has reviewed the draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared by the City of Fort Bragg (Lead Agency) for the Best Development Grocery Outlet Project (Project), Mendocino County, California. CDFW understands that the Lead Agency will accept comments on the Project through February 16, 2021. As a Trustee Agency for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary to sustain their populations. As a Responsible Agency, CDFW administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. CDFW offers the following comments and recommendations in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*).

Project Description

The Project proposes the construction of a retail store and associated improvements within a 1.63-acre area located at 825, 845, and 851 South Franklin Street, Fort Bragg, California (APNs 018-120-47, 018-120-48, 018-120-49; Site). The entire Site will be developed with a 16,157 square foot (sq. ft.) retail store and a 53-space parking lot. Landscaping will be installed along the perimeter and in parking lot islands across the entire Site. Currently, the northern portion of the Site contains a vacant office building and associated parking space, while the southern portion is undeveloped, non-native grassland. The vacant office building and parking lot will be demolished and existing landscaping will be removed.

Wetlands

Section IV(c) of the IS/MND states the U.S. Fish and Wildlife National Wetlands Inventory (NWI) indicates no known aquatic features within the Site as substantial evidence to support the determination that wetlands are not present. The NWI provides information to guide assessments but should not be the sole resource for identification of these resources particularly in Mendocino County where the NWI has had limited field verification. The biological assessment states a single site visit was conducted in August and no evidence of wetland related plant species were observed; however, several species listed in Table 1 are facultative (FAC) wetland indicator plants and the soil is rated as hydric. No methods for wetland assessment is provided in the biological assessment, so it is not clear if the wetland assessment was conducted in a way sufficient to determine wetlands are absent. The Site is located within the Coastal Zone subject to California Coastal Act (CCA) and California Coastal Commission (CCC) coastal wetland regulations. The CCC's regulation (California Code of Regulations Title

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14) establishes a “one parameter definition” that requires evidence of only a single parameter to establish wetland conditions. The wetland delineation protocol in the U.S Army Corps of Engineers (ACOE) Wetland Delineation Manual (Environmental Laboratory 1987) and Western Mountains Valleys and Coast Supplement (ACOE 2010) describes how to evaluate and document wetland indicators of three parameters: vegetation, soil, and hydrology. The protocol also suggests delineations should occur two-weeks following a significant rainfall event during the growing season to observe indicators of hydrology and obtain accurate identification of plant species. With a single site visit in August, the presence of FAC plants, and no description of wetland assessment methods, the conclusion that wetlands are absent is not supported with substantial evidence. The IS/MND should provide substantial evidence to support the determination that wetlands are absent. A wetland delineation following ACOE protocol should be conducted to identify any locations where one or more wetland parameter indicators are present (**Recommendation 1**).

Bats

Mitigation Measure BIO-1 states a bat survey is to be conducted at the existing building to determine if bats are present. The structure has been vacant for several years and could support a nesting bat population. Survey methods and qualifications of biologists conducting the bat survey should be provided to CDFW prior to surveys to ensure proper assessment. The survey should include visual surveys inside the building (**Recommendation 2**). Mitigation Measure BIO-1 also states if a bat survey identifies bats present in the existing building, they will be removed through live exclusion means. To ensure proper methods and timing of bat exclusion activities, methods for exclusion should be provided to CDFW for review and concurrence 30 days prior to commencement of removal (**Recommendation 3**).

Nesting Birds

The IS/MND states no impacts to native or resident nesting birds, however nesting birds are not addressed in the biological assessment, as such the IS/MND determination is not supported by substantial evidence. Potential nesting habitat for resident and migratory birds is present within and around the Site, including trees, shrubs and grasslands. Nesting resident and migratory birds, including raptors, and their active nests are protected under FGC Section 3503 and 3513. Any nesting bird habitat within the Site designated for removal should be removed between September 1 and February 28 to reduce potential nesting habitat. If nesting habitat is to remain, and construction, grading, or other project-related improvements are scheduled during the nesting season (March 1 through August 31), a pre-construction nesting survey should be conducted no more than five days prior to commencement of project activities. The survey should include the parcel and suitable nesting habitat within a 100-foot buffer. If nesting birds are detected, appropriate buffers, monitoring, and operational restrictions should be put in place with review and concurrence from CDFW (**Recommendation 4**).

Landscape Plants

The Plant Schedule on Sheet L1.0 of Site Plans lists compact pittosporum (*Pittosporum tobira*) and trailing myoporum (*Myoporum parvifolium*). These two genera contain species on the California Invasive Species Council (Cal-IPC) Invasive Species Inventory. The Plant Schedule also lists purple leaf plum (*Prunus cerasifera*) and olive (*Olea europea*) which are on the Invasive Species Inventory. Invasive and non-native plants are significant threats to native plants and native vegetation, especially on the coast of California. While the project is in an urban area, the landscaping plan should emphasize regionally appropriate California native plants and should not include invasive plants. (**Recommendation 5**). Furthermore, regionally

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appropriate native plants will likely require less irrigation to establish, an important consideration in Fort Bragg. The local Chapter of the California Native Plant Society can likely assist in the species selection and acquisition.

Summary of Recommendations:

- A wetland delineation following ACOE protocol should be conducted to identify any locations where one or more wetland parameter indicators are present (**Recommendation 1**).
- Survey methods and qualifications of biologists conducting the bat survey should be provided to CDFW prior to surveys to ensure proper assessment. The survey should include visual surveys inside the building (**Recommendation 2**).
- To ensure proper methods and timing of bat exclusion activities, methods for exclusion should be provided to CDFW for review and concurrence 30 days prior to commencement of removal (**Recommendation 3**).
- Any nesting bird habitat within the Site designated for removal should be removed between September 1 and February 28 to reduce potential nesting habitat. If nesting habitat is to remain, and construction, grading, or other project-related improvements are scheduled during the nesting season (March 1 through August 31), a pre-construction nesting survey should be conducted no more than five days prior to commencement of project activities. The survey should include the parcel and suitable nesting habitat within a 100-foot buffer. If nesting birds are detected, appropriate buffers, monitoring, and operational restrictions should be put in place with review and concurrence from CDFW (**Recommendation 4**).
- Landscaping plan should emphasize regionally appropriate California native plants and should not include invasive plants. (**Recommendation 5**).

Thank you for the opportunity to comment on this draft IS/MND. If you have questions on this matter or would like to discuss these recommendations, please contact Environmental Scientist Rhiannon Korhummel at (707) 799-7106 or by e-mail at Rhiannon.Korhummel@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Curt Babcock
974D273FEE784E2...

Curt Babcock
Habitat Conservation Program Manager

ECs on page 4

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City of Fort Bragg
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ECs:

California Department of Fish and Wildlife:

Curt Babcock, Jennifer Garrison, Rhiannon Korhummel, and Dana Mason
Curt.Babcock@wildlife.ca.gov, Jennifer.Garrison@wildlife.ca.gov,
Rhiannon.Korhummel@wildlife.ca.gov, Dana.Mason@wildlife.ca.gov,
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North Coast Regional Water Quality Control Board:

Gil Falcone, Kaete King, and Catherine Iantosca,
Gil.Falcone@waterboards.ca.gov, Kaete.King@waterboards.ca.gov,
Catherine.Iantosca@waterboards.ca.gov

From: [Ali Van Zee](#)
To: [O'Neal, Chantell](#)
Subject: Public Comment: IS/MND Grocery Outlet
Date: Sunday, February 14, 2021 11:05:09 PM

To whom it may concern:

Why is our City Council so determined to ruin Fort Bragg with big box chain stores that threaten established local businesses? We are already well-served by Purity Market, Safeway, Harvest Market and Roundman's.

In the meantime, I have the following questions:

Which Coastal General Plan policies are applicable to this proposed project and are they consistent with this project? Does it satisfy the requirements of the California Environmental Quality Act (CEQA)? What is the quality of the various reviews, analyses, reports, checklist, mitigation measures, and cumulative issues? Can potential problems be mitigated enough with an MND or is an Environmental Impact Report (EIR) needed?

Big box stores are not what we want in our community and we are turning off tourists who come here to leave mass consumerism behind and look for the unique businesses we are known for.

Ali Van Zee
Fort Bragg Resident

~We survive together, or not at all~

From: [Ali Van Zee](#)
To: [O'Neal, Chantell](#)
Subject: Re: Public Comment: IS/MND Grocery Outlet
Date: Tuesday, February 16, 2021 10:23:24 AM

Dear Chantell,

I am greatly saddened this town council is so gung ho to ruin Fort Bragg. Rather than supporting downtown businesses with projects that would draw people in, such as planting trees and flowering plants, encouraging unique businesses and helping them flourish, etc, you're determined to make us over into the Yuba City Hwy 20 corridor.

Here's a better idea: force the Fort Bragg Bakery to reopen its doors to serve the public again or kick it off Franklin St. Aggressively market the empty storefronts along Franklin with lots of incentives to businesses that provide real service to the community (not more pot palaces and vape vermin).

Support our existing markets. Big box stores aren't welcome here.

Ali Van Zee

~We survive together, or not at all~

> On Feb 16, 2021, at 9:34 AM, O'Neal, Chantell <COneal@fortbragg.com> wrote:

>

> Ali Van Zee,

>

> This email is to confirm receipt of your comments.

>

> Per section 15074 (b) of the CEQA handbook.

> (b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

>

> Regards,

>

>

> Chantell O'Neal

> Assistant Director, Engineering Division

> Public Works

> (707) 961-2823 ext. 133

>

>

> -----Original Message-----

> From: Ali Van Zee [<mailto:yourali747@gmail.com>]

> Sent: Sunday, February 14, 2021 11:05 PM

> To: O'Neal, Chantell <COneal@fortbragg.com>

> Subject: Public Comment: IS/MND Grocery Outlet

>

> To whom it may concern:

>

> Why is our City Council so determined to ruin Fort Bragg with big box chain stores that threaten established local businesses? We are already well-served by Purity Market, Safeway, Harvest Market and Roundman's.

>

> In the meantime, I have the following questions:

>

> Which Coastal General Plan policies are applicable to this proposed project and are they consistent with this project? Does it satisfy the requirements of the California Environmental Quality Act (CEQA)? What is the quality of the various reviews, analyses, reports, checklist, mitigation measures, and cumulative issues? Can potential problems be mitigated enough with an MND or is an Environmental Impact Report (EIR) needed?

>

> Big box stores are not what we want in our community and we are turning off tourists who come here to leave mass consumerism behind and look for the unique businesses we are known for.

>

> Ali Van Zee

> Fort Bragg Resident

>

> ~We survive together, or not at all~

> Email correspondence with the City of Fort Bragg (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act.

From: [Miller, Tabatha](#)
To: [O'Neal, Chantell](#); [Gonzalez, Joanna](#)
Subject: FW: My comments on the proposed Grocery Outlet project
Date: Sunday, February 14, 2021 11:26:09 AM

Tabatha Miller

City Manager
City of Fort Bragg
(707) 961-2829
TMiller@FortBragg.com



From: Edward Oberweiser <marbury.1947@gmail.com>
Sent: Sunday, February 14, 2021 8:34 AM
To: Norvell, Bernie <Bnorvell2@fortbragg.com>; Morsell-Haye, Jessica <Jmorsellhayes@fortbragg.com>; Peters, Lindy <LPeters2@fortbragg.com>; Albin-Smith, Tess <Talbinsmith@fortbragg.com>; Miller, Tabatha <TMiller@fortbragg.com>; Lemos, June <Jlemos@fortbragg.com>
Subject: My comments on the proposed Grocery Outlet project

Fort Bragg City Council
416 N. Franklin Street
Fort Bragg, CA 95437

My Comments on the proposed Grocery Outlet project

This proposed project needs an Environmental Impact Report done and more thorough and accurate traffic studies. I have some serious concerns about the traffic studies and when they were done. Faulty studies were done for the last attempt to build a Grocery Outlet store on the Hare Creek property.

I am a member of Seniors on Bikes Fort Bragg, CA. Our group has 224 members. I ride my bicycle to the entrance of the recently completed South Coastal Trail 4-5 times a week which is just on the north side of the Noyo River Bridge. I approach this entrance from south of the bridge. I find it extremely difficult and dangerous to cross highway one and make a left turn onto the trail now. A number of Seniors on Bikes approach this trail entrance every day of the week. With the increased traffic caused by the proposed Grocery Outlet, this situation will be made much worse. This will happen in a time when more and more people in Fort Bragg are riding bicycles for both exercise and transportation.

Now with the covid-19 situation, the Fort Bragg traffic has increased significantly. With this added to a Grocery Outlet store, many of us will be in more danger riding bicycles in Fort Bragg than ever. More people out of work are at home and driving their vehicles in the Fort Bragg area. I have only been living here since 2008 but this is the worst traffic I have ever

seen here. Now there are three known variants in the U.S. so the situation is not likely to improve anytime soon. The proposed Grocery Outlet project should be put on hold until this changes.

I am especially concerned that trucks delivering to Grocery Outlet will increasingly have to drive to Cypress street to get to Highway 1. Cypress Street is the way to the hospital and its' emergency room, Mendocino Coast Pharmacy, the dental clinic and other crucial facilities such as the Police Department. Also a number of senior residences are on Cypress Street. Seniors don't need more traffic near their residences with the resulting damage to air quality.

The water necessary for this project has not been addressed properly. We are in a drought and have been for years. Fort Bragg does not have an adequate reserve. It only has a temporary water storage facility near the humane society. This is not an additional source of water.

The Grocery Outlet will harm already established downtown food stores and will take away from the historic Fort Bragg downtown which is a major draw of tourists to our area. They do not come here to shop at franchise businesses. They come here for the beautiful scenery of our area and the uniqueness of our town. This project will harm the economy of our area.

This project will not create new livable wage jobs. The jobs created will be low paying service jobs that will not stop the flow of young people out of the area who are looking to find livable jobs elsewhere as has been the case for years.

Please reconsider this poorly planned project and a moratorium on development until the covid situation improves significantly.

Sincerely

Edward M. Oberweiser
Chair, Ocean Protection Coalition
member Seniors On Bikes Fort Bragg

From: [Miller, Tabatha](#)
To: [O'Neal, Chantell](#); [Gonzalez, Joanna](#)
Subject: FW: comments on the proposed Grocery Outlet
Date: Tuesday, February 16, 2021 8:18:19 AM

Tabatha Miller
City Manager
City of Fort Bragg
(707) 961-2829
TMiller@FortBragg.com

-----Original Message-----

From: Julie <jraerogers@comcast.net>
Sent: Monday, February 15, 2021 3:44 PM
To: Miller, Tabatha <TMiller@fortbragg.com>
Subject: comments on the proposed Grocery Outlet

To Whom It May Concern:

Community members have asked the city to create a Formula Business Ordinance for the past several years. The proposed Grocery Outlet and the second Dollar Store site should not be built before this ordinance is developed in a thoughtful way.

The Biological Review document shows that the group responsible for that review visited the site on only one day, and their results were minimal - they went there on the day there was a storm. There is no mention of revisiting the site. That doesn't sound like a thorough biological review.

I wish the city of Fort Bragg would think in a more long-term manner, how will these Dollar Stores and Grocery Outlets benefit our city? In my opinion, they will be a blight. They will not make us more attractive to tourists or to people who might want to move here. They could drive out current small businesses, making our community more poverty-stricken.

Please reconsider and don't allow this type of business to come here.

Thank you,

Julie Rogers
Fort Bragg, CA

From: [Jacob Patterson](#)
To: [O'Neal, Chantell](#)
Subject: Written Comments on the Draft IS/MND for the S. Franklin Street Grocery Outlet
Date: Friday, February 12, 2021 12:13:52 AM
Attachments: [20210212 Comments re IS-MND for Grocery Outlet.pdf](#)

Chantell,

I have completed my review of the draft IS/MND for the Grocery Outlet project with a few days to go before the end of the public review and comment period. In lieu of a memo concerning the adequacy of the CEQA review, I have attached a copy of the actual draft IS/MND (minus the figures and attached reports at the end) with my written comments and objections presented in the form of notes and highlights. I have also attached an Exhibit A at the end, which contains my analysis of the project's lack of consistency with applicable Coastal General Plan policies. (Exhibit A is referenced within the preceding notes and highlights but my analysis would not fit on the margins and blank spaces within the draft IS/MND.) Exhibit A provides a useful summary of various points raised throughout my notes and highlights so you may be most interested in reviewing the final ten pages of the attached comments. The other major area concerns analysis of the project's inconsistency with the Citywide Design Guidelines.

I am familiar with how some CEQA consultants choose to respond to written comments, which is to try to dismiss comments without providing a substantive response by claiming that many of the comments merely disagree with the analysis in the draft CEQA document or lodge objections without providing additional supporting evidence for the positions taken in the comments. I caution the City not to attempt that here because, although I am not submitting relevant supporting documentation with these written comments (e.g., I reference the City's water model but did not attach the actual water model to my comments), I will submit all such supporting documentation for the record before or during the public hearing(s) when the City will consider certifying the draft CEQA document. Such supporting documents are referenced in my comments and most are actually the City's own documents (e.g., prior staff reports, resolutions, and the like), which should already be available to you and the City's CEQA consultants at LACO Associates to verify my positions and objections.

Please confirm your timely receipt of my written comments. I am available to answer any questions or requests for clarification you LACO Associates might have during the review of my written comments..

Regards,

--Jacob

Submitted February 12, 2021

INITIAL STUDY and ENVIRONMENTAL CHECKLIST

FOR

BEST DEVELOPMENT GROCERY OUTLET

December 2020

Lead Agency:
City of Fort Bragg



Prepared by:
LACO Associates
776 S. State St., Suite 103
Ukiah, CA 95482
(707) 462-0222

LACO Project No. 8135.14

State Clearinghouse Number: TBD

All notes and highlights contained in these written comments are intended as comments and questions regarding the content of the notes or the accuracy and completeness of the highlighted text in the draft IS/MND. Even when not explicitly stated on each individual note or highlight, it should be inferred or incorporated by reference that the draft IS/MND is being objected to as written and these comments request corresponding edits and revision of the draft IS/MND. Alternatively, the City may prepare a full EIR to address the deficiencies identified in these notes and comments as well as those identified in other public comments received during the public review period for this project.

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Figure 2: City of Fort Bragg Land Use Designation

Figure 3: City of Fort Bragg Zoning Designation

Figure 4: Site Plans

Appendix A: Cultural Resources Correspondence

Appendix B: Biological Review

Appendix C: Traffic Impact Analysis

Appendix D: Mitigation Monitoring and Reporting Program (MMRP)

Appendix E: Signage Package

Appendix F: California Emissions Estimator Model (CalEEMod) Report for Grocery Outlet

I. PROJECT SUMMARY

Date: December 2020

Project Title: Best Development
Grocery Outlet

Lead Agency: City of Fort Bragg

Contact/Prepared By: Byron Turner, Project Manager, Consulting Planner for the City of Fort Bragg
LACO Associates
776 S. State St., Suite 103
Ukiah, CA 95482
(707) 462-0222
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Location: The proposed project is located at 825, 845, and 851 S. Franklin Street within the City of Fort Bragg city limits in Mendocino County, within the Coastal Zone, and is identified by Assessor's Parcel Numbers (APNs) 018-120-47, 018-120-48 and 018-120-49 (Site). The Site comprises a total of 1.63 acres and is accessed via South Street (see Figure 1).

Coastal Zone: Yes

Affected Parcel(s): Assessor's Parcel Number(s) 018-120-47, 018-120-48 and 018-120-49

Current City of Fort Bragg Land Use and Zoning Designation: Highway Visitor Commercial (CH) – see Figure 2.

Anticipated Permits and Approvals:

- 1) Adoption of a Mitigated Negative Declaration (MND) by the City of Fort Bragg
- 2) Approval of a Zoning Clearance (ZC) by the City of Fort Bragg
- 3) Approval of a Coastal Development Permit (CDP) by the City of Fort Bragg
- 4) Approval of Design Review by the City of Fort Bragg
- 5) Approval of a Parcel Merger by the City of Fort Bragg
- 6) Approval of a Sign Permit by the City of Fort Bragg
- 7) Approval of an Encroachment Permit by the City of Bragg
- 8) Approval of a Grading Permit by the City of Fort Bragg
- 9) Approval of a Building Permit by the City of Fort Bragg

Tribal Cultural Resources: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

On June 20, 2019, Genesis Society (Cultural Resource Consultant) contacted the Native American Heritage Commission (NAHC) to request information concerning archaeological sites or traditional use areas for the project area. The NAHC response letter, dated June 28, 2019, indicated that a Sacred Lands File (SLF) search was completed and returned a negative result. The NAHC provided a list of 13 Native American contacts

who may have knowledge of cultural resources in the project area and suggested that Genesis Society contact all of those indicated. The NAHC Native American Contacts List dated June 27, 2019, including the EPA Director and Chairperson of the Cahto Tribe; the Chairpersons of the Coyote Valley Band of Pomo Indians, Guidiville Band of Pomo Indians, Hopland Band of Pomo Indians, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, Manchester Band of Pomo Indians, Noyo River Indian Community, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley or Little River Band of Pomo Indians, and Sherwood Valley Band of Pomo Indians; and the President of the Round Valley Reservation/ Covelo Indian Community.

On July 22, 2019, Genesis Society sent letters to all representatives on the NAHC contact list, and those contacted were requested to supply any information they might have concerning prehistoric sites or traditional use areas within, adjacent, or near the project area. A follow-up email and telephone call were placed with Tina Sutherland of the Sherwood Valley Band of Pomo Indians on Saturday, August 10, 2019, prior to the pedestrian survey. No responses were received from the contacted parties. As no prehistoric cultural material was identified during the records search or pedestrian survey, no additional consultation was undertaken by Genesis Society or the City of Fort Bragg (City), and the City, as Lead Agency, has deemed the Tribal consultation process complete. Copies of the NAHC response and Native American Contacts List and an example of the letters sent to Tribal representatives are included in Appendix A.

CEQA Requirement:

The proposed project is subject to the requirements of the California Environmental Quality Act (CEQA). The Lead Agency is the City of Fort Bragg. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. This IS is intended to satisfy the requirements of the CEQA (Public Resources Code, Div. 13, Sec. 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387).

CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts (CEQA Section 20180(c) (2) and State CEQA Guidelines Section 15070(b) (2)).

Section 15063(d) of the State CEQA Guidelines states that an IS shall contain the following information in brief form:

- 1) A description of the project including the project location
- 2) Identification of the environmental setting
- 3) Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to provide evidence to support the entries
- 4) Discussion of means to mitigate significant effects identified, if any
- 5) Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls
- 6) The name of the person or persons who prepared and/or participated in the Initial Study

II. PROJECT DESCRIPTION

BRR Architecture (Applicant) is proposing to construct a Grocery Outlet (retail store) on a 1.63-acre Site located at 825, 845, and 851 S. Franklin Street, Fort Bragg, and identified by Assessor's Parcel Numbers (APNs) 018-120-47, 018-120-48, and 018-120-49 (Site). Grocery Outlet is a value grocer, meaning they sell brand name products at bargain prices due to their opportunity buying style. The Site is owned by Dominic and Juliette Affinito and is located in the Coastal Zone within the City of Fort Bragg city limits. The Site has a City of Fort Bragg land use designation of Highway Visitor Commercial (CH) (2008) and a zoning designation of Highway Visitor Commercial (CH) per the City of Fort Bragg Zoning Map (2016). No changes to the Site's current land use or zoning designations are proposed under the project.

The project includes the demolition of an existing 16,436 square-foot vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 square-foot, one-story, retail store with a 53-space parking lot and associated improvements and infrastructure. The project would be operated by 15 to 25 full-time staff and two (2) managers and would be open from 9:00 AM to 10:00 PM, 7 days per week with two (2) different shifts covering operating hours. Per correspondence with the property owners, the Site has not been leased since 2010 but has been used as storage since then. The retail store would be a maximum of 32.25 feet tall at the top of the proposed canopy and a maximum of 23 feet tall at the top of the proposed parapet. The project would include 51,650 square feet (1.18 acres) of hardscape areas that would be covered with the proposed store, parking lot, accessways or sidewalks, and driveways. Associated improvements and infrastructure on-site would include a loading dock and trash enclosure on the west side of the store, a parking area with 53-parking spaces on the south side of the store, an internal system of walkways and crosswalks, two (2) bicycle racks, two (2) driveways, a new fire connection, replacement of an existing sewer connection, connection to underground utilities, landscaping for stormwater capture and treatment, illuminated signage, and landscaping throughout the Site. **The existing planted ornamental trees along the South Street frontage would be removed and replaced with landscaping as shown in Figure 4.** Landscaping includes trees and vegetation along the property boundaries within the proposed parking lot. Trees would be planted primarily along the north, south, and east boundaries, with a few along the west boundary, as well as one tree within each of the parking lot landscaping islands. Approximately 19,265 square feet (0.44 acres) of the Site would be landscaped and permeable to stormwater as the project would be designed to capture stormwater and pre-treat it on-site to remove dirt, oil, and heavy metals using bioretention basins located along the northwest and southwest boundaries.

The existing pine and cypress trees have been observed providing wildlife habitat and their removal should not be included as part of the project definition.

The project would include the **installation of a six-foot-tall illuminated monument sign on the southeast corner of the Site.** The monument sign would have 15 square feet of branding on each side, in addition to the unbranded base. **Additionally, an 83.3 square foot illuminated channel sign would be located on the sign parapet along the front elevation.** All exterior lighting would be limited to a maximum height of 18 feet and utilize energy-efficient fixtures and lamps. No permanently installed lighting would blink, flash, or be of unusually high intensity or brightness. Exterior lighting would be shielded or recessed and directed downward and away from adjoining properties and public right-of-way to reduce light bleed so that no on-site light fixture directly illuminates an area off-site, in compliance with regulations set by the International Dark-Sky Association. The project will also include a merger of three (3) existing parcels (lots) to create one 71,002 square foot (1.63 acres) parcel (see Table 1, below) to accommodate the footprint of the proposed retail store within the resulting parcel.

Interior illuminated monument and channel signs are not favored by the City's design guidelines and increase the formulaic nature of the designs

Table 1. Parcel Merger

Existing Parcels	Proposed Parcel
APN 018-120-47, ±17,119 SF (±0.393 acres)	APN to be determined ±71,002 SF (±1.6299816 acres)
APN 018-120-48, ±14,723 SF (±0.338 acres)	
APN 018-120-49, ±38,986 SF (±0.895 acres)	

Site Access

The Site is bordered to the north by South Street, to the south by N. Harbor Drive, and to the east by S. Franklin Street – all local roads managed by the City of Fort Bragg Public Works. The Site is located a short distance from State Highway 1, a four-lane conventional highway managed by the California Department of Transportation (Caltrans), to the west. Currently, the Site is accessed on the north end via a paved entrance to South Street. There is an existing dirt driveway that runs across the southern parcel from S. Franklin Street to N. Harbor Drive. The proposed project includes the construction of a new, 30-foot wide entrance on N. Harbor Drive and a 35-foot entrance on S. Franklin Street. The existing driveway on the north end of the Site would be removed as part of the project. The project will additionally include an internal system of walkways and crosswalks to provide pedestrian connectivity between the parking lot, building, and sidewalk. The pedestrian improvements would be Americans with Disabilities Act (ADA)-compliant. A sidewalk would be constructed along the South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards and to provide pedestrian access around the Site. Where required, existing sidewalks would be upgraded to meet City standards.

A total of 53 standard parking spaces, including three (3) ADA-accessible spaces would be provided on-site to serve the retail store, in addition to two (2) bicycle racks.

Is there no required EV charging unit for at least one parking space?

Utilities and Services

The Site currently and would continue to be served by electrical, propane, city water and wastewater, solid waste, and telecommunication services. The Site is located within the service boundaries of the City of Fort Bragg water and wastewater collection. There are currently on-site utility connections; however, the recorded use of the building was for office space and the proposed use is retail grocery – water and sewer capacity fees would be associated with the proposed increase in use. The existing water connection on South Street includes a 6-inch fire service line and is proposed to be the main water service to the building, with a new 6-inch fire connection to be constructed to the east of the existing connection. A total of three (3) fire hydrants with valve lines are proposed for fire suppression on the Site. There is an existing 4-inch sewer lateral extending from the existing manhole on South Street and proposed to be removed and replaced with the construction of a new 6-inch sewer lateral per City standards. On-site drainage will be managed utilizing post-construction Low Impact Development (LID) site design measures including bioretention facilities sized to capture and treat runoff from the proposed impervious surfaces produced by the 24 hour 85th percentile rain event, and landscaped areas throughout the Site to encourage natural stormwater infiltration. Post-construction LIDs will connect to proposed curbs and gutters along the perimeter of the Site. Additionally, electricity would be provided by Pacific Gas and Electric Company (PG&E). Gas service, if needed, would be provided via a propane tank located on the northern portion of the Site.

Waste Management (WM) would provide solid waste collection services through the WM facility, located in the City of Fort Bragg, which would be collected from a trash bin enclosure to be installed in the western portion of the Site. Xfinity (Comcast) provides cable TV and internet services, with various telecommunication companies providing land-line telephone service to the surrounding area. All utility lines within the project Site would be underground.

Drainage

As the Site is currently developed with flat topography, stormwater typically infiltrates in the undeveloped portion of the Site or flows to the northwest and southwest towards the neighboring property, in the developed portion of the Site.

Drainage improvements on-site would include post-construction Best Management Practices (BMPs), including bioretention facilities sized to capture and treat runoff from the proposed impervious surfaces produced by the 24 hour 85th percentile rain event, and landscaped areas throughout the Site to encourage natural stormwater infiltration. Off-site improvements, such as sidewalk curbs and gutters would be required to convey flows from the post-construction BMPs at the project Site to the existing Caltrans stormwater drainage system located west of the Site on State Highway 1, which does not currently exist in the vicinity of the Site. Drainage across the Site appears to flow to the northwest and southwest towards the neighboring property. The nearest bodies of water are the Noyo River, which is located approximately 600 feet south of the Site, and the Pacific Ocean, which is located approximately 1,200 feet west of the Site. Regional drainage is controlled by the Noyo River.

City of Fort Bragg Coastal Land Use and Development Code Consistency Analysis

The Coastal Land Use and Development Code (CLUDC) Article 2, Section 17.22.020 E indicates that the Highway and Visitor Commercial (CH) zoning district's allowable land uses include lodging, restaurants, and retail stores. The City of Fort Bragg CLUDC (2018) defines "Groceries, specialty foods" as "a retail business where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the store. Includes retail bakeries, where any on-site baking is only for on-site sales" and defines "General retail – 5,000 sf or larger" as "stores and shops selling many lines of merchandise." These are both permitted land uses in the CH district and have no "special use regulations"; therefore, the proposed retail store would be a permitted use on-site, subject to the approval of a Zoning Clearance and Coastal Development Permit.

Per the CLUDC Article 2, Chapter 17.22 – Commercial Zoning Districts, the proposed project is consistent with the purpose of this chapter by meeting the following applicable requirements:

- Minimum parcel size;
- Minimum parcel width and maximum parcel depth;
- Front, interior, and street-side setbacks;
- Floor area ratio;
- Maximum floor area allowed for individual commercial buildings between the Noyo River and Pudding Creek bridges;
- Lot coverage; and
- Maximum height.

Per the CLUDC Article 3, Chapter 17.30 – Standards for all Development and Land Uses, the proposed project is consistent with the purpose of this chapter by meeting the following applicable requirements:

- Height of fencing, landscaping at street corners, and outdoor light fixtures;
- Outdoor lighting;
- Performance standards for dust;
- Public improvements (i.e. frontage);
- Solid waste/recyclable materials storage and enclosures; and
- Underground utility connections.

Under Chapter 17.34 – Landscaping Standards, the proposed project is consistent with the purpose of this chapter by meeting the following applicable requirements:

- Submittal of preliminary landscape plan;
- Landscape setbacks and establishment in unused areas;
- Landscape buffers provided in parking areas, as well as adjacent to site or rear property lines, and structures;
- Amount and location of interior parking lot landscaping;
- Landscaping minimum dimensions;
- Size at time of planting and proposed groundcover and shrubs;
- Irrigation system for water efficiency and scheduling; and
- **Proposed maintenance of landscaped areas.** How is this accomplished? There is no mitigation measure or special permit condition that requires the landscaping to be maintained.

Under Chapter 17.36 – Parking and Loading, the proposed project is consistent with the purpose of this chapter by meeting the following applicable requirements:

- Parking spaces by land use;
- RV space within the Site (a Minor Use Permit will be applied for to waive this requirement);
- Bicycle parking spaces, and design and devices;
- Motorcycle parking spaces and dimensions;
- Location and access to nonresidential parking;
- Minimum parking space configuration and surfacing of all parking spaces and maneuvering areas;
- Number of driveways and site access for nonresidential development;
- Proposed driveways distances from street corners;
- Driveway spacing and dimensions for nonresidential development;
- Providing off-street loading spaces; and
- Loading space dimensions, location, and screening. What about parking spaces with EV charging stations?

Under Chapter 17.38 – Signs, the proposed project is consistent with the purpose of this chapter by meeting the following applicable requirement:

- The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the Site from a sufficient distance to safely and conveniently access the Site;
- The placement of the sign on the Site is appropriate for the height and area of a freestanding and wall sign;
- The proposed signs relate to the architectural design of the structure;
- The proposed signs do not unreasonably block the sightlines of existing signs on adjacent properties;
- The placement and size of the sign will not impair pedestrian or vehicular safety;
- The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the Site, prominent natural features on the Site, and structures and prominent natural features on adjacent properties on the same street; and
- The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

Per the CLUDC Article 5, Chapter 17.50 – Land and Marine Resource Protection, the proposed project is consistent with the purpose of this chapter by providing evidence that the following sensitive coastal resources are not applicable:

- Archaeological resource preservation;

ESHA and other biological resources were not identified in the study that only involved a single visit to the site; however, migratory and other local birds have been observed and documented on the site using the existing trees and grassy area at the north west corner of the property for habitat and foraging grounds. Impacts to these resources should be evaluated and mitigated through avoidance (e.g., retention of the existing trees and landscaped area and maintaining the location of the building further to the south on the merged parcel).

- Environmentally sensitive habitat areas; and
- Visual Resources, as the proposed project is not located in an area that triggers requirements of Section 17.50.070. The project is subject to visual analysis because of existing bluewater ocean views through the site regardless of its identification on the heightened review area maps. These views are destroyed.

City of Fort Bragg Commercial District Design Guidelines Consistency Analysis

The City of Fort Bragg Design Guidelines, Chapter 2 Commercial District Design Guidelines provides a framework for commercial land use classifications within the City. As previously mentioned, the proposed project has a land use designation of Highway Visitor Commercial (CH), which is used primarily located primarily along Highway 1 and arterials at the entry points to the community. Uses include lodging, restaurants, and retail outlets serving both residents and visitors. Provided below is a consistency analysis of design guidelines that apply to the proposed project.

Per the City of Fort Bragg Design Guidelines, Chapter 2 Commercial District Design Guidelines, Section 2.2 Central Business District Design Guidelines, the proposed project is consistent with the purpose of this chapter by meeting the following applicable guidelines. Section 2.2 of the Design Guidelines does not clearly apply to this project because it is not "new and infill development surrounding the Central Business District in areas designated as CH -- Highway Commercial."

Guideline No. 2.23 Site Planning

- Open Space, Courtyards, and Plazas: The proposed project contains an outdoor seating area, and the building entrance is designed as a "corner cut-off".
- Parking and Circulation: The project includes the construction of a new complete sidewalk system along the perimeter of the Site, entrances to the lot are designed with patterned concrete to differentiate from the sidewalk, landscape buffers are proposed along the entire parking area, between it, and the public street and a landscaped area would be situated in front of the proposed building. The location of the parking areas is not consistent with the guideline to "locate parking lots to the rear of buildings, along alleys, or on side streets to avoid conflicts on major streets."

Guideline No. 2.24 Architecture

- Architectural Form and Composition: The proposed building includes differentiated treatments along the base, mid-section, and top along the three (3) facades facing public streets, windows would remain clear glass for lighting a view out, and the roofline on the corner cut-off entrance is also unique to the other rooflines for additional visual interest. These features should not be limited to street-facing facades.
- Special architectural features will be incorporated (i.e. columns, parapets, variable rooflines, windows, and architectural bands on the street-facing facades).
- All building elevations are visible from streets, and each employs architectural design and features compatible with the front façade.
- There will be minimal use of blank, windowless walls.
- Windows are proposed on each of the three (3) street-facing facades, and meet requirements for elevations, materials used, and decorative framing around windows – security grills are not proposed. The 4th (western) facade should incorporate windows or appropriate wall articulation (see DG p. 2-10).
- The building will be composed of elements and details representative of Fort Bragg's architectural heritage, as the Applicant's chosen design elements were influenced by Fort Bragg's downtown architecture. The window and door treatments give homage to the smaller shops along the main downtown street's detailing as well as the Hardie Board (wood composite) wood paneling, masonry, and providing a variety of the materials on the elevations to add visual interest. This is only for building in or adjacent to the CBD not this site.
- Rooflines of the building would align with buildings on adjacent properties to avoid clashes in building height. The buildings surrounding the proposed Grocery Outlet are mostly two-story buildings with heights similar to the proposed new Site. By maintaining the roof height of the adjacent motel and shifting the proposed building all the way to the north of the site, the building massing when viewed from S. Franklin is a monolithic wall of building. The guideline suggesting similar building height is unique to the character of the CBD storefronts.

DG 2.35 "Avoid placing primary vehicle access in close proximity to major building entries in order to minimize pedestrian and vehicular conflicts" is not consistent with the pedestrian entrance adjacent to the parking lot access.

Note: The applicable section is 2.34 not 2.24, which includes the following guidelines that are not satisfied by this proposal "Design features should be consistent on all elevations of a structure. Side and rear elevations should not be minimized because they are not in public view" and "All sides of a principal building that directly face a public street that abuts the site should have at least one public entrance."

- The overall pattern of the wide bays at the wall projections and alternating recessed planes are based on a module derived from Fort Bragg's prevailing module of ground-level building features.
- Storefronts: The proposed project's windows along the building entrance's façade encompass approximately 66 percent of the storefront surface area
 - The proposed street-facing facades consist of a base, mid-section, and roofline.
 - The entryway is located at a corner cut-off, and the entry doors are recessed under an overhang/architectural feature that would provide weather protection and a transition zone from the parking lot and sidewalk. Decorative light fixtures are proposed on the columns framing the entry as well.
 - An architectural band is proposed between the base of the building and the top of the building to differentiate the storefront from the top half of the building and to add visual interest.
 - The storefront includes mounted light fixtures, corbels along with the architectural band below the overhang and decorative columns.
- Awnings: The entryway to the building is covered to protect pedestrians and incorporates multiple colors and materials to add interest.
- Rear entrances: The building has frontage along South Street but does not have pedestrian access, due to safety concerns. However, the entrance located on the corner cut-off helps address the lack of an entrance on Franklin Street, as the entrance provides visual interest for two elevations since it is located on the corner.
 - The project landscape plan provides tree plantings and other landscaping at the rear of the building, despite the lack of a rear entrance.
- Building Materials: They are highlighted on the elevation drawings, and the building materials are consistent with these guidelines. How? The materials do not appear consistent with those listed in the DG.
- Building Color: The proposed project includes the use of wood composite, where the natural colors reflect the possible inherent colors of these materials.
 - The façade colors relate to one another and are generally related to nearby businesses.
 - The facades generally reflect this guideline, with a primary color (walls), secondary color (base), and trim color.
 - Architectural pillars and decorative bands utilize secondary and trim colors.
 - Trim colors, such as the architectural bands, pillar bases, and trim elements, are darker than the primary wall colors.
- Historically, certain color palettes were associated with particular architectural styles. Although the proposed project is not located in downtown, historic color schemes are being utilized.

Yes, but the windows are proposed to be covered by signs/murals, which conflicts with the DG.

What safety concerns? They are not identified or otherwise analyzed in the IS/MND.

As for Guideline 2.24 Architecture, Subsection Lighting, the Applicant is currently engaging with a lighting designer to design exterior lighting to highlight the interesting architectural features, where the facades or roofs will not be fully lit. The lighting designer will also design the entrances to be well-illuminated for safety and identification purposes, and entranceways, arcades, and similar enclosed areas will be well illuminated. Lighting on Site will be designed as to not produce glare or spill over onto adjacent properties as well, where the latest technical and operational energy conservation concepts will be considered in the lighting design.

What standards will be used to evaluate the deferred lighting designs for compliance ?

Per the City of Fort Bragg Design Guidelines, Chapter 2 Commercial District Design Guidelines, Section 2.5 Special Use Commercial Design Guidelines, the proposed project is consistent with the purpose of this chapter by meeting the following applicable guidelines.

Note: This purported analysis skips the most relevant section of the Citywide Design Guidelines, Section 2.3, which should be evaluated herein rather than the largely inapplicable Section 2.2. Several provisions that are in direct conflict with the proposed designs and site layout are "View corridors that offer unobstructed views of the shoreline and/or sea from public rights-of-way should be provided", "Cluster development to avoid blocking viewsheds to the maximum extent possible", and "Buildings on corner parcels should establish a strong tie to both streets and should encourage pedestrian activity at corner locations." (See DG p. 2-22.)

Illuminated elevations are inconsistent: "Full lighting of building facades and roofs is strongly discouraged."

The parking lot may be landscaped around the exterior but it does not meet the guideline "To reduce the visual impact of large paved areas, parking lots should be broken up into smaller areas separated by landscaping and drive aisles" because there is only one parking lot area without interior division landscaping or separate drive aisle."

Guideline No. 2.56 Large Scale Retail

- Site Planning: The proposed project is separated from residential development across Franklin Street by a public street and landscape buffers.
 - The parking area is surrounded by landscaping between the pedestrian sidewalks and parking lot.
 - The entrances proposed were analyzed for conflicts with traffic flow with a traffic analysis to ensure consistency.
 - The storage areas, trash enclosures, and loading facilities are located on the west side of the building and screened from streets and public areas.
- Architecture: The proposed project contains three street-facing elevations which include elevation changes with parapet walls with substantial cornice. But with few similar details on the western frontage.
 - The building's three street-facing facades include an identifiable base made of concrete masonry units (CMU).
 - The three street-facing facades include recessed areas, columns, a defined base, pitched elements above windows and an architectural band in the mid-section, and variable roofline with parapets and cornices.

Special Studies

The following special studies and reports have been prepared for the proposed project and are summarized below:

Cultural Resources Correspondence

A Grocery Outlet Development Project, Mendocino County, Cultural Resources Inventory Survey (Cultural Survey) was prepared by Genesis Society on August 15, 2019. As noted in the Cultural Survey, the survey was completed to comply with the requirements of CEQA and Section 106 of the National Historic Preservation Act and addresses cultural and historical resources. Archival research was conducted and letters were sent to the EPA Director and Chairperson of the Cahto Tribe; the Chairpersons of the Coyote Valley Band of Pomo Indians, Guidiville Band of Pomo Indians, Hopland Band of Pomo Indians, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, Manchester Band of Pomo Indians, Noyo River Indian Community, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley or Little River Band of Pomo Indians, and Sherwood Valley Band of Pomo Indians; the President of the Round Valley Reservation/Covelo Indian Community; and the Native American Heritage Commission (NAHC). In a letter response from the NAHC, a record search of the Sacred Lands File (SLF) was completed with negative results. According to the Cultural Survey, no significant historical resources, no unique archaeological resources, or historic properties were identified within the area of potential effects (APE). Since no prehistoric consultation materials were identified during either the records search or pedestrian survey, no additional consultation was undertaken. Based on the absence of any contributing components of any significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as recently proposed (Genesis Society, 2019). Due to the sensitive and confidential nature of the report, a copy of the Cultural Survey is not included as an appendix to this Initial Study.

Biological Review

A Grocery Outlet Fort Bragg, California Property Biological Review (Biological Review; see Appendix B) was prepared by Wildland Resource Managers in August 2019. As noted in the Biological Review, the study was conducted to identify and assess the biological features of the project area inclusive of its soils, vegetation, wetlands, wildlife habitats, and the presence of sensitive species to comply with Mendocino County's planning requirements pursuant to CEQA. A query of the CNDDDB for the Fort Bragg quadrangle was made to determine if any special status plant or animals could be on the property given the current habitat

Page 9 Mendocino County is not the lead agency and the study findings are based on no observed wildlife during their brief site visit, which overlooks and is in conflict with documented observations of protected bird species on and around the project site.

There is no analysis of the proposed signage under DG Chapter 4, including "Bright day-glo (fluorescent) colors should be avoided as they are distracting and do not blend well with other background colors" and "Sign colors should relate to and complement the materials or color scheme of the buildings, including accent and trim colors." (See, e.g., DG p. 4-6.) See also DG 4.26 discouraging internally illuminated signage, which is the only type proposed for this project. The proposed signs are also too "corporate" or formulaic and the window signs (aka "murals" do not meet Section 4.36, Window Signs nor does the internally illuminated monument meet Section 4.37.

conditions. A listing of 73 species was found, but with the limited grass habitat on the Site and general surrounding urban conditions, there is no suitable habitat for any of the database listed species on the three (3) lots, and **none were observed during the field visit**. No species of listed plants or animals were found within the project site area and there are no wetland features within or around the immediate area. **No wildlife activity was observed occupying the Site other than gopher mounding and crow flyover**. As there is a remote possibility that bats may be present in the abandoned building, a follow-up survey to address this question is required as a mitigation. If bats are found to utilize the Site, then consultation with CDFW will be required. If bats are not found, there will be little loss of biological or ecological resources if the Site is developed (Biological Review, 2019).

Traffic Impact Analysis

A *Traffic Impact Analysis* (see Appendix C) was prepared by KD Anderson & Anderson Associates dated October 22, 2019, for the Grocery Outlet Store project (retail store) located in Fort Bragg, California. As noted in the *Traffic Impact Analysis*, the relative impacts of developing the retail store and the adequacy of site access are dependent on the physical characteristics of the adjoining street system, as well as the amount of traffic generated by the proposed project. The project is expected to generate a total of 1,709-weekday trips and 2,842 daily trips on a Saturday. Roughly 6 percent (165 trips) of the Saturday traffic occurs in the midday peak hour and 9 percent (148 trips) of the weekday trips occur during the weekday p.m. peak hour. After discounting for pass-by trips already occurring on State Highway 1 near the Site, the project is projected to generate 105 new primary trips in the Saturday midday peak hours, and 95 new primary trips in the weekday p.m. peak hours. **Based on the location of competing stores, the most likely effect on regional travel associated with the development of the project is to slightly reduce the length of trips from areas south of the river off of State Highway 20 or State Highway 1 that are today made northbound and to offer another option for shopping trips made by residents of areas to the north. As the proposed project is relatively close to other stores, the regional effect on VMT is likely to be small, but generally will be reduced by offering a closer option for northbound traffic** (Traffic Impact Analysis, 2019).

III. PROJECT SETTING AND LOCATION

The approximately 1.63-acre Site is located on the west side of S. Franklin Street in the Coastal Zone within the City of Fort Bragg, approximately 400 feet east of State Highway 1. South Street runs along the north parcel boundary while N. Harbor Drive runs along the south parcel boundary of the Site. The Site is located immediately adjacent to commercial developments to the north, south, and west, and is located approximately 600 feet north of the Noyo River. Current businesses adjacent to the west parcel boundary include Super 8, Mountain Mike's Pizza, and Chevron. The Seabird Lodge is across South Street to the north of the Site, and the Harbor Lite Lodge is located across North Harbor Drive to the south of the Site. To the east and across S. Franklin Street are single-family residences in addition to two (2) vacant lots. The project Site is relatively flat with elevations at the Site range from approximately 117 feet and 122 feet above mean sea level (amsl) (Google Earth, 2020).

The Site consists of three (3) lots located on the west side of S. Franklin Street. The project Site contains existing development primarily within the northern half of the Site. **The northern lot is 95 percent covered by a paved parking area with shrubbery planted around the edges of the lot.** The existing 16,436 square-foot vacant former office building, locally referred to as the "Old Social Services Building" is located on the middle lot. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs. The Site is not known to contain any creeks/streams, riparian areas, or wetlands on-site (USFWS, 2020). The Site is located in Zone "X" – area of minimal flood hazard – as shown on Federal Emergency Management Agency's (FEMA) National Flood Hazard Layer FIRMette map number 06045C1016G, effective July 18, 2017.

This assertion is not supported by any analysis, including a complete lack of VMT calculations and exclusion of readily-available data concerning the locations of other grocery stores and traffic volumes coming from the north versus south of the project site.

The study omits analysis of pedestrian safety concerns and potential impacts of pedestrians accessing the project through the intersection of South and Franklin Streets, which has been identified as needing a four-way stop.

The northern lot includes the only ocean views through the site but the building is proposed where it will have the maximum impacts on reducing these views.

IV. ENVIRONMENTAL EFFECTS

An environmental checklist follows this section and addresses all potential adverse effects resulting from the proposed project. No significant adverse effects are expected from any of the proposed activities.

V. 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"** or **"Potentially Significant Unless Mitigation Incorporated"** as indicated by the checklists on the following pages.

4 additional impact areas are ignored or improperly dismissed without substantial evidence to support doing so.

X	Aesthetics		Agriculture and Forestry Resources		Air Quality
X	Biological Resources		Cultural Resources		Energy
X	Geology/Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Hydrology/Water Quality	X	Land Use/Planning		Mineral Resources
X	Noise		Population/Housing		Public Services
	Recreation	X	Transportation		Tribal Cultural Resources
X	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved and the following types of impacts: off-site and on-site; cumulative and project-level; indirect and direct; and construction and operational. The explanation of each issue identifies (a) the threshold of significance, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. The mitigation measures are provided in the Mitigation Monitoring and Reporting Program (MMRP) (see Appendix D).

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 proposed project, or clearly will not impact nor be impacted by the proposed project.

DETERMINATION: (To be completed by the Lead Agency on the basis of this initial evaluation)

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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

Byron Turner
Consulting Planner for the City of Fort Bragg

Name and Title

12/16/2020

Date

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potential impacts are ignored but mitigation may be possible once these areas are addressed.

Thresholds of Significance: The project would have a significant effect on aesthetics if it would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of public views of the site and its surroundings (if the project is in a non-urbanized area) or conflict with applicable zoning and other regulations governing scenic quality (if the project is in an urbanized area); or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. **This is not a Threshold of Significance. How can the City defend this assertion without addressing the project's inconsistency with Coastal General Plan policies intended to protect visual resources (e.g., the ocean views through the site)?**

DISCUSSION

The Site is located within the City of Fort Bragg city limits on urban and built-up land, surrounded by parcels utilized for commercial businesses, residences, and two (2) vacant lots (DOC, 2016). The Site contains existing development primarily within the northern half of the Site. The northern lot is 95 percent covered by a paved parking area with shrubbery planted around the edges. The existing 16,436 square-foot vacant former office building is located on the middle lot. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs. Currently, the Site is accessed on the north end via a paved entrance to South Street. There is an existing dirt driveway that runs across the southern parcel from S. Franklin Street to N. Harbor Drive.

Under the proposed project, an existing 16,436 square-foot vacant former office building and associated 47-space parking lot and wooden fencing along the property line would be demolished, and a Grocery Outlet (retail store) would be constructed on the Site. Conceptual plans for the proposed project indicate that the retail store would be a one-story structure, 16,157 square-feet in size. Associated improvements and infrastructure on-site would include a loading dock and trash enclosure on the west side of the store, a parking area with 53 parking spaces on the south side of the store, an internal system of walkways and crosswalks, two (2) bicycle racks, two (2) driveways, a new fire connection, replacement of an existing sewer connection, connection to underground utilities, landscaping for stormwater capture and treatment, illuminated signage, and landscaping throughout the Site. The existing planted ornamental trees along the South Street frontage would be removed and replaced with landscaping selected for the local climate. Landscaping includes trees and vegetation along the property boundaries within the proposed parking lot and bioretention basins located along the northwest and southwest boundaries. Trees would be planted along the north, south, and east boundaries, with a few along the west boundary, as well as one tree within each of the parking lot landscaping islands. The project would include the installation of a six-foot-tall

The existing pine tree at the northwest corner of the property is relatively mature, already climate-appropriate, and provides habitat. It should be retained for its mature aesthetic value.

These signs do not meet the Chapter 4 of the Citywide Design Guidelines because of the type of interior illumination and jarring and bright colors that clash with the building itself.

illuminated monument sign on the southeast corner of the Site. The monument sign would have 15 square feet of branding on each side, in addition to the unbranded base (see Signage Package; Appendix E). Additionally, an 83.3 square foot illuminated channel sign would be located on the sign parapet along the front elevation. All exterior lighting would utilize energy-efficient fixtures and lamps, shielded or recessed, and directed downward in compliance with regulations set by the International Dark-Sky Association.

The Site is bordered to the north by South Street, to the east by S. Franklin Street, to the south by N. Harbor Drive, and to the west by a Super 8, Mountain Mike's Pizza, and Chevron. Nearby uses include commercial businesses to the north, west, and south, and residences and two (2) vacant lots to the east. State Highway 1 is located on the other side of the existing commercial businesses, approximately 400 feet west of the Site.

I.a) The project would not have a substantial adverse effect on a scenic vista. Per the City's Community Design Element of the Coastal General Plan Map CD-1., the proposed project is not located in an area designated as having "potential scenic views toward the ocean or the Noyo River".

The proposed retail store would occupy a similar location to the existing structure on the northern portion of the Site, where views looking to the west toward the Pacific Ocean are blocked by the existing Super 8 hotel, west of the project Site. There are limited views of the Pacific Ocean through the Site from S. Franklin Street along the north boundary as these views extend through numerous parcels, including an existing gas station and the undeveloped Mill Site to the west of State Highway 1. The 'keyhole' view is also dependent on the future development patterns of these sites. The proposed retail store would be setback 10 feet from the north boundary and vegetation is proposed along the boundary as seen in the landscape plan (see Figure 4), which excludes new tree planting within the 10-foot setback, preserving a limited view to the Pacific Ocean through the northern portion of the Site. A less than significant impact would occur. Not supported or true!

The existing views from S. Franklin are not preserved, they are blocked by the proposed building because of the layout.

I.b) Neither of the two (2) highways near the project Site, State Highway 1 and State Highway 20, state scenic highways. Per Caltrans Scenic Highway System Lists, State Highway 1 and State Highway 20 are eligible state scenic highways, although they have not been designated as scenic (Caltrans, 2019). Additionally, the proposed project would be separated from State Highway 1 by an existing hotel and gas station. Although the proposed project would likely be visible from State Highway 1, it would only be visible behind the existing commercial development. In addition, the existing vacant former office building slated to be demolished is not listed on any local, state, or federal historic list or registry as it was constructed sometime between 1996 and 1998 as indicated in the Cultural Survey, prepared by Genesis Society, dated August 15, 2019.

As previously mentioned, the southern portion of the Site is approximately one-third bare soil but is otherwise vegetated with annual grasses and forbs, with scattered shrubs. The northern portion is almost completely paved or developed with an existing structure; however, the northern property boundary has ornamental landscaping. The existing vegetation would be removed for the development of the new building, parking lot, and the Site's landscaping. The existing vegetation was likely planted as ornamental landscaping around the existing parking lot, and therefore, would not be considered scenic. The replacement of the existing vegetation with landscaping selected for the local climate, including the planting of 37 new trees, would not be anticipated to damage any existing scenic resources on Site, such as existing trees or rock outcroppings. No impact would occur.

I.c) As previously mentioned, the proposed project is not located in an area designated as having "potential scenic views toward the ocean or the Noyo River". The proposed retail store would occupy a similar location to the existing structure on the northern portion of the Site, where views looking to the west toward the Pacific Ocean are blocked by the existing hotel, west of the project Site. Views to the project Site are currently

This assertion is not accurate and conflicts with the application materials clearly showing the new building moving to the north of the existing building. The existing building preserves views but the new building blocks them.

Not accurate, the building is shifted to the north where it blocks the most ocean views but the existing layout preserves those views.

Hypothetical future development is not relevant to Policy CD-1-1-1

Policy CD-1.1 applies and states "permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas" but this was not done because the site is not on Map CD-1 but the requirement is not limited to views and resources identified on CD-1.

Planted landscaping is no less a scenic resource than native vegetation and this assertion makes no sense without further explanation. The mature trees have scenic value and are otherwise protected in the Coastal General Plan.

dominated by the existing former office building and associated parking lot, which has been vacant since 2010. The southern portion of the Site is partially bare, with vegetation consisting of grasses and forbs, with scattered shrubs. Existing views to the Site are not characterized as scenic; therefore, the proposed project is not anticipated to substantially degrade the existing visual character or quality of the public views of the Site and its surroundings, as the height of the proposed retail store would be consistent with the Site's existing development and would comply with all required development standards, including maximum building height. Although the Site is located on urban and built-up land per the California Department of Conservation, the project is not located in an "urbanized area," as defined by Public Resources Code, Chapter 21071. A less than significant impact would occur.

This assertion is nonsensical and contradicted by the application details and conflicts with applicable Coastal General Plan policies intended to protect visual resources.

I.d) The proposed project has the potential to increase light and glare and impact nighttime views as compared to existing conditions, as the Site's current development consists of a former office building that has been vacant since 2010. A six-foot illuminated monument sign on the southeast corner of the Site is proposed, in addition to an 83.3 square foot illuminated channel sign located on the sign parapet along the front elevation of the retail store. To minimize potential impacts associated with light and glare on surrounding development, the proposed project includes exterior lighting that would utilize energy-efficient fixtures and lamps, shielded or recessed, and directed downward in compliance with regulations set by the International Dark-Sky Association. A less than significant impact would occur.

The Citywide Design Guidelines discourage illumination of the building facades to reduce visual blight and light and glare but it is proposed anyway. The project will introduce lighting but the lighting plan has not been included or analyzed, which is necessary to evaluate this potentially significant impact.

MITIGATION MEASURES
No mitigation required.

FINDINGS

The proposed project would have a **Less than Significant Impact** on Aesthetics.

See Exhibit A: Coastal General Plan Consistency Analysis.

The following policies from the Coastal General Plan concerning visual resources are applicable and relevant to this project but have been omitted from the analysis in the draft IS/MND. Moreover, the project (as proposed) is not consistent with the following omitted policies and its inconsistency with these particular policies constitute Potentially Significant Impacts in this topic area and in Land Use & Planning because they were adopted by the City of Fort Bragg to protect environmental resources, including aesthetic resources like existing on-site trees and views to the ocean through the site from the public rights-of-way.

Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

Policy CD-2.1 Design Review: ... Ensure that development is constructed in a manner consistent with the Citywide Design Guidelines.

Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

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Policy CD-5.1 Parking Location: Wherever feasible, locate parking facilities to the rear of the development so that the building facade is contiguous with the street frontage, and parking areas are hidden from the street.

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by 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"/>

Thresholds of Significance: The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter "farmland"), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; 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)); Result in the loss of forest land or conversion of forest land to non-forest use; or 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. **None of the above constitute a threshold of significance; they basically say something is significant if has a significant effect but do not provide a tool to determine when "significance" is reached.**

DISCUSSION

The Site is located within the Coastal Zone in the City of Fort Bragg city limits. The approximately 1.63-acre Site contains existing development primarily within the northern half of the Site. The northern lot is 95 percent covered by a paved parking area with shrubbery planted around the edges. The existing 16,436 square-foot vacant former office building is located on the middle lot. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs.

The Site is designated as "Urban and Built-Up Land" under the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (DOC, 2016), Division of Land Resource Protection, and is not under a Williamson Act Agricultural Preserve contract (Mendocino County Maps - Timber Production & Williamson Act Lands, 2014).

II.a-b) The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, conflict with existing zoning for agricultural use, or a Williamson Act contract. As noted above, the Site is designated as "Urban and Built-Up Land" under the FMMP of the DOC and is located within the City of Fort Bragg in an urban built-up environment. No impact would occur.

II.c-d) The Site is neither designated nor zoned as forest land or timberland and there is no forest land in the vicinity of the Site. No impact would occur.

II.e) There are no components of the project that would 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. As described above, the Site is located within the City of Fort Bragg city limits in an urban built-up environment. No impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

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

III. AIR QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of 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 checked="" type="checkbox"/>	<input 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"/>

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; 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; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

Air pollution control in the State of California is based on federal, state, and local laws and regulations. According to the 2005 Mendocino County Air Quality Management District (MCAQMD) Particulate Matter Attainment Plan (PM Attainment Plan) (pg. 5), the United States Environmental Protection Agency (EPA), California Air Resources Board (CARB), and regional clean air agencies all regulate air quality. The EPA and the CARB have set thresholds for each of the criteria pollutants, which include: ozone (O₃), carbon monoxide (CO), oxides of nitrogen (NO_x), lead (Lb), sulfur dioxide (SO₂), particulate matter less than 10 microns in size (PM₁₀), and particulate matter less than 2.5 microns in size (PM_{2.5}). The standards set by the CARB are generally more stringent than those set by the EPA and the CARB has set additional standards for visibility-reducing particles (of any size), sulfates, and hydrogen sulfide (H₂S). These standards are based on observable short-term (acute) health effects (MCAQMD, 2005).

The Site is located within the North Coast Air Basin (NCAB) and is subject to the requirements of the MCAQMD. The MCAQMD is responsible for monitoring and enforcing the state and federal Clean Air Acts as well as local air quality protection regulations in the County of Mendocino. The entire NCAB is currently designated as “non-attainment,” or more than allowable limits, for the state 24-hour allowable limits for breathable particulate matter of 10 microns or less (PM₁₀), and as “attainment,” or within allowable limits, concerning the balance of the criteria pollutants. The MCAQMD has been determined to be in “attainment”, or within allowable limits, for all federal and state ambient air quality standards, except for the state annual average PM₁₀ standard and the 24-hour PM₁₀ standard.

The California Clean Air Act does not require attainment plans or transportation conformity for Districts that exceed the PM₁₀ standard but only requires that the Districts make reasonable efforts toward coming into attainment, defined as a five percent reduction in emissions per year until the standard is attained. Although not required for coming into attainment for the state standard, the MCAQMD adopted the PM Attainment Plan in 2005. The PM Attainment Plan includes a description of local air quality, the sources of local particulate matter (PM) emissions, and recommended control measures to reduce future PM₁₀ levels. While PM₁₀ levels have dropped over the last 20 years, due to changing industrial base, enhanced regulations, and increased enforcement by the MCAQMD, the MCAQMD still exceeds the State PM₁₀ level several times a year. The

majority of these exceedances result from wildfires, residential wood burning, unpaved roads, and construction activities (MCAQMD, 2005). To minimize air quality impacts due to dust resulting from activities such as construction and grading, the City of Fort Bragg (City) Section 17.30.080(D) of the Coastal Land Use and Development Code (CLUDC) outline's the City's dust management plan and Section 17.62.020(B) of the CLUDC requires that a Dust Prevention and Control Plan be submitted in conjunction with a grading plan or other plan involving the movement of dirt.

The project includes the demolition of an existing 16,436 square-foot vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 square-foot, one-story, Grocery Outlet (retail store) with a 53-space parking lot and associated improvements and infrastructure. The project and its emission sources are subject to the rules and regulations contained in the most recent version of the *Rules and Regulations* of the MCAQMD. The MCAQMD has also identified significance thresholds for use in evaluating project impacts under CEQA, provided in Table 2, below. [Please note: the MCAQMD does not specify thresholds for SO₂. As a result, the Best Available Control Technology (BACT) emission rates for stationary sources, utilized by the North Coast Unified Air Quality Management District (NCUAQMD) specific to SO₂ are used for this analysis.]

Table 2. MCAQMD Significance Thresholds

Criteria Pollutant and Precursors	Construction Related		Operational Related	
	Average Daily Emissions (lb/day)	Maximum Annual Emissions (tons/year) ¹	Indirect Source Average Daily Emissions (lb/day)	Project/Stationary Source Maximum Annual Emissions (tons/year)
ROG	54	10	180	40
NOx	54	10	42	40
PM ₁₀	82	15	82	15
PM _{2.5}	54	10	54	10
Fugitive Dust (PM ₁₀ /PM _{2.5})	Best Management Practices	--	same as above	
Local CO	--	--	125 tons/year	
SO ₂ *	--	--	80	40

¹ = Specific maximum allowable annual emissions related to construction were not provided by MCAQMD and were calculated based on the maximum average daily emissions thresholds.

* = MCAQMD does not specify thresholds for SO₂. As such, the NCUAQMD threshold for SO₂ is used for this analysis.

Source: MCAQMD, 2010; NCUAQMD, 2015.

During the project demolition and construction phases, the contractor would be expected to use heavy construction machinery and temporary air pollutant emissions would be associated with demolition, grading, excavation, and construction on the Site; however, the project would be required to comply with existing policies of the MCAQMD regarding the control of fugitive dust during these activities, which include maintaining all construction equipment in good working condition, and limiting truck idling on-site to a maximum of five minutes, pursuant to State law. Additionally, construction would be required to comply with the City's dust management plan and the site-specific Dust Prevention and Control Plan required for construction of the project, pursuant to the City CLUDC.

Although the Site currently contains an existing former office building, it is currently vacant. Therefore, exiting on-site emissions sources are anticipated to be minimal, if any. Once construction is complete, emissions from the operation of the project would be comprised of direct and indirect emissions, including but not limited to exhaust and fugitive dust from the operation of personal vehicles associated with employees and shoppers traveling to and from the Site, and delivery trucks, in addition to the operation of the new facility,

including heating and cooling and equipment operation. Continued compliance with MCAQMD emissions standards would be required once the new building has been constructed.

III.a-b) The project would not conflict with or obstruct implementation of any air quality plan, or result in any cumulatively considerable net increase of PM₁₀. MCAQMD has advised that generally, an activity that individually complies with the state and local standards for air quality emissions will not result in a cumulatively considerable net increase in the countywide PM₁₀ emissions.

A *Traffic Impact Analysis* was prepared by KD Anderson & Associates, Inc., dated October 22, 2019, describing the proposed project as a discount grocery store located near the center of the population center of the City of Fort Bragg, which is expected to provide a majority of its customer base. Based on the location of comparable competing retail outlets located north and south of the Noyo River (i.e. Harvest Market, Safeway, and Purity Market), the most likely effect on regional travel associated with the development of the project is to slightly reduce the length of trips from areas south of the Noyo River off of State Highway 20 or State Highway 1 that are today made northbound and to offer another option for shopping trips made by residents of areas to the north. As the proposed project is relatively close to other stores, the regional effect on vehicle miles traveled (VMT) is likely to be small, but generally will be reduced by offering a closer option for northbound traffic. The Governor's Office of Planning and Research (OPR) released *Technical Advisory on Evaluating Transportation Impacts in CEQA* dated April 2018, which was used in preparing the *Traffic Impact Analysis*. This document indicates that by adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT, thus lead agencies generally may presume such development creates a less than significant transportation impact. As such, VMT will generally be reduced under the proposed project as indicated in the *Traffic Impact Analysis*, and therefore should not result in an increase in particulate matter.

What about emissions due to the demolition and grading activities, which have not been analyzed at all?

While the anticipated development at the Site would generate temporary emissions and direct and indirect emissions once construction is complete, the project would not include any source of visible emissions, including intentional fire/burning or manufacturing, and would control exhaust emissions from construction equipment by minimizing idling. In addition, the contractor would suppress fugitive dust during construction and operation, pursuant to Rule-1-430 (Fugitive Dust Emissions) of Chapter IV (Prohibitions) of Regulation 1 (Air Pollution Control Rules) of the MCAQMD's Rules and Regulations (February 2011), and would maintain all construction equipment in good working order such that exhaust and fugitive dust emissions are minimized. The project would be subject to current and future regulations adopted by MCAQMD, including the PM Attainment Plan (2005), and compliance with these regulations would ensure the project would not result in a substantial increase of PM₁₀ within the vicinity of the Site. Based on the aforementioned analysis, the proposed project would not conflict with or obstruct implementation of federal, state, or MCAQMD standards, or MCAQMD's Attainment Plan; violate any air quality standard, or result in a cumulatively considerable net increase in the PM₁₀ non-attainment levels in Mendocino County for construction emissions. VMT will generally be reduced under the proposed project as indicated in the *Traffic Impact Analysis*, and therefore should not result in an increase in particulate matter. As such, a less than significant impact would occur.

III.c-d) Sensitive receptors are generally defined as people that have an increased sensitivity to air pollution or environmental contaminants, and generally include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling unit(s). Sensitive receptors in the vicinity of the Site include:

- Motels located adjacent to the west and directly north and south of the Site;
- Existing single-family and multi-family residences located directly east and southeast of the Site;

The VMT was not actually calculated or compared to baseline conditions in the traffic study so this assertion lacks any evidentiary support, including no basis for the referenced presumption.

It is unclear how this will happen, The MND should clarify this.

- Mendocino County Superior Court located approximately 600 feet northwest of the Site;
- Moura Senior Housing located approximately 800 feet east of the Site; and
- Mendocino Coast District Hospital located approximately 950 feet northeast of the Site.

Emissions associated with construction of the proposed project would not be anticipated to exceed the annual thresholds of significance of the MCAQMD for the six listed pollutants nor would the project create substantial emissions (such as odors or dust) adversely affecting a substantial number of people. Temporary odors and dust, including exhaust from construction equipment, typical of construction sites and equipment use, may be generated during the construction phase and temporarily impact residents living near the Site. However, with suppression of fugitive dust during construction and operation, pursuant to Rule-1-430 (Fugitive Dust Emissions) of Chapter IV (Prohibitions) of Regulation 1 (Air Pollution Control Rules) of the MCAQMD's *Rules and Regulations* (February 2011) and the City's dust management plan (Section 17.30.080(D) of the CLUDC) and the site-specific Dust Prevention and Control Plan required pursuant to Section 17.62.020(B) of the CLUDC, and maintaining all equipment in good working condition, fugitive dust, and exhaust emissions would be minimized.

Emissions associated with the operation of the proposed project would not be anticipated to exceed the annual thresholds of significant of the MCAQMD for four of the six listed pollutants nor would the project create substantial emissions (such as odors or dust) for those four listed pollutants, adversely affecting a substantial number of people. VMT will generally be reduced under the proposed project as indicated in the *Traffic Impact Analysis*, and therefore should not result in an increase in particulate matter. As such, a less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Air Quality.

These conclusions are not adequately supported with substantial evidence in part due to the omission of analysis concerning air quality impacts from the demolition of the existing building (e.g., particulates resulting from the demolition itself as well as the impact of exhaust from heavy equipment and vehicles performing demolition activities on the site or driving to or from the site to dispose of the building materials from the demolished building). The IS/MND should be revised to expand the draft analysis to cover these additional sources of air pollution. Projects that involve demolition of existing structures create significantly more air quality impacts than totally new construction on vacant parcels or vacant areas on a parcel because of the above-listed additional activities. Without analysis of these potentially significant impacts, the City cannot justify the conclusions offered in the draft IS/MND.

Hérons and egrets are protected under the Migratory Bird Treaty Act and have been observed and documented on the project site (e.g., photos of a grey heron occupying and foraging on the northwest of the site) but that is not reflected in the biological resources study, which should be redone or amended accordingly.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inadequate proposed mitigation				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Incorrect
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Incorrect
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"/>

Thresholds of Significance: The project would have a significant effect on biological resources if it would 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; 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; 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; 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; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The approximately 1.63-acre Site is currently developed within the northern half of the Site and is located in the Coastal Zone within the City of Fort Bragg city limits on urban and built-up land. The northern lot is 95 percent covered by a paved parking area with shrubbery planted around the edges of the lot. The existing 16,436 square-foot vacant former office building is located on the middle lot. The southern half of the Site is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs.

Applicable Coastal General Plan Policies protect the existing mature trees and wildlife that exist and have been observed on the site but they are not adequately analyzed in this section of the draft IS/MND, including but not limited to

The Site is bordered to the north by South Street, to the east by S. Franklin Street, to the south by N. Harbor Drive, and to the west by a Super 8, Mountain Mike's Pizza, and Chevron. According to the U.S. Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI) Wetlands Mapper, there are no known creeks/streams, riparian areas, or wetlands on-site (USFWS, 2020). The existing planted ornamental trees along the South Street frontage would be removed and replaced with landscaping selected for the local climate. Proposed landscaping includes trees and vegetation along the property boundaries within the proposed parking lot and bioretention basins located along the northwest and southwest boundaries. Trees would be planted along the north, south, and east boundaries, with a few along the west boundary, as well as one tree within each of the parking lot landscaping islands. Based on the *Cultural Resources Inventory Survey*, prepared by Genesis Society, dated August 15, 2019, the existing development was constructed sometime between 1996 and 1998. Per correspondence with the previous owners, the Site has not been leased since 2010 but has been used as storage since then. Drainage across the Site appears to flow to the northwest and southwest. The nearest bodies of water are the Noyo River, which is located approximately 600 feet south of the Site, and the Pacific Ocean, which is located approximately 1,200 feet west of the Site. Regional drainage is controlled by the Noyo River. Unnecessary removal of existing mature trees is a significant impact and the project should preserve and protect these trees per the Coastal General Plan, Citywide Design Guidelines, and CLUDC.

The trees include cypress and pine trees that may be native and also provide habitat and food for native species regardless of the alleged "ornamental" status.

The Site is not known to contain any wetland or riparian areas (USFWS, 2020). However, as provided by the U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation (IPaC) System, 18 mammal, bird, reptiles, amphibians, fishes, insects, and flowering plant species, listed as threatened or endangered under the Endangered Species Act (ESA), have the potential to occur at the Site. Furthermore, the California Native Plant Society's (CNPS) *Inventory of Rare and Endangered Plants*, lists 46 rare or endangered plants with the potential to occur within the Fort Bragg quadrangle.

A *Grocery Outlet Fort Bragg, California Property Biological Review (Biological Review; see Appendix B)* was prepared by Wildland Resource Managers in August 2019. As noted in the *Biological Review*, the study was conducted to identify and assess the biological features of the project area inclusive of its soils, vegetation, wetlands, wildlife habitats, and the presence of sensitive species in order to comply with Mendocino County's planning requirements pursuant to CEQA. A query of the CNDDDB for the Fort Bragg quadrangle was made to determine if any special status plant or animals could be on the property given the current habitat conditions. A listing of 73 species was found, but with the limited grass habitat on the Site and general surrounding urban conditions, there is no suitable habitat for any of the database listed species on the three (3) lots, and none were observed during the field visit. No species of listed plants or animals were found within the project site area and there are no wetland features within or around the immediate area. No wildlife activity was observed occupying the Site other than gopher mounding and crow flyover. As there is a remote possibility that bats may be present in the abandoned building, a follow-up survey to address this question is advisable. If bats are found to utilize the Site, then consultation with CDFW is advisable. If bats are not found, there will be little loss of biological or ecological resources if the Site is developed (*Biological Review*, 2019). Because the Site is located in an urban built-up environment, surrounded by similar, urban uses, there is limited potential for any special status plant or wildlife species to be present at the Site.

On November 19, 2020, a referral response was received from Daniel Harrington, an Environmental Scientist at the California Department of Fish and Wildlife Services (CDFW) concluding that although CDFW would normally recommend plant and natural community surveys to Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities for most projects in the Coastal Zone, the scoping survey provided (*Biological Review; see Appendix B*) will be adequate for these parcels. Per CDFW, the parcels are urban with existing development, and the undeveloped portions are heavily disturbed and isolated from other habitat elements. CDFW did recommend that the bat surveys suggested

CDFW's recommendations were premised on the assumed accuracy of the biological survey, which only included a single site visit and the lack of observed sensitive or protected species on the site. The survey should be updated in light of the documented wildlife on the site subsequent to the date of the site visit for the study and recirculated to CDFW for comment based on the inaccurate assumptions contained in the original biological study.

in the scoping report be a condition of approval and that if it's discovered that the existing building serves as a bat roost, further mitigation may need to be considered.

IV.a) The project would not 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 Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) based on the location of the Site and the surrounding uses.

The approximately 1.63-acre Site is currently developed within the northern half and undeveloped within the southern half and is located in an urban built-up environment. As indicated in the *Biological Review*, there are 73 special status plant and wildlife species with the potential to occur on or within the vicinity of the Site; however, there is limited potential for any special status plant or wildlife species to be present at the Site. As noted above, the Site is located within a built-up urban environment and is comprised of an existing building, paved parking lot, and annual grasses and forbs with scattered shrubs that do not provide suitable habitat for the above-listed species. As there is a remote possibility that bats may be present in the abandoned building, Mitigation Measure BIO-1 is applied. With mitigation, a less than significant impact would occur.

This assumption is contradicted by the documented presence of protected species accessing habitat on the site.

IV.b) The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. No riparian habitat is mapped on-site or within the vicinity (NWI, 2020), and no other sensitive natural communities are located on or adjacent to the Site. No impact would occur.

IV.c) As provided by the USFWS National Wetlands Inventory (NWI) Wetlands Mapper, there are no known creeks/streams or wetlands on-site (USFWS, 2020). The nearest bodies of water are the Noyo River, which is located approximately 600 feet south of the Site, and the Pacific Ocean, which is located approximately 1,200 feet west of the Site. Regional drainage is controlled by the Noyo River. As there are no wetlands in or in close vicinity to the Site, no impact would occur.

IV.d) The project would not be anticipated to substantially interfere 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. Although according to the USFWS IPac List, generated September 14, 2020, there is potential for four (4) bird species listed as Threatened and one (1) bird species listed as Endangered under the Endangered Species Act, four (4) of which are migratory bird species protected under the Endangered Species Act, Migratory Bird Treaty Act of 1918 (MBTA), or other regulations to be present at the Site, there is little potential for these native resident bird species to be impacted during project construction and operation, as there are currently no trees on-site that may provide nesting habitat for these native birds. In addition, the Site does not contain any streams, creeks, or wetland areas, and is located within an urban built-up environment with no existing wildlife corridors. There are no existing wildlife nursery sites within or near the Site that could be impacted by the project. No impact would occur.

The cypress and pine trees near the northwest corner of the site have actually provided habitat for birds despite this assertion otherwise.

IV.e) Under the City of Fort Bragg's Coastal General Plan policies, the project has been reviewed for consistency with Element 4 (Conservation, Open Space, Energy, and Parks), which contains goals and policies related to the protection and enhancement of natural resources, reduction of greenhouse gas (GHG) emissions, protection of water quality, and enhancement of open space, and for the provision of coastal access and recreational opportunities for Fort Bragg residents and visitors. The project Site is not mapped for open space or environmentally sensitive areas as indicated on Map OS-1 Open Space and Environmentally Sensitive Habitat Areas.

There is nothing in the record to suggest that the alleged consistency analysis for Element 4 of the Coastal General Plan has occurred, including the complete omission of reference to or analysis of applicable policies within Element 4, including:

- Policy OS-5.1 Native Species: Preserve native plant and animal species and their habitat.
- Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.

The proposed project would entail the demolition of an existing vacant former office building and associated paved parking lot and wooden fencing along the property line to construct a retail store and paved parking lot within the existing developed footprint. The Site is located within an urban built-up environment and covered with annual grasses and forbs with scattered shrubs on the southern-most lot, and shrubbery and a few ornamental trees planted around the edges of the existing paved parking lot to the north and northwest of the Site. The project includes substantial landscaping compared to what currently exists that would introduce native plants for the local climate to the Site. In addition, during construction of the project, BMPs to prevent erosion and the discharge of sediment would be implemented to protect waterbodies from stormwater pollutants due to project construction. The project would not conflict with any local policies or ordinances related to the protection of biological resources. No impact would occur.

This assertion conflict with Policy OS-5.2, which relates to the protection of biological resources (trees) and requires their protection.

IV.f) The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, as there are no such plans applicable to the Site. No impact would occur.

MITIGATION MEASURES

BIO-1: A bat survey shall be conducted prior to demolishing the existing building on-site. If no bats are found no further mitigation is required. If bats are discovered, prior to demolition the bats must be removed through live exclusion or similar means that do not harm bats. If bats are discovered no removal can occur during the maternity season (typically late May through mid-August) to protect flightless baby bats.

An additional mitigation measure requiring a bird survey and avoidance of disturbing activities is necessary due to FINDINGS the documented presence of at least one grey heron accessing habitat and foraging sources on the site.

The proposed project would have a **Less Than Significant Impact With Mitigation Incorporated** on Biological Resources.

This finding can only be justified with the incorporation of additional mitigation concerning protected birds and/or preservation of the existing healthy trees near the northwest corner of the site. Such measures should also apply to prevent implementation of the proposed stormwater retention basin/bioswale at the northwest corner of the property that is proposed to be constructed within what should be the root protection zone of the existing mature and healthy cypress tree. The IS/MND should reflect that the project must be conditioned to relocate that bioswale to another suitable location to avoid impacts to the root structures of that existing healthy tree (also the location of the observed native migratory bird activity). In addition, mitigation measure(s) should be added to require protective measures that reduce or eliminate potential damage to the tree roots due to excavation or construction activities (e.g., the requirement of a root protection zone extending at least five feet out from the drip line of the existing tree canopy, prohibition of excavation within the protection zone except with air spades or hand tools, and prohibition of severing or pruning any existing significant roots, including those greater than one inch in diameter).

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

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

Various City policies exist related to the protection and preservation of cultural and historical resources, including but not limited to: Policies OS-4.1 through OS-4.5 of Chapter 4 (Conservation, Open Space, Energy, and Parks) of the Coastal General Plan of the City of Fort Bragg (2008); Policies OS-4.1 through OS-4.5 of Chapter 4 (Conservation, Open Space, Energy, and Parks) of the Coastal General Plan of the City of Fort Bragg (2008) seek to protect and preserve cultural resources by requiring new development to be located and/or designed to avoid archaeological and paleontological resources, where feasible, archaeological resources reports for development in specific areas, and standard protocol in the event archaeological resources are uncovered during construction.

A *Cultural Resources Inventory Survey (Cultural Survey)* was prepared by Genesis Society on August 15, 2019, to evaluate the project's potential to impact cultural resources in conformity with the City of Fort Bragg and Mendocino County rules and regulations, and in compliance with requirements of the California Environmental Quality Act of 1970, Public Resources Code Section 21000, et seq. (CEQA), and the California CEQA Environmental Quality Act Guidelines, California Administrative Code Section 15000 et seq. (Guidelines as amended). Due to the sensitive and confidential nature of the report, a copy of the *Cultural Survey* is not included as an appendix to this Initial Study.

According to the *Cultural Survey*, the region in which the Site is located was first inhabited more than 12,000 years ago. Prior to historic settlement, the lands surrounding the Noyo River were covered by a variety of coastal scrub and a mixed forest dominated by Bishop pine and including redwood, conifers, and hardwoods such as tanoak and madrone. The Site is located within the territory claimed by the Northern Pomo at the time of initial European-American entry into the region. The Northern Pomo consisted of multiple tribelets, which consisted of three (3) to five (5) primary villages, one (1) ethnographic village, *Kadiu*, was located immediately north of the Noyo River and is today identified immediately west of State Highway 1, west of the Site. Pomo cultural materials are documented in both ethnographic and archaeological records and artifacts include a wide variety of materials and expressions. Colonization of the region began in 1812 with the establishment of Fort Ross by Russia, approximately 80 miles south of the Site, and was followed by other European-American explorers who visited, then later settled, the Mendocino Coast beginning in the 1830s. In 1855, the federal government created the 25,000-acre Mendocino Indian Reservation adjacent to the north side of the Noyo River. In 1857, Fort Bragg was established between Pudding Creek and the Noyo River, to administer the large reservation until 1864 when the interred Native Americans were forcibly moved

to the Round Valley Indian Reservation near Covelo. Widespread settlement in Mendocino County was spurred by demand for both lumber and agricultural lands and led to the establishment of mills throughout the County and the 1891 formation of the Union Lumber Company in Fort Bragg, which closed in 1969 (Genesis Society, 2019).

A records search was conducted at the Northwest Information Center (NWIC) located on the Sonoma State University campus on July 16, 2019 (File No. 18-2464), which included a review of all records on file for lands within a 0.25-mile radius of the Site, including archaeological site and survey records, and numerous registries and inventories reviewed as part of the NWIC search, or evaluated separately. Topographic maps from 1943 through 1985 depict a school within the project area; however, aerial photographs show that no structures existed on the Site between 1943 and 1996. As such, the *Cultural Survey* deduced that the school icon visible on historic topographic maps represents an "artifact" from older topographic maps. A review of the historic registers and inventories indicated that no archaeological investigation had been previously prepared for the Site and no historic properties or cultural resources have been documented within the project area; however, eight (8) cultural resources have been documented within a 0.25-mile radius of the Site.

As noted in the *Cultural Survey*, fieldwork was conducted on August 10, 2019, by Genesis Society and entailed an intensive pedestrian survey by means of walking systematic transects, spaced at 10-meter intervals within the portions of the Site that did not contain existing impervious surface cover, including building, parking, roads, etc. In surfaced areas, structure and road margins were inspected for any native soils. The *Cultural Survey* notes that the majority of the Site has been subjected to intensive disturbance as a result of wholesale demolition, grading, and subsequent contemporary (post-1996) commercial building construction. No evidence of prehistoric or historic use or occupation was observed within the Site, most likely due to the degree of contemporary disturbance to which the Site has been subjected. Based on the findings of the records search and pedestrian survey, no significant historic resources or unique archaeological resources are present within the project area and none will be affected by the proposed project (Genesis, 2019).

On June 20, 2019, Genesis Society contacted the Native American Heritage Commission (NAHC) to request information concerning archaeological sites or traditional use areas for the project area. The NAHC response letter, dated June 28, 2019, indicated that a Sacred Lands File (SLF) search was completed and returned a negative result. The NAHC provided a list of 13 Native American contacts who may have knowledge of cultural resources in the project area and suggested that Genesis Society contact all of those indicated. The NAHC Native American Contacts List dated June 27, 2019, including the EPA Director and Chairperson of the Cahto Tribe; the Chairpersons of the Coyote Valley Band of Pomo Indians, Guidiville Band of Pomo Indians, Hopland Band of Pomo Indians, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, Manchester Band of Pomo Indians, Noyo River Indian Community, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley or Little River Band of Pomo Indians, and Sherwood Valley Band of Pomo Indians; and the President of the Round Valley Reservation/Covelo Indian Community.

On July 22, 2019, Genesis Society sent letters to all representatives on the NAHC contact list, and those contacted were requested to supply any information they might have concerning prehistoric sites or traditional use areas within, adjacent, or near the project area. A follow-up email and telephone call were placed with Tina Sutherland of the Sherwood Valley Band of Pomo Indians on Saturday, August 10, 2019, prior to the pedestrian survey. No responses were received from the contacted parties. As no prehistoric cultural material was identified during the records search or pedestrian survey, no additional consultation was undertaken by Genesis Society or the City of Fort Bragg (City), and the City, as Lead Agency, has deemed the Tribal consultation process complete. Copies of the NAHC response and Native American Contacts List and an example of the letters sent to Tribal representatives are included in Appendix A.

V.a) As discussed above, the *Cultural Survey* (Genesis Society, 2019) found that no historical resources or historic properties have been documented within the project area. While the proposed project includes the demolition of an existing building, the existing building is a contemporary (post-1996) commercial building. As a result, no impact would occur.

V.b-c) The project is not anticipated to cause a substantial adverse change in the significance of an archaeological resource or disturb any human remains. As noted above, based on the records search conducted at the NWIC, the consultation undertaken with the NAHC, and the Tribal consultation effort completed by Genesis Society (2019), no unique archaeological resources or prehistoric cultural material was identified in the project area. The *Cultural Survey* recommends archaeological clearance for the proposed project, with the inclusion of general provisions that recommend consultation and protocol in the event of inadvertent discovery. A standard condition of approval to that effect has been applied to the project. The proposed project is found consistent with policies of the City of Fort Bragg for protection of cultural resources, including human remains. A less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Cultural Resources.

VI. ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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?	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on energy if it would 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.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

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, which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. According to the Final Commission Report of the California Energy Commission (CEC), dated October 2017, SB 350 requires the CEC 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 therms (MM) in 2015 up to 1,174 MM in 2029 (CEC, 2017).

Under the proposed project, BRR Architecture (Applicant) is proposing to construct a 16,157 square-foot Grocery Outlet (retail store) and associated improvements including a 53-space parking lot, landscaping, and infrastructure. Construction of the proposed project would be subject to the 2016 California Energy Code, Part 6 of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California (CEC, 2020).

How? This assertion is not supported or explained herein.

XIX.a-b) The proposed project would not be anticipated to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources, nor would the proposed project conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The consumption of energy would occur during construction through the use of fossil fuels and electricity in construction equipment and vehicles. Construction would occur during normal business hours, typically 8:00 AM to 6:00 PM, Monday through Friday, and would be temporary in nature. The contractor would keep all construction equipment in good working order and would limit idling of vehicles and equipment during construction, in accordance with California Code of Regulations, Title 13, Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (adopted 2005), which limits idling from both on-road and off-road diesel-powered equipment and is enforced by the California Air Resources Board (ARB). Therefore, it is anticipated that the construction phase of the project would not result in wasteful, inefficient, and unnecessary consumption of energy.

Operation of the project would be subject to the 2016 California Energy Code, Part 6 of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California to ensure new and existing buildings achieve energy

The IS/MND omits any analysis of the energy "wasted" due to the demolition of the existing building, including the energy necessary to produce and deliver the materials necessary for a new building that wouldn't have been necessary if the building was reused rather than demolished.

How? There is no requirement to limit idling nor a monitoring or enforcement mechanism.

efficiency and preserve outdoor and indoor environmental quality. Therefore, a less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Energy.

The IS/MND should be revised to include analysis of the potentially significant impacts of the project due to the energy that will be necessary to be used only because the project proposes to demolish and replace an existing building on the site rather than the adaptive reuse of the existing vacant structure. (This relates to the IS/MND's lack of analysis of the additional solid waste to be generated due solely to the demolition of the existing building rather than retention and adaptive reuse of the structure.) Adaptive reuse rather than demolition is encouraged by Coastal General Plan Policy LU-3.5, Re-Use of Existing Buildings ("Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts") in part to reduce the environmental impacts of demolition and the potentially unnecessary construction of new structures instead of reusing the buildings. Because this project proposes demolition of an existing building of nearly the same total usable floor area, these policies and considerations should have been reviewed and analyzed as part of this IS/MND.

VII. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on geology and soils if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; 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; 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; 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 wastewater; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The City of Fort Bragg (City) is located in the Coast Ranges geologic province, an area dominated by north-west trending mountain ranges, which have been cut by major river valleys (Google Maps, 2020). As provided in Chapter 7 (Safety) of the City of Fort Bragg Coastal General Plan, the City is located approximately 9 miles east of the San Andreas Fault Zone and 22 miles west of the Maacama Fault Zone,

which are the two (2) major fault systems capable of generating significant earthquakes in the region (City, 2008).

As provided in Chapter 3, The Land Use Plan: Resources and Development Issues and Policies of the Mendocino County Coastal Element, the Coastal Zone is seismically active and vulnerable to earthquake hazards which include surface rupture, ground shaking, liquefaction, and differential settlement (County, 1985). The Site is not located within an Alquist-Priolo special studies zone nor do any known faults traverse the Site (CGS, 2019). Since the Site is located within a seismically active region and per the Earthquake Shaking Potential for California map, there is a high likelihood of experiencing large earthquakes that display strong shaking to occur during the economic lifespan (50 years) of any development on the Site (CGS, 2016). The specific soil type underlying the Site is classified as Urban land, 0 to 15 percent slopes (Soil Type #219). This soil type is predominantly covered by impervious surfaces or has been altered by cutting, filling, and grading. About 25 percent consists of unaltered soils that are extremely variable and require an onsite investigation to evaluate the potential and limitations for any proposed use (USDA, 2006). No historic landslides have been mapped in the vicinity nor within the boundaries of the Site. Additionally, the Site is not mapped for liquefaction potential, although geologic maps indicate the Site is underlain by Pleistocene aged marine and marine terrace deposits that are potentially susceptible to liquefaction (DMG, 1960). The project Site is relatively flat with gentle slopes of less than 15 percent to the northwest and southwest towards the neighboring property, in the developed portion of the Site.

VII.a.i-ii) The Site is not located within an Earthquake Fault Zone or an area currently designated as a "Seismic Hazard Zone" by the State and the nearest active fault to the project Site is the San Andreas Fault Zone, located approximately 9 miles west of the Site (City, 2008). However since the Site is located within a seismically active region proximal to multiple seismic sources (the Maacama Fault Zone and San Andreas Fault) capable of generating moderate to large ground motions, it is expected that the project area would likely experience large earthquakes that display strong shaking during the economic life span of any Site development, including the proposed project. Given the proximity of the proposed project to active seismic sources within the region currently and based on the distance between the Site and the closest active fault, the San Andreas Fault zone, the potential for surface rupture at the Site is considered moderate. Since construction of the proposed project at the Site would be subject to requirements of the latest version of the CBC to reduce any potential geological risks, a less than significant impact would occur.

VII.a.iii) The Site is not mapped for liquefaction potential, although geologic maps indicate the Site is underlain by Pleistocene aged marine and marine terrace deposits that are potentially susceptible to liquefaction (DMG, 1960). Since the proposed project would be subject to the requirements of the latest version of the CBC to reduce any potential geological risks, a less than significant impact would occur.

VII.a.iv) Landslides generally occur on relatively steep slopes and/or on slopes underlain by weak sediments. As previously discussed, no historic landslides have been mapped in the vicinity nor within the boundaries of the Site. As seen from Google Earth imagery, the Site is relatively flat with gentle slopes of less than 15 percent to the northwest and southwest towards the neighboring property, in the developed portion of the Site and elevations ranging from approximately 117 feet and 122 feet amsl. Given the relatively low slopes, both on and adjacent to the Site, and no historic landslides mapped in the vicinity of the Site, no impact would occur.

VII.b) On-site development would require demolition, excavation, and groundbreaking activities. All development activities, including the proposed retail store, would be subject to the site development regulations in Article 6, Chapter 17.60 of the City's CLUDC, which include environmental protection and Best Management Practices (BMPs) for minimizing erosion resulting from construction, avoiding runoff into sensitive

habitat areas, limiting ground disturbance to the minimum necessary, and stabilizing disturbed surfaces as soon as feasible after construction is complete. In compliance with these regulations, the project contractor would be required to implement the BMPs provided on the approved Erosion and Sediment Control Plan (ESCP) prepared for the project, which may include, but are not limited, to straw bales, fiber rolls, and/or silt fencing structures. As a result, a less than significant impact would occur.

VII.c) As previously discussed, landslides are not known to have previously occurred on or in the immediate vicinity of the Site, as no historic landslides have been mapped in the vicinity nor within the boundaries of the Site. Additionally, the majority of the Site contains gentle slopes, and the potential for liquefaction at the Site is low since the Site is not located within a mapped liquefaction zone. As a result, the potential for lateral spreading and subsidence at the Site is considered low.

As described above, the Site is not located within a mapped Alquist-Priolo special studies zone; however, the Site is located within a seismically active region and would experience large earthquakes that display strong shaking during the economic life span of any development on the Site. The proposed project would be subject to the requirements of the latest version of the CBC in order to minimize potential geological risks. A less than significant impact would occur.

VII.d) No known expansive soils are located at the Site. Expansive soils generally consist of cohesive fine-grained clay soils and represent a significant structural hazard to buildings founded on them as they have a tendency to undergo volume changes (shrink or swell) with changes in moisture content, especially where seasonal fluctuations in soil moisture occur at the foundation-bearing depth. As described above, the soils at the Site are predominantly covered by impervious surfaces or have been altered by cutting, filling, and grading. About 25 percent consists of unaltered soils that are extremely variable and require an onsite investigation to evaluate the potential and limitations for any proposed use (USDA, 2006). The Site contains existing development primarily within the northern half, the subsurface soils are predominately covered by impervious surfaces or have been altered by cutting, filling, and grading, and would be unlikely to be affected by seasonal wetting and drying. The southern-most lot is vacant and has been heavily disturbed, with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs. A less than significant impact would occur.

VII.e) The Site is currently and would continue to be served by community water and sanitary sewer systems, provided by the City of Fort Bragg's Public Works Department, which would be modified to serve the proposed retail store. Since the project would not require the use of septic tanks or alternative wastewater disposal systems, no impact would occur.

VII.f) Per Element 4 (Conservation, Open Space, Energy, and Parks) of the City's Coastal General Plan, Map OS-2 indicates that the project Site is not within a special review area, areas of known or potential archaeological or paleontological resources. As such, the probability of a unique paleontological resource or site or unique geologic feature at the Site is low. However, as the southern-most lot on the Site has not been excavated, there is the possibility that unique paleontological resources or sites of unique geologic features could exist on the Site. Mitigation Measure GEO-1, which includes halting construction until the resource can be evaluated and mitigated for if needed, has been included to prevent significant impacts to fossils or fossil-bearing deposits in the event they are encountered during project construction. With mitigation incorporated, a less than significant impact would occur.

MITIGATION MEASURES

GEO-1: In the event that fossils or fossil-bearing deposits are discovered during project construction, the contractor shall notify a qualified paleontologist to examine the discovery, and excavations within 50 feet of the find shall be temporarily halted or diverted. The area of discovery shall be protected to ensure that fossils are not removed, handled, altered, or damaged until the Site is properly evaluated, and further action is determined. The paleontologist shall document the discovery as needed, in accordance with the Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City of Fort Bragg for review and approval prior to implementation.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Geology and Soils.

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

Incorrect: see also notes on p. 30

Thresholds of Significance: The project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32, is a State law that establishes a comprehensive program to reduce greenhouse gas (GHG) emissions from all sources throughout the State. AB 32 requires the State to reduce its total GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. Pursuant to the AB 32 Scoping Plan (last reviewed in 2018), the California Air Resources Board (ARB) must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The following major GHGs and groups of GHGs being emitted into the atmosphere are included under AB 32: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃). The 2020 GHG emissions statewide limit set by AB 32, equal to the 1990 level, is 431 million metric tons of carbon dioxide (CO₂) equivalent (MMTCO₂e). In addition, in 2016, Senate Bill (SB) 32 was signed into law to codify the reduction target to reduce GHG emissions to 40 percent below the 1990 levels by 2030 (ARB, 2018). The 2019 edition of ARB's *California Greenhouse Gas Emissions for 2000 to 2017* (California GHG Emission Inventory) states that GHG emissions within the State of California have followed a declining trend since 2007. In 2017, statewide GHG emissions were 424 MMTCO₂e, which was 5 MMTCO₂e lower than 2016 levels and lower than the 2020 statewide GHG limit of 431 MMTCO₂e. The transportation section remains the largest source of GHG emissions in the State, accounting for 41 percent of the State's GHG emissions in 2017 (CARB, 2019).

The Climate Action Plan provides an appropriate source for thresholds of significance in this area but no such analysis is included in the IS/MND

In 2012, the City of Fort Bragg adopted a Climate Action Plan. The plan sets GHG reduction goals, including a 30 percent reduction in GHG for the municipality by 2020, and a 7 percent reduction goal for the community by 2020. As noted in Section III (Air Quality) above, the Site is located within the North Coast Air Basin (NCAB) and is subject to the requirements of the Mendocino County Air Quality Management District (MCAQMD). The MCAQMD is responsible for monitoring and enforcing federal, state, and local air quality standards in Mendocino County.

Since the proposed project would result in the new development of a retail store on all three (3) lots, where the Site is currently developed with an office building and parking lot on the northern portion of the Site but has been vacant since 2010, it is anticipated that emissions in the vicinity of the project Site would increase. A *Traffic Impact Analysis* was prepared by KD Anderson & Associates, Inc., dated October 22, 2019, describing the proposed project as a discount grocery store located near the center of the population center of the City of Fort Bragg, which is expected to provide a majority of its customer base. Based on the location of comparable competing retail outlets located north and south of the Noyo River (i.e. Harvest Market, Safeway, and Purity Market), the most likely effect on regional travel associated with the

Increased emissions from the project conflicts with the City's goal to REDUCE GHG emissions and lack of compliance with these criteria is a significant impact.

The discussion about the transportation analysis is misplaced here because that is a distinct section of this IS/MND. While VMT analysis is required for transportation impacts, the traffic study actually establishes that the project results in cumulatively considerable impacts due to LOS levels and increased idling and wait times at the impacted intersection of Main and South Streets (as well as other nearby intersections). While those concerns by themselves cannot be considered a significant transportation impact, the project's affect on other areas of study due to the projected LOS and increased vehicle idling presents a potentially significant impact in the GHG Emissions and Land Use & Planning sections.

development of the project is to slightly reduce the length of trips from areas south of the Noyo River off of State Highway 20 or State Highway 1 that are today made northbound and to offer another option for shopping trips made by residents of areas to the north. As the proposed project is relatively close to other stores, the regional effect on vehicle miles traveled (VMT) is likely to be small, but generally will be reduced by offering a closer option for northbound traffic. The Governor's Office of Planning and Research (OPR) released *Technical Advisory on Evaluating Transportation Impacts in CEQA* dated April 2018, which was used in preparing the *Traffic Impact Analysis*. This document indicates that by adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT, thus lead agencies generally may presume such development creates a less than significant transportation impact. As such, although the results of CalEEMod indicate an increase in CO₂ related to the operational mobile category, VMT will generally be reduced under the proposed project as indicated in the *Traffic Impact Analysis*, and therefore should not result in an increase in CO₂ over the baseline conditions. Everything after "therefore" is not justified because the project will demonstrably increase GHG emissions and the City established a policy to reduce GHG Emissions, which should be used for a threshold of significance here.

Irrelevant here.

This does not apply to GHG Emissions analysis.

VIII.a) By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT, thus lead agencies generally may presume such development creates a less than significant transportation impact. VMT will generally be reduced under the proposed project as indicated in the *Traffic Impact Analysis*, and therefore should not result in an increase in CO₂. As previously discussed, compliance with MCAQMD standards and regulations, including obtaining all necessary permits for equipment through the MCAQMD, and California Code of Regulations, Title 13, Section 2485: *Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling* (adopted 2005), which limits idling of both on-road and off-road diesel-powered equipment and is enforced by the California Air Resources Board (CARB), would limit the potential for GHG emissions during construction. Compliance would require that the contractor keep all construction equipment in good working order and limit idling of vehicles and equipment during construction. Therefore, a less than significant impact would occur. This conclusion is not justified because the City has adopted policies intended to reduce the impacts of GHG Emissions yet those policies are ignored and not applied as appropriate thresholds of significance.

How? This is illogical and conflicts with information on p. 35.

VIII.b) The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. As noted above, in 2012, the City of Fort Bragg adopted a Climate Action Plan that sets GHG reduction goals for the municipality and the community. Existing vegetation including a small area of annual grasses, forbs, and scattered shrubs in the southern portion of the Site and shrubbery planted as landscaping around the existing parking lot in the northeast corner of the Site would be removed during the demolition phase of the project; however, the proposed project includes the installation of landscaping throughout the proposed parking area and along the edges of the Site, which would include approximately 37 new trees and numerous shrubs. As the project includes the installation of numerous trees throughout the currently vacant developed Site, the proposed project would help with carbon sequestration and would therefore not be anticipated to conflict with the 2012 City of Fort Bragg Climate Action Plan. In addition, the proposed project would not conflict with local, MCAQMD, State, or federal regulations pertaining to GHG emissions. A less than significant impact would occur.

This asserted conclusion is not explained or supported. How much carbon is expected to be sequestered by the proposed new trees and how would this contribute to the City achieving the GHG Emission goals in the Climate Action Plan? Actual analysis is necessary and data concerning the sequestration potential of particular tree species and the age of planted specimens is available but omitted.

MITIGATION MEASURES
No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Greenhouse Gas Emissions. Illogical and unsupported, see notes above.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Thresholds of Significance: The project would have a significant effect on hazards and hazardous materials if it were to 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; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; 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 create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if 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; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations, Title 22, Article 3: Characteristics of Hazardous Waste (effective July 1, 1991). A "hazardous waste" includes any hazardous material that is discarded, abandoned, or will be recycled. The criteria that render a material hazardous also

cause a waste to be classified as hazardous, per California Health and Safety Code, Chapter 6.5, Section 25117 (effective January 1, 1997).

The Site does not include any known hazardous waste sites, as mapped by the State Water Resources Quality Control Board (SWRQCB) or the California Department of Toxic Substances Control (DTSC). The Site or immediate vicinity does not include any known hazardous waste sites as mapped by the California Department of Toxic Substances Control (DTSC). As provided on the SWRQCB's GeoTracker, 8 listed sites are located within one-quarter mile of the Site, as provided in Table 3, below.

Table 3: GeoTracker-Listed Hazardous Materials Sites within Close Proximity (0.2135 miles) to Site

ID	Name & Case No.	Case Type	Location	Distance & Direction to Site	Cleanup Status
1	Chevron #9-3892 [T0604500037; RB Case #: 1TMC043]	LUST Cleanup Site	1004 Main Street, South	175 feet SW of Site	Completed – Case Closed
2	Cummings Trust–Lot #2 [T0604530112; RB Case #: 1TMC558]	LUST Cleanup Site	32100 Harbor Drive, North	550 feet SE of Site	Completed – Case Closed
3	CDOT Noyo Bridge [T0604593397; RB Case #: 1NMC328]	Cleanup Program Site	Highway 1 / Noyo Bridge	715 feet SW of Site	Completed – Case Closed
4	Texaco, R&F [T0604500059; RB Case #: 1TMC068]	LUST Cleanup Site	700 Main Street, South	725 feet NW of Site	Completed – Case Closed
5	Cummings Trust–Lot #3 [T0604559616; RB Case #: 1TMC553]	LUST Cleanup Site	32200 Harbor Drive, North	730 feet SE of Site	Completed – Case Closed
6	Private Residence [T0604548745; RB Case #: 1TMC544]	LUST Cleanup Site	Private Residence	825 feet N of Site	Completed – Case Closed
7	Wharf Restaurant, The [T0604593496; RB Case #: 1TMC446]	LUST Cleanup Site	32260 Harbor Drive, North	905 feet SE of Site	Completed – Case Closed
8	Mendocino Coast District Hospital [T0604500352; RB Case #: 1TMC429]	LUST Cleanup Site	700 River Drive	995 feet NE of Site	Completed – Case Closed

LUST = Leaking Underground Storage Tank

Source: SWRCB, 2020

The project would require the transport, use, storage, and disposal of small quantities of hazardous materials common for equipment and property maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, lubricants, and cleaning solvents and supplies. All hazardous materials would be utilized and disposed of in accordance with all applicable federal and state regulations.

IX.a-b) The project proposes the construction and operation of a retail store that would be anticipated to require the routine transport, use, or disposal of hazardous materials common to construction and operations of retail stores. During construction, common hazardous materials such as gasoline, diesel fuel, hydraulic fluids, oils, lubricants, and cleaning solvents would be anticipated to be utilized on-site. However, the types and quantities of hazardous materials to be used are not expected to pose a significant risk to the public

and/or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Operation of the proposed project may require the use of hazardous materials such as materials utilized in the routine cleaning of the building or for landscaping maintenance, and hazardous materials, including but not limited to cleaning supplies and batteries, would be anticipated to be sold on-site. In accordance with the guidance in *The Permit Place* of the Mendocino County Division of Environmental Health (EH) (2008), a business that handles a hazardous material or a mixture containing a hazardous material in a quantity equal to or greater than 55 gallons liquid, 500 pounds solid material, or 200 cubic feet gaseous material at any one time during the year may be required to obtain a Certified Unified Program Agency (CUPA) Permit through EH, the approved CUPA for Mendocino County. As part of the CUPA Permit process, a Hazardous Materials Management Plan (HMMP) would be required to be prepared, implemented, and filed with EH. Any hazardous materials transported, used, sold, or disposed of on-site would be managed in accordance with federal, state, and local regulations. A less than significant impact would occur.

IX.c) The schools closest to the Site include Sprouts Montessori Children's located approximately 0.49 miles southwest of the Site, Three Rivers Charter School located approximately 0.53 miles southwest of the Site, both located across the Noyo River from the Site, and Redwood Elementary School located approximately 0.64 miles northeast of the Site. The Site is not located within one-quarter mile of a school. No impact would occur.

IX.d) As shown in Table 3, above, eight (8) listed hazardous materials sites listed on the SWRCB's GeoTracker database are located within one-quarter mile of the Site and no hazardous materials sites within the vicinity of the Site are included on DTSC's EnviroStor database. Of the eight (8) total sites, seven (7) are LUST sites, and the case has been completed and closed for each. The Site is not included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5. No impact would occur.

IX.e) The Site is located approximately 2.8 miles southwest of the Fort Bragg airport. As the proposed project is not located within the vicinity of an airport, the project would not the project result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur.

VIII.f) The City of Fort Bragg and County of Mendocino has adopted numerous plans related to hazard management and mitigation, and emergency response, including but not limited to: the City of Fort Bragg Emergency Operations Plan (2010), the Mendocino County Community Wildfire Protection Plan (2005), Hazardous Waste Management Plan, Mendocino County Operational Area Emergency Operations Plan (2016), and Mendocino County Multi-Jurisdictional Hazard Mitigation Plan (2014), in which the City of Fort Bragg (City) is a participant. In addition, the Safety Element of the City of Fort Bragg Coastal General Plan aims at protecting people and property from natural hazards and other locally relevant safety issues.

The County of Mendocino adopted the *Mendocino County Operational Area Emergency Operations Plan* (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the Plans and Publications webpage of the Mendocino County Office of Emergency Services (MCOES), the County EOP, which complies with local ordinances, state law, and state 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" (MCOES – Plans and Publications, 2019). The proposed development would be compatible with existing surrounding development and would be designed to

current standards with suitable road widths and turn radii to accommodate emergency vehicles. A less than significant impact would occur.

VIII.g) The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. The Site is located within a “Low” Fuel Rank fire hazard severity zone per Figure C-13 of the 2014 Mendocino County Multi-Hazard Mitigation Plan, in an urban built-up environment within the City of Fort Bragg's city limits. Additionally, the Site is located within the Local Responsibility Area (LRA) (Mendocino County Maps – Fort Bragg – Fire Responsibility Areas, 2019) and, per the City of Fort Bragg website (Not Dated), is served by the Fort Bragg Fire Department, a Joint Powers Authority formed in 1990 by the City of Fort Bragg and the Fort Bragg Rural Fire Protection District to jointly provide fire services within the City of Fort Bragg and outlying rural areas. The nearest fire station to the Site is the Main Street Fire Station located at 141 N. Main Street, approximately 0.9 miles north of the Site. The proposed retail store would be constructed in accordance with state and local standards, including safety and emergency access requirements. By meeting current standards and design requirements and with sufficient fire protection services available to serve the Site, a less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

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

X. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river 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 type="checkbox"/>	<input checked="" 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"/>

Thresholds of Significance: The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; 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 result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, 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, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The National Pollutant Discharge Elimination System (NPDES) permit program of the U.S. Environmental Protection Agency (EPA) addresses water pollution by regulating point sources that discharge pollutants to waters of the United States. Created in 1972 by the Clean Water Act, the NPDES permit program grants authority to state governments to perform many permitting, administrative, and enforcement aspects of the program. Within California, the NPDES permit program is administered by the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards. Construction projects that would disturb more than one acre of land, such as the proposed project, would be subject to the requirements of General

Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs to be implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Discharges of stormwater and non-stormwater from the Municipal Separate Storm Sewer System (MS4) within the jurisdictional boundary of the City of Fort Bragg are subject to Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS00004, Waste Discharge Requirements for Storm Water Discharges from MS4s (Phase II MS4 Permit). The Phase II MS4 Permit authorizes the City to discharge stormwater runoff and certain non-stormwater discharges from its MS4 to waters of the United States and provides a framework and requirements for the implementation of the City MS4 Program.

All development activities proposed on-site would be subject to the regulations provided in Chapter 17.64 *Stormwater Runoff Pollution Control* of the City of Fort Bragg Coastal Land Use and Development Code (CLUDC). This chapter outlines standards for managing stormwater runoff water quality and discharge during and post-construction. Compliance with Chapter 17.64 of the CLUDC would require the preparation of a SWPPP, in accordance with the CLUDC and the CGP, described above, which would evaluate and minimize potential construction-phase impacts to water quality and coastal waters by specifying temporary Best Management Practices (BMPs) to minimize erosion and sedimentation during construction and prevent the contamination of runoff from the Site, and would require preliminary and final Runoff Mitigation Plans, which would describe post-construction BMPs that would be used in the project to minimize increases in stormwater runoff volume and to prevent polluted runoff from the built project. In addition, in accordance with Section 17.64.045 *Developments of Special Water Quality Concern* of the CLUDC, as the proposed project includes the construction of greater than 10,000 square feet of impervious surface area, it would be considered a "Development of Special Water Quality Concern" and would be subject to additional requirements designed to minimize potential adverse impacts to coastal water quality, including submittal of a Water Quality Management Plan, which would include BMPs to minimize post-construction water quality impacts.

As indicated in the City of Fort Bragg Public Works Department's referral dated September 2, 2020, as this development includes over one acre of disturbance, the Applicant is required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Board to obtain a Construction General Permit. A Runoff Mitigation Plan (RMP) is required by the City to demonstrate the project meets the requirements established by local, state, and federal regulations. The City's RMP requirement can be fulfilled by a SWPPP instead. If using a SWPPP to fulfill the RMP, a draft version should be submitted to the City to ensure the project is in compliance prior to filing for a Notice of Intent (NOI) with the State. The draft SWPPP and/or RMP would be due prior to the issuance of a building permit. All drainage and LID features shall be constructed in accordance with the approved RMP and/or SWPPP.

The 1.63-acre Site consists of three (3) lots located on the west side of S. Franklin Street. The project Site contains existing development primarily within the northern half of the Site. The northern lot is 95 percent covered by a paved parking area with shrubbery planted around the edges of the lot. The existing 16,436 square-foot vacant former office building, locally referred to as the "Old Social Services Building" is located on the middle lot. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs. The Site is not known to contain any creeks/streams, riparian areas, or wetlands on-site (USFWS, 2020). The Site is located in Zone "X" – area of minimal flood hazard – as shown on Federal Emergency Management Agency's (FEMA) National Flood Hazard Layer FIRMette map number 06045C1016G, effective July 18, 2017. As the topography of the Site is relatively flat, stormwater typically infiltrates in the undeveloped portion of the Site or flows to the northwest and southwest towards the neighboring property, in the developed portion of the Site. The nearest bodies of water are the Noyo River,

The potentially significant impact of the northwest bioretention basin on the root systems of the cypress tree should be evaluated in the IS/MND and avoidance or further mitigation should be incorporated herein.

which is located approximately 600 feet south of the Site, and the Pacific Ocean, which is located approximately 1,200 feet west of the Site. Regional drainage is controlled by the Noyo River. **The Noyo River is on the SWRCB's 303(d) list of impaired waterbodies for sediment.** The listing was the result of water quality problems related to sedimentation throughout the watershed, which impacts the cold-water fishery utilized by cold-water fish such as coho salmon and steelhead trout (USEPA, 1999).

On-site retention is required to avoid impacts to the Noyo River but the proposed bioswales create impacts of their own to the root structures of the existing cypress tree.

The proposed project includes the demolition of an existing 16,436 square-foot vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 square-foot, one-story, retail store with a 53-space parking lot and associated improvements and infrastructure. The project would include 51,650 square feet (1.18 acres) of hardscape area which includes the proposed store, parking lot, accessways, or sidewalks, and approximately 19,265 square feet (0.44 acres) of landscaped areas throughout the Site that would encourage natural stormwater infiltration. The existing planted ornamental trees along the South Street frontage would be removed and replaced with landscaping selected for the local climate and would include trees and vegetation along the north, south, and east boundaries, with a few along the west boundary, as well as one tree within each of the parking lot landscaping islands. **Drainage improvements on-site would include post-construction BMPs, including bioretention basins located along the northwest and southwest boundaries, designed to capture stormwater and pre-treat it on-site to remove dirt, oil, and heavy metals.** Off-site improvements, such as sidewalk curbs and gutters would be required to convey flows from the post-construction BMPs at the project Site to the existing Caltrans stormwater drainage system located west of the Site on State Highway 1.

X.a) The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. As discussed above, the Site is located within the City of Fort Bragg and is located in the Coastal Zone. As such, the proposed project would be required to obtain a Coastal Development Permit (CDP), which requires conformance with all relevant regulations of the City of Fort Bragg, including Chapter 17.64 *Stormwater Runoff Pollution Control* and Chapter 12.14 *Drainage Facility Improvements* of the CLUDC. As described above, compliance with Chapter 17.64 and 12.14 of the CLUDC and the Statewide CGP, for projects disturbing over one acre, would ensure that the proposed project would minimize pollutant loading and erosive stormwater runoff flows both during and post-construction. Additionally, the proposed development would be provided water and wastewater collection service by the City of Fort Bragg. These service providers are required to operate in compliance with all water quality standards and waste discharge requirements. Through proper implementation of appropriate BMPs, and compliance with the aforementioned regulations required as part of the CDP process, the proposed project would not violate any water quality standards or waste discharge requirements. A less than significant impact would occur.

X.b) The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. As noted above, the proposed development would be provided water and wastewater collection service by the City of Fort Bragg and would therefore not require the use of groundwater to serve the proposed development. As the Site is partially undeveloped, the proposed project would increase the amount of impervious surfaces on-site. However, the project proposal includes landscaping and post-construction BMPs, including bioretention facilities, designed to capture and treat runoff from the proposed impervious surfaces, and substantial landscaping that would allow for stormwater infiltration and groundwater recharge throughout the Site. With the incorporation of landscaping and post-construction BMPs, development of the 1.63-acre Site would not significantly impact groundwater recharge, and a less than significant impact would occur.

X.c.i-ii) The proposed project would not alter the existing drainage pattern of the Site in a manner which would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site since any potential runoff from the Site would be controlled within the guidance of existing regulations. During construction, erosion would be minimized, and runoff would be managed through the implementation of project-specific BMPs detailed in the Stormwater Pollution Prevention Plan (SWPPP) prepared for the proposed project, which may include physical barriers such as straw bales, fiber rolls, and/or silt fencing structures, and preventative actions such as scheduling construction for the non-rainy season, if possible, soil compaction, and seeding/mulching disturbed areas. In addition, post-construction runoff and stormwater flows would be managed through stormwater facilities designed in accordance with Chapter 17.64 of the CLUDC. Off-site improvements, such as sidewalk curbs and gutters would be required to convey flows from the post-construction BMPs at the project Site to the existing Caltrans stormwater drainage system located west of the Site on State Highway 1, which does not currently exist in the vicinity of the Site. With the implementation of off-site improvements, a less than significant impact would occur.

X.c.iii) The proposed project would not be anticipated to 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. As previously discussed, drainage improvements on-site would include post-construction BMPs, including bioretention basins located along the northwest and southwest boundaries, designed to capture stormwater and pre-treat it on-site to remove dirt, oil, and heavy metals, in accordance with Chapter 17.64 of the CLUDC, and landscaped areas throughout the Site to encourage natural stormwater infiltration. Stormwater from the proposed impervious surfaces would be directed to landscaped areas and bioretention basins to maximize infiltration first and then any runoff exceeding the design storm would flow towards the Caltrans storm drain collection system. The Caltrans storm drain collection system is located west of the Site on State Highway 1, as no infrastructure related to the City of Fort Bragg stormwater drainage system exists in this area, off-site improvements such as sidewalk curbs and gutters, are required to be installed to adequately convey any surface water in excess of the design storm from the development to the nearest receiving inlet. Off-site improvements to the stormwater drainage system would be designed in accordance with the applicable sections of the CLUDC and would be reviewed and approved by Caltrans and the City of Fort Bragg Public Works Department, which would ensure runoff from the Site would not exceed the capacity of the stormwater drainage system. A less than significant impact would occur.

X.c.iv) As discussed above, the Site is located in Zone "X" – area of minimal flood hazard – as shown on Federal Emergency Management Agency's (FEMA) National Flood Hazard Layer FIRMette map number 06045C1016G, effective July 18, 2017. Based on the FEMA designation, the risk of flooding to occur at the Site is low. No impact would occur.

X.d) The Site is located approximately 600 feet north of the Noyo River and 1,200 feet east of the Pacific Ocean. As shown on the Tsunami Inundation Map for Emergency Planning for the Fort Bragg Quadrangle, the Site is not located in a tsunami inundation area (DOC, 2009). As noted above, the Site is located in an area of minimal flood hazard (FEMA, 2017). No impact would occur.

X.e) The proposed project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. As discussed above, the proposed project would be subject to the Statewide CGP and the standards outlined in Chapter 17.64 of the CLUDC, which would ensure that the proposed project would minimize pollutant loading and erosive stormwater runoff flows both during and post-construction. Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. In addition, there is currently no sustainable groundwater

management plan for the Fort Bragg Terrace Area in which the proposed project would be located. A less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Hydrology and Water Quality.

XI. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on land use and planning if it would physically divide an established community or 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.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

BRR Architecture (Applicant) is proposing to construct a Grocery Outlet (retail store) on a 1.63-acre site located at 825, 845, and 851 S. Franklin Street, Fort Bragg, and identified by Assessor's Parcel Numbers (APNs) 018-120-47, 018-120-48, and 018-120-49 (Site). The Site is owned by Dominic and Juliette Affinito and is located in the Coastal Zone within the City of Fort Bragg city limits. The Site has a City of Fort Bragg land use designation of Highway Visitor Commercial (CH) (2008) and a zoning designation of Highway Visitor Commercial (CH) per the City of Fort Bragg Zoning Map (2016). No changes to the Site's current land use or zoning designations are proposed under the project.

The project includes the demolition of an existing 16,436 square-foot vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 square-foot, one-story, retail store with a 53-space parking lot and associated improvements and infrastructure. The project would include 51,650 square feet (1.18 acres) of hardscape areas that would be covered with the proposed store, parking lot, accessways, or sidewalks. Associated improvements and infrastructure on-site would include a loading dock and trash enclosure on the west side of the store, a parking area with 53 parking spaces on the south side of the store, an internal system of walkways and crosswalks, two (2) bicycle racks, two (2) driveways, a new fire connection, replacement of an existing sewer connection, connection to underground utilities, landscaping for stormwater capture and treatment, illuminated signage, and landscaping throughout the Site. The project would be operated by 15 to 25 full-time staff and two (2) managers and would be open from 9:00 AM to 10:00 PM, 7 days per week with two (2) different shifts covering operating hours.

Per the Coastal Land Use and Development Code (CLUDC) Article 2, Policy No. 17.22.020 D, the Highway, and Visitor Commercial (CH) zoning district's allowable land uses include lodging, restaurants, and retail stores. The City of Fort Bragg CLUDC (2018) defines a "Groceries, specialty foods" as "a retail business where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the store. Includes retail bakeries, where any on-site baking is only for on-site sales" and defines "General retail - 5,000 sf or larger" as "stores and shops selling many lines of merchandise." These are both permitted land uses in the CH district and have no "special use regulations"; therefore, the proposed retail store would be a permitted use on-site, subject to the approval of a Zoning Clearance (ZC) and Coastal Development Permit (CDP). The Site is located in an urban built-up environment and is surrounded by commercial businesses to the north, west, and south, and residences and two (2) vacant lots to the east, of similar scale to the proposed project.

XI.a) The project is proposed on a currently developed Site located in an urban built-up environment. No aspect of the proposed project would physically divide the community; therefore, no impact would occur.

XI.b) The proposed project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect as the project is consistent with all applicable land use plans, policies, and regulations, including the City of Fort Bragg's Coastal Land Use and Development Code (CLUDC). As noted above, CLUDC Article 2, Policy No. 17.22.020 D, indicated that the Highway and Visitor Commercial (CH) zoning district's allowable land uses include lodging, restaurants, and retail stores. As such, the proposed project would be a permitted use on-site, subject to the approval of a ZC, and CDP. A less than significant impact would occur.

This is incorrect and not supported by analysis. Numerous policies in the Coastal General Plan were "adopted for the purpose of avoiding or mitigating an environmental effect" but which are omitted from the analysis in this IS/MND and are inconsistent with this project. (See, e.g., notes on p. 15 an Exhibit A.)

MITIGATION MEASURES

No mitigation required.

This assertion is not justified absent supporting analysis.

FINDINGS

The proposed project would have a **Less than Significant Impact** on Land Use and Planning.

See Exhibit A: Coastal General Plan Consistency Analysis, attached to the end of these notes and comments about the draft IS/MND. Exhibit A includes a discussion of applicable policies and this project's lack of consistency with those policies. The policies of Coastal General Plan discussed in Exhibit A are all policies that were adopted for the purpose of avoiding or mitigating an environmental effect, thus the project's inconsistency with those policies constitutes potentially significant impacts on Land Use & Planning.

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

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on mineral resources if it would 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 or 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.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The proposed project is not located in an area of known rock, aggregate, sand, or other mineral resource deposits of local, regional, or state residents. There are no known mineral resources of significance on the Site that would be made unavailable by the proposed project. Furthermore, the project Site is not utilized for Surface Mining and Reclamation Act (SMARA) activities.

XII.a-b) The proposed project area does not contain mineral resources that are of value locally, to the region, or to residents of the City, County, or state. According to the Mineral Land Classification Studies Index of the California Department of Conservation (DOC, 2015), the proposed project is not located in an area with known mineral resources. The proposed project area is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would not interfere with materials extraction or otherwise cause a short-term or long-term decrease in the availability of mineral resources. No impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Mineral Resources.

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 checked="" type="checkbox"/>	<input 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"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on noise if it would result in the 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; or generation of excessive groundborne vibration or groundborne noise levels; or expose people residing or working in the project area to excessive noise levels (for a project located within the vicinity of a private airstrip or an airport or an airport land use plan, or where such as plan has not been adopted, within two miles of a public airport or public use airport).

Nothing above is an actual threshold of significance used to evaluate these potential impacts.




DISCUSSION

Noise is typically defined as unwanted sound. 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. Acceptable levels of noise vary depending on the land use. Generally speaking, land uses considered noise-sensitive are those in which noise can adversely affect the people performing general activities on the land. For example, a residential land use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise-sensitive. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.

The Noise Element of the City of Fort Bragg Coastal General Plan (Noise Element) (2008) contains policies and programs to reduce the community's exposure to excessive noise and establishes exterior noise level standards for affected land uses, which is utilized to determine whether the noise exposure for the intended land use requires mitigation in order to achieve a compatible noise environment. According to the Noise Element (2008), Fort Bragg experiences noise from autos and trucks on State Highway 1, State Highway 20, local arterials, the railroad, and several industrial uses. As shown in Table N-4, below, Business Commercial land uses are considered to be "normally acceptable" where the exterior noise levels are below 70 dB, "conditionally acceptable" where the noise levels are between 70 and 80 dB, and "unacceptable" where the noise levels are greater than 80 dB.

**TABLE N-4
NOISE AND LAND USE COMPATIBILITY STANDARDS**

Land Use Category	Exterior Noise Exposure L _{dn} dB					
	55	60	65	70	75	80
Residential, Hotels and Motels		Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Unacceptable
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds			Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Unacceptable
"Noise Sensitive" - Schools, Libraries, Museums, Hospitals, Personal Care, Meeting Halls, Churches		Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Unacceptable
Office Buildings, Business Commercial and Professional				Conditionally Acceptable	Conditionally Acceptable	Unacceptable
Auditoriums, Concert Halls, Amphitheaters		Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Unacceptable

-  **Normally Acceptable**
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal, conventional construction, without any special insulation requirements.
-  **Conditionally Acceptable**
Specified land use may be permitted only after a detailed analysis of the noise reduction requirements and needed noise insulation features included in the design.
-  **Unacceptable**
New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

Source: Illingworth & Rodkin, Inc., March, 2002

Additionally, the City of Fort Bragg Noise Ordinance (Title 9, Chapter 9.44, Section 9.44.020) of the City of Fort Bragg Municipal Code (passed 1972) establishes special restrictions on noise sources in residential areas. Pertinent policies from the City of Fort Bragg Noise Ordinance (1972) include:

- A. *Between the hours of 10:00 PM of one (1) day and 7:00 AM of the following day, it is unlawful for any person within a residential zone, or within a radius of 500 feet therefrom, to create, cause to be created or maintain sources of noise which cause annoyance or discomfort to a reasonable person of normal sensitiveness in the neighborhood.*
- B. *The sources include, but are not limited to, the following:*
 - 2. *Operation of equipment or performance of any outside construction or repair work on buildings, structures, or projects or operation of construction-type devices;*
 - 4. *Excessively loud noise caused by the operation of any machinery, chain saw, equipment, device, pump, fan compressor, air conditioning apparatus, or similar mechanical device;*

The approximately 1.63-acre Site is currently partially developed, with a 16,436 square-foot vacant former office building and associated 47-space parking lot on the northern portion of the Site and a vacant and undeveloped lot comprising the southern portion of the Site. The Site is bordered to the north by South Street, to the south by N. Harbor Drive, to the east by S. Franklin Street, and to the west by a motel and gas station. Nearby uses include single-family and multi-family residences adjacent to the east, motels to the north and south, restaurants to the northwest and southwest, a gas station to the southwest, and Mendocino County Government offices to the northeast. The Site is located approximately 245 feet to the east of State Highway 1. Sensitive receptors that could be affected by noise from the Site include the motels located adjacent to the west and directly north and south of the Site and single-family and multi-family residences located directly east and southeast of the Site.

The noise environment surrounding the Site is influenced by traffic on State Highway 1, South Street, N. Harbor Drive, and S. Franklin Street, and activity associated with the nearby commercial business, governmental facilities, and residences. In addition, occasional noise from the Mendocino Coast District Hospital, which includes a helipad and is located approximately 950 feet northeast of the Site would be anticipated. Ambient noise levels would be anticipated to be relatively high during business hours, typically 7:00 am to 7:00 pm, due to the amount and proximity of traffic on State Highway 1 and surrounding roads and businesses. As provided in the Noise Element (2008), in 2011 a noise measurement was taken from State Highway 1 between Cypress Street and Ocean View Drive. The noise measurement registered a noise level of between 65 and 60 dB at a distance of 165 feet to 350 feet from the centerline of the Highway, respectively (Table N-2, General Plan, 2008). As the Site is located between these two (2) streets approximately 245 feet east of State Highway 1, ambient noise levels at the Site may be approximated to fall between 65 and 60 dB, due to the proximity of State Highway 1.

Construction of the proposed project would generate short-term noise corresponding to the demolition and construction phases of the project and the noise generating equipment used during those phases. Construction activities may involve demolition, excavation, grading, drilling, trenching, earth movement, and vehicle travel to and from the Site. Operation of the proposed project would generate noise during operating hours due to vehicular traffic accessing the store, grounds maintenance equipment, heating, ventilation, and air conditioning (HVAC) units, and delivery trucks traveling to and from the Site.

XIII.a) The proposed project would result in a temporary increase in noise levels surrounding the Site during construction and would be anticipated to increase ambient noise levels in the vicinity of the currently vacant Site, but would not increase noise levels in excess of standards established by the City of Fort Bragg Coastal General Plan (2008) and City of Fort Bragg Noise Ordinance (1972).

How is this established or supported? The draft IS/MND doesn't include any analysis of the contribution of the project to noise levels.

During construction, temporary noise would be anticipated as a result of utilizing standard heavy equipment, which may include, but is not limited to the following: excavator, cement mixer, dump truck, water truck, and backhoe. These noise impacts would be temporary in nature; however, construction-generated noise may irritate nearby sensitive receptors, including guests at the adjacent and nearby motels and nearby residents. As noted above, the City of Fort Bragg Noise Ordinance (1972) regulates noise within a radius of 500 feet therefrom a residential zone. As the Site is located directly west and northwest of existing single-family and multi-family residences, the special restrictions of the City of Fort Bragg Noise Ordinance (1972) noted above, would be applicable during construction activities at the Site, and would prohibit noise-generating construction activities between 10:00 PM and 7:00 AM. In addition, Table N-5 of the City of Fort Bragg Coastal General Plan (2008), shown below, establishes noise level performance standards for new projects that include non-transportation noise sources.

**TABLE N-5
NOISE LEVEL PERFORMANCE STANDARDS FOR NEW PROJECTS AFFECTED BY OR INCLUDING
NON-TRANSPORTATION NOISE SOURCES**

Noise Level Descriptor	Daytime (7 A.M. to 10 P.M.)	Nighttime (10 P.M. to 7 A.M.)
Hourly Leq dB	55	45
Maximum level, dB	75	65

Note: These noise levels apply to the residential property line nearest the project. Each of the noise levels shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

Short-term construction noise may potentially temporarily exceed acceptable noise thresholds. To limit the potential impact of the noise associated with project construction on the nearby sensitive receptors, hours of construction shall be limited and noise reducing Best Management Practices (BMPs) shall be implemented during the period of project construction, as detailed in Mitigation Measure NOISE-1.

What are these BMPs and how will they reduce the noise generated by the project below the threshold of significance?

Upon build-out of the Site, operational noise would be associated with vehicular travel of employees and clients accessing the store, grounds maintenance equipment, HVAC units, and delivery trucks traveling to and from the Site. As discussed above, the Site is surrounded by roads to the north, east, and south, and is located in close proximity to commercial, residential, and public service development, and State Highway 1, which generate operational noise due to vehicle traffic and facility operation. Noise generated by the employees and customers is expected to be consistent with noise levels typical of commercial development and will not exceed City standards for a commercial development located near residential development, as shown in Table N-5, above (General Plan, 2008). Therefore, operational activities would not be anticipated to significantly impact the surrounding land uses. With mitigation incorporated for construction-related noise impacts, a less than significant impact would occur.

Table N-5 includes no analysis that supports the asserted conclusion.

XIII.b) Groundborne vibrations and noise may be generated during construction due to operation of heavy equipment, but potential impacts would be temporary in nature and cease upon completion of construction. Groundborne vibrations generated during construction would be anticipated to decrease in magnitude as the distance from the source increases. Occupants of the adjacent motel may temporarily be impacted by groundborne vibrations during construction; however, with implementation of Mitigation Measure NOISE-1, which limits hours of construction to 7:00 AM to 7:00 PM, Monday through Saturday, impacts would be less than significant. Groundborne vibrations generated during construction would not be anticipated to impact the nearby single-family and multi-family residences as the residential land uses would be separated from the Site by S. Franklin Street. Operation of the proposed project is not anticipated to generate groundborne vibrations or noise. With mitigation incorporated, a less than significant impact would occur. **How does S. Franklin Street help reduce the groundborne vibrations such that they will not reach or impact the residences across S. Franklin Street from the project? The draft IS/MND asserts this without any supporting analysis.**

XIII.c) The Site is located approximately 2.8 miles southwest of the Fort Bragg airport. As the proposed project is not located within the vicinity of an airport, the project would not expose people residing or working in the project area to excessive noise levels due to an airport. No impact would occur.

MITIGATION MEASURES

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

- Construction shall be limited to between the hours of 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activities permitted on Sunday, or holidays;
- All internal combustion engine-driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment shall be equipped with mufflers and impact tools shall be equipped with shrouds or shields.
- All unnecessary idling of internal combustion engines on-site shall be prohibited.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Noise. **The draft IS/MND does not include any actual data measuring ambient noise levels on or around the project site nor does it include any calculations of projected noise levels on or around the project site based on the future operating noise of the Grocery Outlet. This data should be collected and analyzed in a revised IS/MND to ensure the project's compliance with the City's adopted thresholds of significance for noise exposure.**

XIV. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 checked="" type="checkbox"/>	<input 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"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on population and housing if it would 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); or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

Based on the U.S. Census Bureau Quick Facts, Fort Bragg city, a census-designated place had a population of approximately 7,291 persons as of July 1, 2019, a decrease of approximately 0.2 percent since April 1, 2018. There were an estimated 2,775 households between 2014 and 2018, with 2.56 persons per household. Approximately 8 percent of the persons living in Mendocino County reside in the City of Fort Bragg, based on estimates provided by the U.S. Census Bureau.

The project includes the construction and operation of a 16,157 square-foot, one-story, Grocery Outlet (retail store). The proposed retail store would serve as a grocery and retail store for the City of Fort Bragg and surrounding area. The retail store would be equipped with 11,189 square feet of merchandising space and 2,231 square feet of stock space and be operated by 15 to 25 full-time staff and two (2) managers and would be open from 9:00 AM to 10:00 PM, 7 days per week with two (2) different shifts covering operating hours.

XIV.a) The proposed project would not induce substantial unplanned population growth in the area as the project entails the construction and operation of a retail store and up to a total of 15 to 25 employees are anticipated under operation of the project. While some employees may relocate to the Fort Bragg area to work at the proposed retail store, a portion of the employees may commute from their current residences within the City of Fort Bragg and surrounding communities. In addition, customers who would shop at the proposed retail store would largely be those who reside in Fort Bragg and surrounding communities. As previously discussed, under Section III (Air Quality), above, for the purposes of this Initial Study, it is assumed that the proposed project would break ground on May 3, 2021, and be constructed over an approximately 11-month period until the entire project is completed by approximately April of 2022. Because construction of the project would be temporary in nature, it is anticipated that most, if not all, of the construction workers, would be local, although some workers may relocate to the area for the duration of the construction period. In addition, the Site is located in an urban built-up environment within the City of Fort Bragg and has a vacant former office building and paved parking lot with utility connections existing on-site. Although there may be a minimal increase in employees and population in the area as a result of the project, changes would be limited, and no significant infrastructure improvements would be required to serve the project. As such, a less than significant impact would occur.

XIV.b). The proposed project would not displace any residents or housing, as the Site contains a vacant former office building and paved parking lot, and no residential units are currently located on-site; therefore, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Population and Housing.

XV. 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 Incorporated	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"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 (a) fire protection, (b) police protection, (c) schools, (d) parks, or (e) other public facilities.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

There are no elements of the proposed project that would impact the ability of the City of Fort Bragg or other local service providers to provide public services to the Site or local community. The project includes the demolition of an existing 16,436 square foot vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 square-foot, one-story, retail store with a 53-space parking lot and associated improvements and infrastructure. Associated improvements and infrastructure on-site would include a loading dock and trash enclosure on the west side of the store, a parking area with 53 parking spaces on the south side of the store, an internal system of walkways and crosswalks, two (2) bicycle racks, two (2) driveways, a new fire connection, replacement of an existing sewer connection, connection to underground utilities, landscaping for stormwater capture and treatment, illuminated signage, and landscaping throughout the Site. The Site would be landscaped and permeable to stormwater as the project would be designed to capture stormwater and pre-treat it on-site to remove dirt, oil, and heavy metals using bioretention basins located along the northwest and southwest boundaries. The proposed driveways and parking area would be designed to current standards with suitable road widths and turn radii to accommodate emergency vehicles.

While it is expected that most, if not all, of the Site's employees (25 maximum) would already live locally, it is possible that some workers may relocate from another location or may commute from their current residences in the surrounding communities. In addition, customers who would shop at the proposed retail store would largely be those who reside in the City of Fort Bragg and surrounding communities. Since a significant population is not expected as a result of the project, significant impacts on public services are also not anticipated.

XV.a) As previously discussed, the Site is located within the Local Responsibility Area (LRA) (Mendocino County Maps – Fort Bragg – Fire Responsibility Areas, 2019) and is mapped as located within an area with

"Moderate" Fuel Rank fire hazard severity zone per Figure C-13 of the 2014 Mendocino County Multi-Hazard Mitigation Plan. Per the City of Fort Bragg website (Not Dated), the Site is served by the Fort Bragg Fire Department. The City of Fort Bragg (City) and the Fort Bragg Rural Fire Protection District formed a Joint Powers Authority in 1990 to jointly provide fire services within the City and outlying rural areas. As detailed on the City's website, the Fort Bragg Fire Department is a volunteer fire department with 36 firefighters and four (4) auxiliary members. Currently, there are four (4) paid positions in the department: a full-time Fire Chief, an Office Manager, a Maintenance Engineer, and a Fire Prevention Officer. The nearest fire station to the Site is the Main Street Fire Station located at 141 N. Main Street, approximately 0.9 miles north of the Site.

As the project would entail further developing a currently developed but vacant Site, a significant population increase is not anticipated as a result of the project and the project would be located within the service boundaries of the Fort Bragg Fire Department. A less than significant impact would occur.

XV.b) Since the Site is located within the City of Fort Bragg, the Site and surrounding area are currently and would continue to be served by the Fort Bragg Police Department (Fort Bragg PD). The Fort Bragg PD is located at 250 Cypress Street, in Fort Bragg, California, approximately 0.30 miles north of the Site. As the project would entail developing a currently developed but vacant Site, a significant population increase is not anticipated as a result of the project and the project would be located within the service boundaries of the Fort Bragg PD. A less than significant impact would occur.

XV.c) The Site is located within the Fort Bragg Unified School District (FBUSD), which is comprised of two (2) elementary schools, one (1) middle school, one (1) high school, and one (1) alternative school. Mendocino College, which is not affiliated with the FBUSD, is located approximately 0.9 miles southwest of the Site, and Redwood Elementary School, which is affiliated with the FBUSD, is located approximately 1.11 miles northeast of the Site. The proposed project does not involve the development of any residential units; however, some employees may relocate to the City of Fort Bragg (City) area to work at the proposed retail store. However, as discussed under Section XIV (Population and Housing), above, while some employees may relocate to the City to work at the proposed retail store, some employees may commute from their current residences within the City surrounding communities. In addition, customers who would shop at the proposed retail store would largely be those who reside in the City and surrounding communities. As a result, the proposed project would not be anticipated to result in substantial population growth or a significant increase in the student population. Therefore, it is anticipated that any new students as a result of the proposed project could be adequately accommodated by the existing schools within the FBUSD, and a less than significant impact would occur.

XV.d) As detailed in Section XVI (Recreation), below, 14 parks and recreational facilities are located within 4.5 miles of the Site, including C.V. Starr Community and Aquatic Center, and Fort Bragg Dog Park, which is located approximately 1.2 miles northeast of the Site, and Harold O. Bainbridge Park, located approximately 1.3 miles northeast of the Site. The amount of development would not substantially increase at the currently developed but vacant Site, and no residential units are proposed nor is a significant population increase anticipated as a result of the project. As a result, the use of the existing park and recreational facilities would not substantially increase as a result of the project and there would not be a need for a new or physically altered park facility. A less than significant would occur.

XV.e) There are no elements of the proposed project that would impact other public facilities, such as regional hospitals. The project involves the demolition of an existing vacant building and the construction and operation of a Grocery Outlet (retail store) that would serve customers who reside in the City of Fort Bragg and surrounding community. A less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less than Significant Impact** on Public Services.

These asserted conclusions are not accurate or supported by any analysis. To the contrary, the project will have a potentially significant impact on access to public services, including the local hospital, Adventist Health Mendocino Coast, and the Mendocino Coast Clinics, which are located very close to the project site between South and Cypress Streets. Access to those facilities will be negatively impacted by the proposed project because of increased traffic on the local streets used to access both the proposed project and the hospital and clinic, particularly South Street and Cypress Streets, which is the nearest signalized intersection and the primary access road for the hospital and its emergency room. The impacts to ambulance response times, etc., should be reviewed and analyzed in the draft IS/MND but such analysis is currently omitted.

XVI. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on recreation if it would 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, or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The Site is located within the vicinity of the following neighborhood parks and recreational facilities:

- C.V. Starr Community and Aquatic Center, located approximately 1.2 miles northeast of the Site;
- Fort Bragg Dog Park, located approximately 1.2 miles northeast of the Site;
- Harold O. Bainbridge Park, located approximately 1.3 miles northeast of the Site;
- Fort Bragg Skatepark, located approximately 1.4 miles northeast of the Site;
- Otis R. Johnson Wilderness Park, located approximately 1.6 miles northeast of the Site;
- Noyo Beach Off-Leash Dog Area, located approximately 1 mile southwest of the Site;
- Noyo Headlands Park, located approximately 2 miles west of the Site;
- Todds Point, located approximately 1.2 miles southwest of the Site;
- Pomo Bluffs Park, located approximately 1.3 miles southwest of the Site;
- Glass Beach, located approximately 2 miles northwest of the Site;
- Ka Kahleh Trail, located approximately 2 miles northwest of the Site;
- Coastal Trail, located approximately 2 miles northwest of the Site;
- Pudding Creek Beach, located approximately 2.3 miles northwest of the Site; and
- Mac Kerricher State Park, located approximately 4.5 miles north of the Site.

XVI.a-b) No residential units would be constructed, nor is the population expected to substantially increase, as a result of the proposed project. While some employees may relocate to the Fort Bragg area to work at the proposed Grocery Outlet (retail store), some employees may commute from their current residences within surrounding communities. In addition, customers who would shop at the proposed retail store would largely be those who reside in the City of Fort Bragg and surrounding communities. As a result, a substantial population increase is not anticipated and use of the existing park and recreational facilities would not be expected to substantially increase as a result of the project. Therefore, there would not be a need for a new or physically-altered park or recreational facility. No impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **No Impact** on Recreation.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on transportation if it would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, initiating an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal to better measure the actual transportation-related environmental impacts of a given project. Traditionally, transportation impacts had been evaluated by using Level of Service (LOS) analysis. Starting July 1, 2020, lead agencies are required to analyze the transportation impacts of new projects using vehicle miles traveled (VMT), instead of LOS. According to the SB 743 *Frequently Asked Questions* provided by the Governor's Office of Planning and Research (OPR), VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto the roads, the project may cause a significant transportation impact. VMT analysis is intended to promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations (OPR, 2020). On May 20, 2020, Fehr & Peers, on behalf of the Mendocino Council of Governments (MCOG), prepared a *Senate Bill 743 Vehicle Miles Traveled Regional Baseline Study* (SB 743 Baseline Study) to provide an overview of SB 743, summarize VMT data available for Mendocino County, discuss alternatives for and recommend VMT measurement methods and thresholds for lead agencies in Mendocino County, and recommend transportation demand management (TDM) strategies for reducing VMT on projects in Mendocino County.

A *Traffic Impact Analysis* (see Appendix C) was prepared by KD Anderson & Anderson Associates on October 22, 2019, for the Grocery Outlet Store project (retail store) located in Fort Bragg, California. The analysis addresses both current and future background conditions at key intersections in the vicinity of the Site. To assess traffic impacts, the characteristics of the proposed project have been determined, including estimated trip generation and the directional distribution/assignment of project generated traffic. That traffic was added to current and future background traffic levels, and project impacts have been evaluated using the methods and significance criteria adopted by the City of Fort Bragg and Caltrans.

As noted in the *Traffic Impact Analysis*, the Site is bordered to the east by S. Franklin Street, a major collector street, and between South Street to the north, a minor collector street and N. Harbor Drive to the south, a local street, all managed by the City of Fort Bragg Public Works, and located a short distance from Main Street or State Highway 1, an arterial street managed by Caltrans, to the west. Currently, the Site is accessed on the north end via a paved entrance to South Street and an existing dirt driveway runs across the southern parcel from S. Franklin Street to N. Harbor Drive. Two (2) bus routes provided by the Mendocino Transit Authority (MTA) pass the project site and traverse the community and have a stop near the Mendocino County Social Services building at the South Street/S. Franklin Street intersection, approximately 528 feet north of the Site. In addition, there are sidewalks in many locations on the street surrounding the Site, where crosswalks are striped at intersections, and ADA ramps have been provided at most locations.

The proposed project includes construction of new, defined entrances to S. Franklin Street and N. Harbor Drive on the south and east end of the Site to accommodate the retail store entrance. The existing driveway on the north end of the Site would be removed as part of the project. The project will additionally include an internal system of walkways and crosswalks to provide pedestrian connectivity between the parking lot, building, and sidewalk. The pedestrian improvements would be Americans with Disabilities Act (ADA)-compliant. A sidewalk would be constructed along the South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards and to provide pedestrian access around the Site. Where required, existing sidewalks would be upgraded to meet City standards. A total of 53 standard parking spaces, including three (3) ADA-accessible spaces would be provided on-site to serve the retail store, in addition to two (2) bicycle racks. Per the *Traffic Impact Analysis*, the proposed project may result in pedestrians in two small roadway sections near the project where sidewalks do not exist. The City should therefore consider installing No Parking signs in these areas.

Anticipated trip generation associated with the proposed project was modeled using the Institute of Transportation Engineers (ITE) publication "*Trip Generation, 10th Edition*" as indicated in the *Traffic Impact Analysis* and provides information on the characteristics of various retail uses. Based on Table 4, below, and provided in the *Traffic Impact Analysis* (see Appendix C), the project is expected to generate a total of 1,709-weekday trips and 2,842 daily trips on a Saturday. Roughly 6 percent (165 trips) of the Saturday traffic occurs in the midday peak hour and 9 percent (148 trips) of the weekday trips occur during the weekday p.m. peak hour. The *ITE Trip Generation Handbook, 3rd Edition* notes that 36 percent of the weekday trips generated by supermarkets are typically "pass-by", and this rate had been used for both study time periods. After discounting for pass-by trips already occurring on State Highway 1 near the Site, the project is projected to generate 105 new primary trips in the Saturday midday peak hours, and 95 new primary trips in the weekday p.m. peak hours.

Table 4: Trip Generation Rates

Land Use/Source	Unit	Saturday Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
Supermarket (code 850)	ksf	51%	49%	10.34	51%	49%	9.24
Grocery Outlet	16ksf	84	81	165	75	73	148
Pass-by Trips	36%	<30>	<30>	<60>	<27>	<26>	<53>
Net Primary Trips		54	51	105	48	47	95

Source: *ITE Trip Generation 10th Edition – Traffic Impact Analysis, 2019*

Per the *Traffic Impact Analysis*, the distribution of project traffic was determined based on consideration of the demographic distribution of residences and competing stores in this area of Mendocino County, on the

typical trade area characteristics of Grocery Outlet Stores, and on assumptions made for other retail projects in previous Fort Bragg traffic studies. The retail store in rural communities can attract customers from a relatively broad area that extends beyond the limits of the community, particularly on weekends. Based on assumptions made for other studies, it was assumed that 50 percent of trips specifically made to visit the retail store will have origins or destinations south of the Noyo River and use State Highway 1 and State Highway 20 to reach the Site. The balance will be oriented to the north and to areas of the community east of S. Franklin Street. Because the volume of peak hour traffic headed northbound and southbound on State Route 1 is relatively even, pass-by trips have been assumed to be diverted equally from each direction.

As previously mentioned, as of July 1, 2020, VMT replaced Level of Service (LOS) as the required metric to determine significant transportation impacts within the State under SB 743. However, the City of Fort Bragg has yet adopted VMT thresholds of significance.

Vehicle Miles Traveled

As previously stated, SB 743 requires agencies to move from a Level of Service (LOS) based impacts analysis under CEQA to analysis based on regional Vehicle Miles Traveled (VMT). Current direction regarding methods to identify VMT and comply with state requirements is provided by the California Governor's Office of Planning and Research (OPR) December 2018 publication, *Technical Advisory on Evaluating Transportation Impact in CEQA*. The *Traffic Impact Analysis* indicates that OPR provided the following direction for retail projects:

***Retail Projects.** Generally, lead agencies should analyze the effects of a retail project by assessing the change in total VMT because retail projects typically reroute travel from other retail destinations. A retail project might lead to increases or decreases in VMT, depending on previously existing retail travel patterns.*

As discussed in the *Traffic Impact Analysis*, based on the location of competing stores (i.e. Harvest Market south of the Noyo River, with Safeway and Purity Market north of the Noyo River) the most likely effect on regional travel associated with the development of the project is to slightly reduce the length of trips from areas south of the river off of State Highway 20 or State Highway 1 that are today made northbound and to offer another option for shopping trips made by residents of areas to the north. As the proposed project is relatively close to other stores, the regional effect on VMT is likely to be small, but generally will be reduced by offering a closer option for northbound traffic.

XVII.a) The proposed project would not conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths. It is expected that construction of the project will result in a slight increase in traffic to and from the Site, as construction workers arrive and leave the Site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets when heavy equipment necessary for project construction is brought to and removed from the Site. However, once construction is complete, the construction workers and equipment would no longer be required at the Site.

As discussed above, VMT replaced LOS on July 1, 2020, and became the required metric to determine significant transportation impacts within the State under SB 743. As of the date of this Initial Study, the County of Mendocino and City of Fort Bragg have not established thresholds of significance for VMT consistent with SB 743 and CEQA Guidelines Section 15064.3, subdivision (b). Although the City of Fort Bragg has not

established thresholds of significance for VMT, the SB 743 Baseline Study (MCOG, 2020) recommends that lead agencies in Mendocino County implement screening criteria to simplify analysis for smaller projects.

Furthermore, according to the Office of Planning and Research, Even if a general plan contains an LOS standard and a project is found to exceed that standard, that conflict should be analyzed under CEQA. CEQA is focused on planning conflicts that lead to environmental impacts (*The Highway 68 Coalition v. County of Monterey* (2017))

As previously discussed, upon build-out of the Site, staff (25 maximum) travel to and leave the Site at the end of their shifts. As for customers traveling to and from the Site, after discounting for pass-by trips already occurring on State Highway 1 near the Site, the project is projected to generate 105 new primary trips in the Saturday midday peak hours, and 95 new primary trips in the weekday p.m. peak hours. The temporary traffic increases during construction and vehicle and pedestrian traffic increases during operation of the project are not anticipated to significantly impact the capacity of the street system or the overall effectiveness of the circulation system. Additionally, the project is not anticipated to substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities, as the Site is located between South Street to the north, a minor collector street and N. Harbor Drive to the south, a local street, all managed by the City of Fort Bragg Public Works. Nor will it substantially impact the two (2) bus routes provided by the Mendocino Transit Authority (MTA) passes the project site and has a stop in close vicinity to the Site at the South Street/S. Franklin Street intersection. As indicated in the *Traffic Impact Analysis*, the proposed project may result in pedestrians in two roadway areas locations near the project where sidewalks do not exist. Therefore, the City should consider installing No Parking signs in these areas. As the project proposes to construct a sidewalk along the South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards to provide pedestrian access around the Site, and where required, existing sidewalks would be upgraded to meet City standards, the project would provide additional pedestrian connectivity in the area. A less than significant impact would occur.

XVII.b) CEQA Guidelines Section 15064.3, subdivision (b) indicates that a land use project would have a significant impact if the project results in vehicle miles traveled (VMT) exceeding an applicable threshold of significance, but that projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant impact. CEQA Guidelines Section 15064.3 further notes that if existing models or methods are not available to estimate a project's expected VMTs, a lead agency may analyze the project's expected VMT qualitatively. As of the date of this Initial Study, the City of Fort Bragg has not established thresholds of significance for VMT consistent with SB 743 and CEQA Guidelines Section 15064.3, subdivision (b). Although the the City of Fort Bragg has not established thresholds of significance for VMT, the SB 743 Baseline Study (MCOG, 2020) recommends that lead agencies in Mendocino County implement screening criteria to simplify analysis for smaller projects.

Although the Site is currently developed, the former office building has been vacant since 2010; therefore, any development on-site will increase VMT. Under the proposed project, VMT will be attributed to employees and customers traveling to and from the Site, with the majority of daily trips attributed to customers. Using the recommending screening criteria adapted from the OPR *Technical Advisory* for the SB 743 Baseline Study (MCOG, 2020), the project may be presumed to cause a less-than-significant VMT impact as the project is anticipated to generate less than 640 VMT per day, as described above, and is consistent with the City of Fort Bragg General Plan and the 2017 Mendocino County Regional Transportation Plan. In addition, the Site is located in an urban built-up environment in close proximity to major roadways of the City Fort Bragg and Caltrans. The Site is located between South Street and N. Harbor Drive and a short distance from Main Street (State Highway 1), as well as a Mendocino Transit Authority (MTA) bus stop. Consistent with CEQA Guidelines

Section 15064.3, described above, as the Site is located within one-half mile of a transit stop and principal transit corridors of the surrounding community, the project should be presumed to cause a less than significant impact. Based on the analysis presented above, a less than significant impact would occur.

XVII.c) The proposed project is not anticipated to substantially increase hazards due to design features or incompatible uses. As discussed above, the Site is accessed on the north end via a paved entrance to South Street, and an existing dirt driveway runs across the southern parcel from S. Franklin Street to N. Harbor Drive. The proposed project includes construction of new, defined entrances to S. Franklin Street and N. Harbor Drive on the south and east end of the Site to accommodate the retail store entrance. The existing driveway on the north end of the Site would be removed as part of the project. The project will additionally include an internal system of walkways and crosswalks to provide pedestrian connectivity between the parking lot, building, and sidewalk. A sidewalk would be constructed along the South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards to provide pedestrian access around the Site, and where required, existing sidewalks would be upgraded to meet City standards. As indicated in the *Traffic Impact Analysis*, the proposed project may result in pedestrians in two roadway locations near the project where sidewalks do not exist. Therefore, the City should consider installing No Parking signs in these areas. As demonstrated by the proposed design improvements shown on the attached Site Plan (see Figure 4), the Site has been designed to provide ample access, driveway width, and turning radii. A less than significant impact would occur.

XVII.d) The proposed project will not result in inadequate emergency access, as the project has been designed to meet pertinent design criteria to provide adequate emergency access. The attached project Site Plan (see Figure 4) proposes a general site layout with ample space surrounding the retail store to provide adequate emergency access. A less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Transportation.

These conclusions are not supported by the draft IS/MND or the traffic study, which indicated that the project would have significant impacts to specific intersections because of traffic volumes in excess of the City's LOS standards. Although merely failing to meet a LOS threshold by itself can no longer be considered a significant transportation impact on its own for CEQA analysis, the fact that the City's Coastal General Plan and CLUDC still include specific policies and regulations requiring projects not to exceed the City's adopted LOS standards or adopt mitigation measures to reduce the severity of these impacts is an additional factor that raises the project's projected LOS deficits and lack of corresponding mitigation to potentially significant impacts. The IS/MND should address how the City's LOS-related policies still constitute potentially significant impacts when combined with the data demonstrating that the project will cause traffic to exceed the LOS standards.

XVIII. TRIBAL CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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"/>

Thresholds of Significance: The project would have a significant effect on Tribal Cultural Resources if it would 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 listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is 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.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

A *Cultural Resources Inventory Survey (Cultural Survey)* was prepared by Genesis Society on August 15, 2019, to evaluate the project's potential to impact cultural resources in conformity with City of Fort Bragg and Mendocino County rules and regulations, and in compliance with requirements of the California Environmental Quality Act of 1970, Public Resources Code Section 21000, et seq. (CEQA), and the California CEQA Environmental Quality Act Guidelines, California Administrative Code Section 15000 et seq. (Guidelines as amended). Due to the sensitive and confidential nature of the report, a copy of the *Cultural Survey* is not included as an appendix to this Initial Study.

According to the *Cultural Survey*, the region in which the Site is located was first inhabited more than 12,000 years ago. Prior to historic settlement, the lands surrounding the Noyo River were covered by a variety of coastal scrub and a mixed forest dominated by Bishop pine and including redwood, conifers, and hardwoods such as tanoak and madrone. The Site is located within the territory claimed by the Northern Pomo at the time of initial European-American entry into the region. The Northern Pomo consisted of multiple tribelets, which consisted of three (3) to five (5) primary villages, one (1) ethnographic village, *Kadiu*, was located immediately north of the Noyo River and is today identified immediately west of State Highway 1,

west of the Site. Pomo cultural materials are documented in both ethnographic and archaeological records and artifacts include a wide variety of materials and expressions. Colonization of the region began in 1812 with the establishment of Fort Ross by Russia, approximately 80 miles south of the Site, and was followed by other European-American explorers who visited, then later settled, the Mendocino Coast beginning in the 1830s. In 1855, the federal government created the 25,000-acre Mendocino Indian Reservation adjacent to the north side of the Noyo River. In 1857, Fort Bragg was established between Pudding Creek and the Noyo River, to administer the large reservation until 1864 when the interred Native Americans were forcibly moved to the Round Valley Indian Reservation near Covelo. Widespread settlement in Mendocino County was spurred by demand for both lumber and agricultural lands and led to the establishment of mills throughout the County and the 1891 formation of the Union Lumber Company in Fort Bragg, which closed in 1969 (Genesis Society, 2019).

A records search was conducted at the Northwest Information Center (NWIC) located on the Sonoma State University campus on July 16, 2019 (File No. 18-2464), which included a review of all records on file for lands within a 0.25-mile radius of the Site, including archaeological site and survey records, and numerous registries and inventories reviewed as part of the NWIC search, or evaluated separately. Topographic maps from 1943 through 1985 depict a school within the project area; however, aerial photographs show that no structures existed on the Site between 1943 and 1996. As such, the *Cultural Survey* deduced that the school icon visible on historic topographic maps represents an “artifact” from older topographic maps. A review of the historic registers and inventories indicated that no archaeological investigation had been previously prepared for the Site and no historic properties or cultural resources have been documented within the project area; however, eight (8) cultural resources have been documented within a 0.25-mile radius of the Site.

As noted in the *Cultural Survey*, fieldwork was conducted on August 10, 2019, by Genesis Society and entailed an intensive pedestrian survey by means of walking systematic transects, spaced at 10-meter intervals within the portions of the Site that did not contain existing impervious surface cover, including building, parking, roads, etc. In surfaced areas, structure and road margins were inspected for any native soils. The *Cultural Survey* notes that the majority of the Site has been subjected to intensive disturbance as a result of wholesale demolition, grading, and subsequent contemporary (post-1996) commercial building construction. No evidence of prehistoric or historic use or occupation was observed within the Site, most likely due to the degree of contemporary disturbance to which the Site has been subjected. Based on the findings of the records search and pedestrian survey, no significant historic resources or unique archaeological resources are present within the project area and none will be affected by the proposed project (Genesis, 2019).

On June 20, 2019, Genesis Society contacted the Native American Heritage Commission (NAHC) to request information concerning archaeological sites or traditional use areas for the project area. The NAHC response letter, dated June 28, 2019, indicated that a Sacred Lands File (SLF) search was completed and returned a negative result. The NAHC provided a list of 13 Native American contacts who may have knowledge of cultural resources in the project area and suggested that Genesis Society contact all of those indicated. The NAHC Native American Contacts List dated June 27, 2019, including the EPA Director and Chairperson of the Cahto Tribe; the Chairpersons of the Coyote Valley Band of Pomo Indians, Guidiville Band of Pomo Indians, Hopland Band of Pomo Indians, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, Manchester Band of Pomo Indians, Noyo River Indian Community, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley or Little River Band of Pomo Indians, and Sherwood Valley Band of Pomo Indians; and the President of the Round Valley Reservation/ Covelo Indian Community.

On July 22, 2019, Genesis Society sent letters to all representatives on the NAHC contact list, and those contacted were requested to supply any information they might have concerning prehistoric sites or

traditional use areas within, adjacent, or near the project area. A follow-up email and telephone call were placed with Tina Sutherland of the Sherwood Valley Band of Pomo Indians on Saturday, August 10, 2019, prior to the pedestrian survey. No responses were received from the contacted parties. As no prehistoric cultural material was identified during the records search or pedestrian survey, no additional consultation was undertaken by Genesis Society or the City of Fort Bragg (City), and the City, as Lead Agency, has deemed the Tribal consultation process complete. Copies of the NAHC response and Native American Contacts List and an example of the letters sent to Tribal representatives are included in Appendix A.

a.i-ii) As discussed above, no Tribal Cultural Resources were identified at or near the Site during the records review and pedestrian survey. While the proposed project includes the demolition of an existing building, the existing building is a contemporary (post-1996) commercial building. In addition, no responses were received from the Tribal consultation effort and there are no known Tribal cultural resources in the project area. A less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Tribal Cultural Resources.

XVIX. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Incorrect, see below and Exhibit A.

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on utilities and service systems if it would 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; not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; 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; or not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The Site is located within the service boundaries of the City of Fort Bragg water and wastewater collection. There are currently on-site utility connections; however, the recorded use of the building was for office space and the proposed use is retail grocery – water and sewer capacity fees would be associated with the proposed increase in use. The existing water connection on South Street includes a 6-inch fire service and is proposed to be the main water service to the building, with a new 8-inch fire connection to be constructed to the east of the existing connection. There is an existing 4-inch sewer lateral extending from the existing manhole on South Street that is proposed to be removed and replaced with the construction of a new 6-inch sewer lateral per City standards. On-site drainage will be managed utilizing post-construction Best Management Practices (BMPs), including bioretention facilities sized to capture and treat runoff from the proposed impervious surfaces produced by the 24 hour 85th percentile rain event, and landscaped areas throughout the Site to encourage natural stormwater infiltration. Post-construction BMPs will connect to

proposed curbs and gutters along the perimeter of the Site. Additionally, a connection will be established to the existing utility feed currently located underground, with electricity provided by Pacific Gas and Electric Company (PG&E). An electric utility box is located on the northeast corner of the Site.

Waste Management would provide solid waste collection services, which would be collected from a trash bin enclosure to be installed in the western portion of the Site.

Electricity

Electricity would be provided to the Site by Pacific Gas and Electric Company (PG&E). As noted above, a connection would be established to the existing utility feed which is currently underground. An electric utility box is located on the northeast corner of the Site.

Water Service

Water would be provided to the Site by the City of Fort Bragg's Public Works Department, Water Enterprise Division. According to Chapter 3 (Public Facilities Element) of the Coastal General Plan of the City of Fort Bragg (2008), the City of Fort Bragg's water supply system consists of the Newman Reservoir, the Simpson Lane Reservoir, the Waterfall Gulch pond, and a direct diversion in the Noyo River (which includes a wet well in the Noyo River, a pump station at the Noyo River, and various conveyances to the water treatment plant). The City currently obtains about 50 percent of its water from the Noyo River. Under its existing temporary license, the City is entitled to draw up to 1,500 acre-feet of water per year from the Noyo River so long as withdrawals do not exceed 3.0 cubic feet per second and specified amounts are maintained in the river to meet the needs of the fish population. The City currently uses about 36 percent of this entitlement. The City's Water Permit contains limits on how much water can be pumped from the Noyo River. These conditions were established in the past by the State Department of Health Services because, at the time, it was concluded that the City could not withdraw sufficient water from the Noyo River to meet its needs while retaining the required flows within the river necessary to support the fish population. To comply with these Permit conditions, the City requires that new development implement measures that limit new water demand (City of Fort Bragg, 2008).

As described in the project's staff report, the City developed a new 45-acre-foot raw water reservoir called Summers Lane Reservoir to ensure adequate water storage during years of severe drought and to meet the water quality needs for the Fort Bragg Water Service District. The new reservoir draws water from an existing water line which previously ran from Waterfall Gulch to Newman Gulch and stores raw water for the City's potable water use. With the development of Summers Lane Reservoir, the City was also able to obtain additional water storage capacity to meet the needs of a buildout development scenario in the City of Fort Bragg. The City has a temporary license water right to divert water from the Noyo River as well as permanent license to divert water from both Newman Gulch and Waterfall Gulch, a tributary to Hare Creek. The water is piped from Summers Lane Reservoir to the Newman Reservoir and on to the treatment plant (City of Fort Bragg, 2014).

The City currently has the ability to store 6,300,000 gallons of treated water, including two 1,500,000 gallon tanks at the Corporation Yard and one across the street and a smaller tank at the Highway 20 Fire Station. Additional untreated water storage of 3,300,000 gallons is accommodated within the two raw water storage ponds at the Water Treatment Plant, Newman Reservoir, and the Waterfall Gulch pond. There is also a significant volume of water stored within the City's distribution system. The new Summers Lane Reservoir holds approximately 14,700,000 gallons of raw water for a total storage of approximately 22,800,000 gallons. City water customers use about 600,000 to a million gallons of water per day in the summer. Water supply analyses indicate that although the City has sufficient water supply to serve the projected buildout of the City of Fort

Bragg as currently zoned within the existing City Limits through 2040, it does not have sufficient water storage or a right that allows for storage to serve buildout in a drought year. However, the new water storage facilities will ensure that sufficient water is available in extended drought conditions, such as the 1977 or 2015 droughts, to serve existing development (City of Fort Bragg, 2014). New development in the City will be required to pay its fair share of new water system improvements (City of Fort Bragg, 2008).

See Exhibit A discussion of LU-10.4. These conclusions are not supported by the data or analysis in the City's current water model, which confirms that even with the "new water storage facilities" the City does not have sufficient water supply to serve existing or new development, **Wastewater Collection Service** particularly when climate change and sea-level rise are incorporated into the model.

Wastewater generated on-site would be collected, treated, and disposed of by the City of Fort Bragg Municipal Improvement District No. 1. The District is larger than the City and includes much of the proposed Sphere of Influence. Currently, the District facility serves residences and businesses within the City. The treatment and disposal facility currently disposes of about 540,000 gallons of treated wastewater per day (Average Dry Weather Flow - ADWF). Information provided by the District indicates that the current water plant production amounts compared to 2008 (282.171 million gallons) are in fact much less; therefore, the wastewater plant is receiving less water as well.

The plant has a rated capacity of 800,000 gallons per day ADWF which is sufficient to meet the demand of the projected population increase. However, due to spikes in the inflow to the facility during extended rain events (caused by infiltration and inflow into the collection lines), the plant's wet weather design flow is frequently exceeded. The City has added two equalization basins to address peak flows further protecting the treatment train. The District is able to meet projected wastewater treatment and disposal demands; though major development will need to pay its fair share of any additional improvements that are needed.

In 2020, the City completed construction of the new Wastewater Treatment Plant Upgrade Project which included excavation to accommodate a 128-foot-wide by 164-foot long Biological Treatment Facility. This work also included the addition of two equalization basins, new solids handling system, onsite stormwater capture and treatment, and relocated the biosolids storage area.

Storm Drainage System

Per the City of Fort Bragg's website, the Coastal Mendocino County Storm Water Resource Plan (SWRP) encompasses three (3) coastal watersheds in Mendocino County, Northern California: Pudding Creek-Frontal Pacific Ocean Watershed, Noyo River Watershed, and Big River Watershed. The purpose of the SWRP is to identify potential projects that utilize stormwater as a resource for multi-benefit projects that augment water supply, identify areas of concern, enhance water quality, reduce localized flooding, and create environmental and community benefits within the three coastal watersheds. According to Chapter 3 (Public Facilities Element) of the Coastal General Plan of the City of Fort Bragg (2008), the City of Fort Bragg manages a series of drainage inlets throughout the City from Pudding Creek to Noyo River, which flow directly into local creeks and rivers, and eventually the Pacific Ocean. As the topography of the Site is relatively flat, stormwater typically infiltrates in the undeveloped portion of the Site or flows to the northwest and southwest towards the neighboring property, in the developed portion of the Site. The nearest bodies of water are the Noyo River, which is located approximately 600 feet south of the Site, and the Pacific Ocean, which is located approximately 1,200 feet west of the Site. Regional drainage is controlled by the Noyo River. Frontage improvements including curbs, gutters, and sidewalks, will be located on South Street, S. Franklin Street, and N. Harbor Street.

Drainage improvements proposed to be developed as part of the project include post-construction BMPs, which include bioretention facilities sized to capture and treat runoff from the proposed impervious surfaces produced by the 24 hour 85th percentile rain event and landscaped areas throughout the Site to encourage natural stormwater infiltration. The project additionally includes the construction of pedestrian facilities,

including curbs, gutters, and sidewalks along the north, south, and east side of the Site. Off-site improvements, such as sidewalk, curbs and gutters would be required to convey flows from the post-construction BMPs at the project Site to the existing Caltrans stormwater drainage system located west of the Site on State Highway 1, which does not currently exist in the vicinity of the Site.

Solid Waste Service

As noted above, Waste Management, provides weekly curbside residential and commercial garbage, recycling, and green waste collection within the City of Fort Bragg. Waste collected by Waste Management is taken to Fort Bragg Disposal located at 219 Pudding Creek Road in Fort Bragg for processing and transport.

Telecommunications

According to the City of Fort Bragg's website, Xfinity (Comcast) provides cable TV and internet services to the City of Fort Bragg. Additionally, various telecommunication companies provide land-line telephone service to the surrounding area.

XVIX.a) As noted above, the proposed project will require a new connection to the City of Fort Bragg water distribution system, an upgrade to the existing wastewater system connection, a new connection to the existing electric utility lines, and construction of new off-site improvements to convey surface flows to the existing Caltrans stormwater drainage systems located west of the Site on State Highway 1. The Site is currently developed and new infrastructure will be required to establish these connections; however, the Site is located in an urban built-up environment in which connections to each of these utilities exist on or within the vicinity of the Site, and as discussed above, the City has ample capacity to supply the needed utilities to the Site. Additionally, as discussed in Section IX (Hydrology and Water Quality), above, in order to ensure significant environmental effects would not occur, the respective utility providers and installers would implement applicable Best Management Practices (BMPs) to reduce the potential for impacts, including but not limited to erosion during construction. As such, a less than significant impact would occur.

XVIX.b) Water to the Site would be provided by the City of Fort Bragg's Public Works Department, Water Enterprise Division. As discussed above, Chapter 3 (Public Facilities Element) of the Coastal General Plan of the City of Fort Bragg (2008), and the Summers Lane Reservoir staff report, the City of Fort Bragg will have sufficient water supply to meet demand any minimal increase associated with this project. New development in the City will be required to pay its fair share of new water system improvements; therefore, a less than significant impact would occur.

XVIX.c) Wastewater collection service at the Site would be provided by the City of Fort Bragg Municipal Improvement District No. 1. As noted above, wastewater collected by the City is treated at the Wastewater Treatment Plant. There is an existing 4-inch sewer lateral extending from the existing manhole on South Street which is proposed to be removed and replaced with the construction of a new 6-inch sewer lateral per City standards. As such, a less than significant impact would occur.

XVIX.d-e) A significant amount of solid waste is not anticipated under the project and all solid waste generated under the project would be disposed of in accordance with all federal, state, and local statutes and regulations related to solid waste including state and local waste diversion requirements. As noted above, the project would be served by Waste Management, located within the City of Fort Bragg. A trash enclosure for collecting solid waste generated on-site would be located on the western portion of the Site. Solid waste collected by Waste Management would eventually be disposed of at Fort Bragg Disposal. As such, the proposed project would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A less than significant impact would occur.

Incorrect. The "Summers Lane reservoir staff report" is outdated and superceded by subsequent revisions to the City's water model.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Utilities and Service Systems.

These conclusions are not supported by substantial evidence and the draft IS/MND must be revised to include updated information, including recent revisions to the City's own water model, which predicts that water supplies will be insufficient to serve even existing development, let alone new development like this proposed project, during future drought conditions. This situation is exacerbated when the water model is adjusted to incorporate the projected impacts of climate change and sea-level rise on the City's ability to continue to divert the 50% of its water supply needs from the Noyo River. The City's water model predicts that a mere one-foot of projected sea-level rise will result in insufficient water supply to serve existing development. Thus, the draft IS/MND should be revised to incorporate mitigation measures to address the inadequate water supply and the need to secure additional sources of water besides the Noyo River or to alter the existing water infrastructure to permit continued diversion of water from Noyo River and/or desalination of the water diverted from the Noyo River that will be too salty to treat into potable water using the City's existing water treatment infrastructure.

XX. 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 Incorporated	Less Than Significant Impact	No Impact
a) Impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on wildfire if it would impair an adopted emergency response plan or emergency evacuation plan; 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; 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; or 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.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

DISCUSSION

The Site is located within the Local Responsibility Area (LRA) (Mendocino County Maps – Fort Bragg – Fire Responsibility Areas, 2019) and per the City of Fort Bragg website (Not Dated), is served by the Fort Bragg Fire Department a Joint Powers Authority formed in 1990 by the City of Fort Bragg and the Fort Bragg Rural Fire Protection District to jointly provide fire services within the City of Fort Bragg and outlying rural areas. The Site is mapped as located within an area with “Moderate” Fuel Rank fire hazard severity zone per Figure C-13 of the 2014 Mendocino County Multi-Hazard Mitigation Plan. The nearest fire station to the Site is the Fort Bragg Fire Department, located approximately 1-mile northwest of the Site.

XX.a) The City of Fort Bragg approved an Emergency Plan on January 11, 2016, under Resolution Number 3881-2016. The purpose of the City’s Emergency Plan is to “bring a renewed focus on what emergencies can happen here (Fort Bragg) and how we (community) can respond to them – together.”

The County of Mendocino County also adopted a *Mendocino County Operational Area Emergency Operations Plan* (County EOP) on September 13, 2016, under Resolution Number 16-119. As noted on the Plans and Publications webpage of the Mendocino County Office of Emergency Services (MCOES), the County EOP, which complies with local ordinances, state law, and state 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” (MCOES – Plans and Publications, 2019).

As discussed under Section IX (Hazards and Hazardous Materials), above, there are no components of the project that would impair an adopted emergency response plan or emergency evacuation plan, including the adopted County EOP. The Site is located within the LRA and within a "Moderate" Fuel Rank fire hazard severity zone per Figure C-13 of the 2014 Mendocino County Multi-Hazard Mitigation Plan. The facility would be constructed in accordance with state and local standards, including safety and emergency access requirements. As such, there are no components of the project that would impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. A less than significant impact would occur.

XX.b) Under the proposed project, it is not anticipated that wildfire risks would be exacerbated due to slope, prevailing winds, and other factors. The Site is relatively flat, with elevations at the Site ranging between approximately 117 feet and 122 feet above mean sea level. In addition, the Site is located in an urban built-up environment where there is a low threat of wildfire. No impact would occur.

XX.c) The Site would be served with electricity from Pacific Gas & Electric (PG&E), propane by an existing tank on-site, and water and wastewater service by the City of Fort Bragg, and solid waste services by a local waste hauler. There are existing utility connections located on Site that served the vacant former office building. These existing water and wastewater utility connections would require new connections to the proposed retail store as part of the project. Under the proposed project, all utility lines would be underground. As such, the project would not require the installation or maintenance of infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact would occur.

XX.d) The proposed project would not 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, as the Site is relatively flat, with elevations at the Site ranging between approximately 117 and 122 feet above mean sea level, and is surrounded by an urban built-up environment. In addition, bioretention basins would be constructed on-site to capture and treat increased stormwater flows due to the proposed increase in impervious surfaces. As such, a less than significant impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less than Significant Impact** on Wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on mandatory findings of significance if it would 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; 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.); or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Nothing above is an actual threshold of significance used to evaluate these potential impacts.

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.

Potential environmental impacts from the construction and operation of a 16,157 square-foot, one-story, Grocery Outlet (retail store) with 53 paved parking spaces and associated improvements and infrastructure, have been analyzed in this document, and mitigation measures have been included in the document to ensure impacts would be held to a less than significant level.

XXI.a) The project does not 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. The developed Site does not provide habitat for any fish or wildlife species, nor does the Site support any notable plant or animal communities. There are no important examples of California Pre-history or history located on the Site. Mitigation has been applied to reduce any potential environmental impacts to levels that are less than significant.

Incorrect, the project will have cumulatively considerable impacts to transportation and water supply infrastructure.

XXI.b) **No cumulative impacts have been identified as a result of the proposed project.** The project is a 16,157 square-foot retail store with associated improvements and infrastructure and will be served by community services. Individual impacts from the project would not significantly contribute to cumulative impacts in the area. The project is anticipated with the expected level of growth and density of use on the Site. **A less than significant impact would occur.**

XXI.c) **The project will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.** Concerns related to the possible discovery of unique paleontological resources on Site are mitigated by Mitigation Measures GEO-1, which reduce the significant impacts to fossils or fossil-bearing deposits in the event they are encountered during project construction to a level that is less than significant and concerns related to the impact of construction noise on nearby sensitive receptors are mitigated by Mitigation Measure NOISE-1. **A less than significant impact would occur.**

Incorrect, the project will cause substantial adverse effects on humans due to safety deficits of pedestrian crossings of South Street.

MITIGATION MEASURES

Refer to Mitigation Measures BIO-1 in Section IV (Biological Resources), GEO-1 in Section VII (Geology and Soils), and NOISE-1 in Section XIII (Noise), above.

FINDINGS

The proposed project would have a Less Than Significant Impact with Mitigation Incorporated on Mandatory Findings of Significance.

How? This is not supported by adequate analysis, in part because the draft IS/MND fails to include any meaningful analysis of potential impacts that may be cumulatively considerable when analyzed in conjunction with related impacts from other nearby projects and baseline conditions.

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Wildland Resource Managers. August 2019. *Grocery Outlet Fort Bragg, California Property Biological Review*.

No notes or highlights on any subsequent pages of the draft IS/MND.

EXHIBIT A: COASTAL GENERAL PLAN CONSISTENCY ANALYSIS

The following Coastal General Plan policies are applicable to this proposed project but the project is inconsistent with these policies per the discussion below. The draft IS/MND is likewise deficient and requires revision because it omits relevant analysis of the project's consistency with these Coastal General Plan policies, and inconsistency with these policies constitutes potentially significant impacts in Land Use & Planning and other sections of the draft IS/MND.

Policy LU-3.5: Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

Consistency: Rather than adaptively reusing the vacant existing building on the site with almost the same floor area as the new building, this project, which is in a commercial district, proposes to demolish the existing building. The IS/MND includes no explanation or analysis of the viability of the existing building to serve the project objectives rather than a new structure.

Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

Consistency: This project proposes a formula business, Grocery Outlet, so LU-4.1 applies but the proposed location of the Grocery Outlet in close proximity to existing commercial businesses offering the same or similar grocery products (i.e., Harvest Market to the south; Safeway two blocks to the north on Franklin Street; Purity Stores further north at Franklin and Alder Streets; and other smaller markets like Down Home Foods on Franklin Street, B&C Grocery at Oak and Harrison Streets, Columbi's Market on Oak and Harold Streets, and Nello's Market at Main and Elm Streets) will compete with these existing businesses and detract from their economic vitality by cannibalizing and shifting existing sales to the new Grocery Outlet. These economic impacts have not been analyzed in the draft IS/MND and the project is likely inconsistent with LU-4.1 as a result.

Policy LU-5.6: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Consistency: This project involves the development of the southern parcel into a parking lot for general commercial development, the proposed Grocery Outlet store. That currently vacant parcel is frequently used for parking of large vehicles (e.g., big rig trucks and recreational vehicles) of transient visitors staying at the adjacent lodging facilities (i.e., the Harbor Light Lodge and Super 8) as well as visitors and locals seeking coastal access to the Noyo Harbor and Noyo Beach via the existing public access trail and stairs across North Harbor Drive and adjacent to the Harbor Light Lodge. In short, this project seeks to convert a visitor-serving use (i.e., an informal parking area) that provides public opportunities for coastal recreation through the adjacent access trail and stairs. Because general commercial development (the proposed

use) is disfavored compared to visitor-serving uses that provide and enhance public opportunities for coastal recreation (the existing use of the southern parcel) this project is not consistent with LU-4.1

Policy LU-5.7: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

Consistency: Same as LU-4.1, see consistency analysis above. Moreover, the proposed parking lot will displace an existing, albeit informal, parking area serving recreational uses and public access to the coastal resources of Noyo Harbor and Noyo Beach without providing a “comparable replacement area” thus it is not consistent with LU-5.7.

Policy LU-10.4: Ensure Adequate Services and Infrastructure for New Development. Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development shall be grounds for denial of the development.

Consistency: The draft IS/MND includes no meaningful analysis of the adequacy of the City’s water supply sources and infrastructure to provide water to the proposed project. LU-10.4 requires that such analysis be included and this project is thus not consistent with LU-10.4. The City has developed a water model that predicts future availability of water supply based on historic water supply and usage rates. Unfortunately, the City’s water model does not adequately include analysis of the projected impacts of climate change and sea-level rise on the City’s future water supply. However, when data about historic king tides, the impacts of which will increase when projected sea-level rise occurs, and their interference with the City’s ability to divert water from the Noyo River is included, the City’s own water model projects that the City will not have adequate water supply for existing development with a mere one-foot increase in the sea level, let alone adequate water supply for new development like this project.

Policy LU-10.5: Minimize Impacts on Air Quality and Green House Gasses. New development shall: 1) be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development, and 2) minimize energy consumption and vehicle miles traveled.

Consistency: The IS/MND projects that GHG emissions and energy consumption will increase due this project regardless of the vehicle miles travelled (VMT) calculations, and also acknowledges that the City adopted a Climate Action Plan setting goals of reducing GHG emissions. Because the draft IS/MND acknowledges the project will increase overall GHG emissions and energy consumption, and the City has adopted a policy requiring the reduction of GHG emissions, this project is inconsistent with LU-10.5 absent the incorporation of energy reduction techniques or on-site or off-site carbon sequestration efforts as mitigation measures and/or permit conditions to offset the projected increase in GHG emissions and energy use.

Policy OS-5.1: Native Species: Preserve native plant and animal species and their habitat.

Consistency: This project interferes with the continued ability of native animal species observed on the site (e.g., grey herons) to access food sources and habitat provided by the existing conditions on the site so it is inconsistent with OS-5.1.

Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.

Consistency: OS-5.2 requires that the site planning and construction of this project preserve existing healthy trees “to the maximum extent feasible.” However, the proposed site layout shifts the new building closer to the existing healthy trees in the northwest portion of the site and includes a bioretention basin within the area where the root system of the cypress tree will have the maximum impacts and damage due to the construction of the bioretention basin. The locations of the proposed building or the northwestern bioretention basin do not have any demonstrated connection to the permitted use or the project’s economic viability so they could easily be relocated to locations that reduce the conflicts with the existing healthy cypress tree. Thus, this project is inconsistent with LU 5.2 because it does not preserve the existing healthy cypress tree “to the maximum extent feasible” nor does it retain the existing healthy pine tree to the north of the cypress tree, instead proposing its removal and replacement with new landscaping.

Policy OS-6.2: Development Review Process: Make energy conservation an important criterion in the development review process.

Consistency: The draft IS/MND does not include a review or discussion of energy conservation related to the proposed project nor is such information contained in the application materials. Without such analysis or review during the development review process, this project remains inconsistent with OS-11.6, which should be acknowledged as a Land Use & Planning and .

Policy OS-11.6: Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants. All permeable pavement that is not effective in infiltrating as designed will be replaced with effective stormwater detention and infiltration methods.

Consistency: This project involves a significant amount of hardscaping and paved areas but no indication that the hardscaping and pavement proposed for this project “shall use permeable pavement materials and techniques” anywhere on the project site. Although there are non-paved landscaping areas that will be permeable, there is no analysis indicating that permeable pavement materials were considered at all for the paved areas, let alone rejected as infeasible.

Thus, this project is inconsistent with OS-11.6 because it neither incorporates permeable paving materials nor analyzes and rejects such materials and infeasible in accordance with OS-11.6

Policy OS-12.1: Developments of Special Water Quality Concern. The categories of development listed below have the potential for greater adverse coastal water quality impacts, due to the development size, type of land use, impervious site coverage, or proximity to coastal waters. A development in one or more of the following categories shall be considered a “Development of Special Water Quality Concern,” and shall be subject to additional requirements set forth in Policy OS-12.2 below to protect coastal water quality. Developments of Special Water Quality Concern include the following:

- a) Housing developments of ten or more dwelling units.
- b) Hillside developments on slopes greater than 12 percent, located in areas with highly erodible soil.
- c) Developments that result in the creation, addition, or replacement of 10,000 square feet or more of impervious surface area.
- d) Parking lots with 5,000 square feet or more of impervious surface area, potentially exposed to stormwater runoff.
- e) Heavy industrial developments.
- f) Vehicle service facilities (including retail gasoline outlets, service stations, commercial car washes, and vehicle repair facilities).
- g) Commercial or industrial outdoor storage areas of 5,000 square feet or more, or as determined by the review authority based on the use of the storage area, where used for storage of materials that may contribute pollutants to the storm drain system or waterbodies.
- h) All developments within 125 feet of the ocean or a coastal waterbody (including estuaries, wetlands, rivers, streams, and lakes), or that discharge directly to the ocean or a waterbody, if such development results in the creation, addition, or replacement of 2,500 square feet or more of impervious surface area.
 - a. “Discharge directly to” the ocean or a waterbody means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.
- i) Any other development determined by the review authority to be a Development of Special Water Quality Concern.

Consistency: This project involves the “creation, addition, or replacement of 10,000 square feet or more of impervious surface area” and a parking lot “with 5,000 square feet or more of impervious surface area, potentially exposed to stormwater runoff” so OS-12.1 applies. However, this project is inconsistent with OS-12.1 since it does not include the “requirements set forth in Policy OS-12.2 below to protect coastal water quality” because it does not include a “Water Quality Management Plan (WQMP), prepared by a qualified licensed professional, which supplements the Runoff Mitigation Plan required for all development.”

Policy OS-12.2: Additional Requirements for Developments of Special Water Quality Concern. All Developments of Special Water Quality Concern (as identified in Policy OS-12.1, above) shall be subject to the following four additional requirements to protect coastal water quality:

- 1) Water Quality Management Plan. The applicant for a Development of Special Water Quality Concern shall be required to submit for approval a Water Quality Management Plan (WQMP), prepared by a qualified licensed professional, which supplements the Runoff Mitigation Plan required for all development. The WQMP shall include hydrologic calculations per City standards that estimate increases in pollutant loads and runoff flows resulting from the proposed development, and specify the BMPs that will be implemented to minimize post-construction water quality impacts.
- 2) Selection of Structural Treatment Control BMPs. As set forth in Policy OS-10.4, if the review authority determines that the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters as required by Policy OS-9.3, structural Treatment Control BMPs shall also be required. The WQMP for a Development of Special Water Quality Concern shall describe the selection of Treatment Controls BMPs, and applicants shall first consider the BMP, or combination of BMPs, that is most effective at removing the pollutant(s) of concern, or provide a justification if that BMP is determined to be infeasible.
- 3) 85th Percentile Design Standard for Treatment Control BMPs. For post-construction treatment of runoff in Developments of Special Water Quality Concern, Treatment Control BMPs (or suites of BMPs) shall be sized and designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.
- 4) Goal for Runoff Reduction. In Developments of Special Water Quality Concern, the post-development peak stormwater runoff discharge rate shall not exceed the estimated pre-development rate for developments where an increased discharge rate will result in increased potential for downstream erosion or other adverse habitat impacts.

Consistency: (See consistency analysis for OS-12.1 above.)

Policy OS-16.7: Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to or concurrent with construction of the approved development. Mitigation shall not substitute for implementation of a feasible project alternative that would avoid impacts to public access.

Consistency: As discussed in the consistency analysis for LU-5.6 and LU-5.7 above, this project includes the replacement of an existing unimproved parking area providing public access to recreational opportunities with a parking lot to serve a general commercial use but it does not include any mitigation measures (e.g., an off-site replacement of the existing parking area that provides relatively equivalent access to the coastal resources) to address or reduce these impacts. Thus, the lack of mitigation required by OS-16.7 prevents this project from being consistent with OS-16.7 so such mitigation should be included and analyzed in the IS/MND.

Policy C-1.2: Coordinate Land Use and Transportation: Ensure that the amount and phasing of development can be adequately served by transportation facilities.

Program C-1.2.1: Review development proposals for their direct and cumulative effects on roadway Level of Service standards. During the development review process, City staff will determine whether traffic studies need to be carried out and the scope of such studies.

Consistency: Although a traffic study was prepared for this project, it concludes that the project will contribute, in a cumulatively considerable manner, to further deterioration of the LOS standards at several studied intersections established by the Coastal General Plan but no mitigation has been incorporated. Without such mitigation measures, the project cannot be considered to be “adequately served” by the City’s transportation facilities. Moreover, there is no discussion or analysis of the site’s access to public transportation or pedestrian-oriented facilities. Thus, this project is not consistent with C-1.2.

Policy C-1.3: Do not permit new development that would result in the exceedance of roadway and intersection Levels of Service standards unless one of the following conditions is met:

- a) Revisions are incorporated in the proposed development project which prevent the Level of Service from deteriorating below the adopted Level of Service standards; or
- b) Funding of prorata share of the cost of circulation improvements and/or the construction of roadway improvements needed to maintain the established Level of Service is included as a condition or development standard of project approval.

Consistency: As discussed above for C-1.2, this project is similarly inconsistent with C-1.3 because neither of the listed conditions for potential approval are met by the proposal. This is true despite the traffic study specifically recommending intersection improvements to the intersection of Main and South Streets. That said, no such mitigation measures are feasible for that intersection because of CalTrans prohibition on signalized intersections in close proximity to a bridge and that intersection’s proximity to the Noyo River bridge to the south. Without

such mitigation or other revisions to the project to prevent the LOS from deteriorating further, it is inconsistent with C-1.3. (See also, consistency analysis for C-1.2, C-9.3.)

Policy C-1.4: Include specific time frames for the funding and completion of roadway improvements for projects which cause adopted roadway and intersection Level of Service standards to be exceeded. Require security, bonding or other means acceptable to the City to ensure the timely implementation of roadway mitigations.

Consistency: This project is not consistent with C-1.4 because there are no time frames established for the completion of roadway improvements and the project causes the LOS to exceed the applicable standards.

Policy C-1.5: Traffic Impact Fees. When traffic impact fees are collected, establish a schedule from the date of collection of said fee for the expenditure of funds to construct roadway improvements that meets project needs. Where a project would cause a roadway or intersection to operate below the adopted traffic Level of Service standards, the roadway or intersection improvements should be completed in a timely manner but no later than five years after project completion.

Consistency: (See consistency analysis for C-1.4; see also C-9.3.) In addition, although this project results in intersections projected to operate below LOS standards, no roadway or intersection improvements are proposed. Because roadway and intersection improvements are necessary per the traffic study as well as relevant Coastal General Plan policies discussed herein, the project must also incorporate a timeline for such improvements that ensures completion within the maximum five years permitted by C-1.5. Thus, the project is not consistent with C-1.5 absent these revisions to the project and corresponding revision of the draft IS/MND.

Policy C-6.2: Improve Existing North Harbor Drive: Consider improvements to North Harbor Drive to increase capacity and safety for vehicles and pedestrians. Any improvements to North Harbor Drive shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.

Consistency: This project involves improvements along North Harbor Drive (e.g., sidewalks) but there is no analysis of the consistency of the proposed improvements with the applicable policies of the LCP, including policies concerning maintaining public access to coastal resources served by the informal parking area on the southern portion of the parcels. Thus, this project is not consistent with C-6.2 absent revisions to include consistency analysis of the proposed improvements to North Harbor Drive.

Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.

Consistency: The northeastern boundary of this project is adjacent to the intersection of Franklin and South Streets, which is currently a two-way stop on S. Franklin Street. That intersection does not include north-south crosswalks for safer pedestrian access across South Street nor does it include installing stop signs on South Street to convert the intersection into a four-way stop, which would improve conditions necessary for safe pedestrian access. The City Council has previously identified this intersection for pedestrian and vehicular safety upgrades, including conversion into a four-way stop. The draft IS/MND does not include this relevant information or corresponding analysis of the issue of pedestrian safety for patrons to access the Grocery Outlet across South Street. This should be addressed by revising the IS/MND to include such analysis and the likely addition of an additional mitigation measure to upgrade that intersection to a four-way stop or providing a prorata fair-share contribution to those intersection improvements.

Policy C-9.7: Improve Pedestrian Safety.

Program C-9.7.1: Continue to provide traffic controls and well-lit intersections in areas with a high volume of pedestrian movement.

Consistency: As discussed in the consistency analysis for C-1.2 and C-9.3 above, this project does not propose to provide recommended traffic controls at the intersection of Franklin and South Streets, which is likely to produce a “high volume of pedestrian movement” because the Grocery Outlet likely to attract patrons without the means to afford private vehicle transportation since it is a discount grocery store in a location that is to the south of most residential development in the City. As such, it is reasonable to predict the bulk of patrons accessing the site on foot will be travelling from the north along Franklin Street and across South Street. The draft IS/MND does not include any analysis of safe pedestrian access through this intersection (or otherwise) and it should be revised to include this critical information and analysis. Thus, the project is not consistent with C-9.7 without revising the IS/MND to analyze and address this area of concern.

Policy C-14.1: Development to Pay Its Fair Share: Require new development to pay its fair share of transportation improvements to maintain levels of service and traffic safety in the City.

Consistency: (See consistency analysis for C-1.2, C-1.3, C-1.4, C-1.5, C-9.3, and C-9.7.) This project is inconsistent with C-14.1 because it does not require the project applicant/developer to make any fair-share contribution for necessary transportation infrastructure improvements that the traffic study identified were necessary to maintain LOS and traffic safety in the City.

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Consistency: The project is not consistent with CD-1.1 because it is not “designed and sited to protect views to and along the ocean” since the site layout and design shifts the new building further north on the project site compared to the existing building to a location that includes the only current blue water ocean views through the site from the public rights-of-way. The draft IS/MND attempts to dismiss this inconsistency by describing the existing ocean views as “keyhole” views through the existing gas station to the west of the project but CD-1.1 is mandatory based on the use of “shall” and CD-1.1 does not make any exceptions to the requirement to protect views for partially-obstructed or keyhole views. The draft IS/MND should be revised to incorporate visual analysis of the project’s potentially significant impacts of the existing ocean views that will be blocked. (See the documents in the record for the recent proposed but denied application for an Auto Zone project on Todd’s Point, which incorporated visual analysis of ocean views through the project site and through intervening development that partially obstructed the ocean views through that project site. Similar visual analysis of partially obstructed ocean views through the northern portion of the project site should be incorporated into a revised draft IS/MND along with a corresponding mitigation measure to prevent future development within the view corridors through the site.)

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Consistency: (Same as consistency analysis of CD-1.4.)

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

Consistency: The project is not consistent with CD-1.10 because it includes boundary line adjustments in the form of the merger of three existing parcels into a single parcel but the draft IS/MND fails to include any analysis of the parcel merger’s consistency with the visual resource protection policies of the Coastal General Plan discussed in these comments. These policies include CD-1.1, CD-1.4, and CD-2.5, which protect the existing ocean views through the northern-most parcel that will be merged with the other two parcels. The proposed parcel merger is necessary to facilitate the development on the new combined parcel that shifts the proposed new building further to the north (thus blocking most of the existing ocean views) but which would have not been possible absent the boundary line adjustments/parcel merger because the proposed building would have straddled the property line of the middle and northern parcel, which is not permitted by the CLUDC.

Policy CD-2.1: Design Review: All development that has the potential to affect visual resources shall be subject to Design Review, unless otherwise exempt from Design Review pursuant to Coastal Land Use & Development Code Section 18.71.050. Design Review approval requirements shall not replace, supersede or otherwise modify the independent requirement

for a coastal development permit approved pursuant to the applicable policies and standards of the certified LCP. Ensure that development is constructed in a manner consistent with the Citywide Design Guidelines.

Consistency: As discussed on the notes and highlights on pages 7 to 9 of the draft IS/MND, this project is not consistent with numerous provisions in the Citywide Design Guidelines. As a result, the project is not consistent with the final sentence of CD-2.1, which requires all development to be “constructed in a manner that is consistent with the Citywide Design Guidelines.”

Policy CD-2.5: Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

Consistency: (See consistency analysis of CD-1.1, CD-1.4, and CD-1.10.) The project is not consistent with CD-2.5 because the proposed development adversely impacts scenic views of the ocean through the project site as seen from the public rights-of-way along S. Franklin and South Streets.

Policy CD-5.1: Parking Location: Wherever feasible, locate parking facilities to the rear of the development so that the building facade is contiguous with the street frontage, and parking areas are hidden from the street.

Consistency: This project proposes all parking facilities to the south and in front of the primary entrance at the southeastern corner of the new proposed building. The location of the proposed parking lot is not to the rear of the building, which is along the western (and possibly northern) side of the property because the primary street frontage of the building is along S. Franklin Street as well as North Harbor Drive based on the location of the building entrance facing S. Franklin and North Harbor Drive. Instead, the entire parking lot is proposed on the southern end of the merged parcels, which is directly in front of the building entrance and clearly visible from both North Harbor Drive and S. Franklin Streets rather than proposing parking areas that are hidden from the street, as is required by CD-5.1 whenever it is feasible to do so. The draft IS/MND fails to include any meaningful analysis of the project’s consistency with CD-5.1, including entirely omitting any discussion of the feasibility of locating the parking area(s) in locations “to the rear of the development” or otherwise “hidden from the street.” If it would be infeasible to locate the parking area as suggested by CD-5.1, analysis supporting that conclusion should be included in a revised IS/MND. Thus, the project is not consistent with CD-5.1. nor does it meet CEQA requirements to analyze a project’s consistency with applicable general plan policies.

From: [Ahlstrand, Tatiana L@DOT](mailto:Ahlstrand.Tatiana.L@DOT)
To: [O'Neal, Chantell](mailto:O'Neal.Chantell)
Cc: [State Clearing House \(state.clearinghouse@opr.ca.gov\)](mailto:state.clearinghouse@opr.ca.gov)
Subject: Best Development Grocery Outlet Initial Study comments
Date: Friday, February 12, 2021 4:16:04 PM
Attachments: [MEN - 1 - 60.4 - Fort Bragg Grocery Outlet.pdf](#)

Hello Chantell,

Thank you for the opportunity to comment on the Initial Study for a proposed Best Development Grocery Outlet in the City of Fort Bragg. We look forward to working with the City as this project moves forward and anticipate that we will discuss these comments in our meeting next Friday, February 19th. As noted in the letter, our Division of Traffic Safety will be in Fort Bragg on Tuesday, February 16th doing a field review of the area. Please do not hesitate to contact me with any questions about the comments in the letter.

Thank you,

Tatiana Ahlstrand
Transportation Planning
Caltrans District 1 – Eureka
(707) 684-6884
tatiana.ahlstrand@dot.ca.gov

DEPARTMENT OF TRANSPORTATION

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Making Conservation
a California Way of Life.

February 12, 2021

Chantell O'Neal
Assistant Director, Engineering
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

1-MEN-1-60.4
Fort Bragg Grocery Outlet
SCH# 2021010142

Dear Ms. O'Neal:

Thank you for the opportunity to comment on the Initial Study for a proposed Best Development Grocery Outlet on a 1.63-acre parcel in the City of Fort Bragg (December 2020). The project would include the demolition of an existing structure to be replaced with the construction and operation of a 16,157 square foot, one-story, retail store including a 53-space parking lot and associated improvements and infrastructure. The site is bordered to the north by South Street, to the south by North Harbor Dive, and to the east by South Franklin Street. It is located one block east of State Route 1 (1-MEN-1-60.4).

We previously commented on the Traffic Impact Analysis (TIA, December 24, 2019). To clarify those comments and to apply policies from current California legislation, we have the following comments as this project moves forward:

Senate Bill 743:

Senate Bill 743 (SB 743) was approved in 2013, incorporated into the State's CEQA Guidelines in 2018, and statewide implementation occurred on July 1, 2020. SB 743 has updated the way transportation impacts are measured in California for new development projects, making sure they are built in a way that allows Californians more alternatives to motor vehicle use. The change in CEQA helps to reduce automobile trips while increasing the use of sustainable modes that are essential to supporting California's growing population and economy, also while meeting climate goals.

SB743 promotes multi-modal transportation networks and supports active transportation. Therefore, we concur with the recommendations in the TIA to fill the existing sidewalk gaps along the project's frontage, include bicycle racks with the

proposed development, and consider bicycle lanes and other non-motorized enhancements where feasible.

The TIA for this project (KD Anderson & Associates, Inc., October 22, 2019) uses traditional Level of Service (LOS) and delay metrics that are no longer accepted for determining transportation impacts or mitigation measures on the state highway system. New metrics have been set for identifying and mitigating transportation impacts within CEQA. These metrics are generally focused on Vehicle Miles Traveled (VMT). However, the City of Fort Bragg may still consider LOS in analysis of the local street network.

We have concluded that no significant improvements on SR 1 are appropriate at this time, considering nexus and proportionality, in association with the Grocery Outlet project.

Recommendations:

- We do not support the recommended mitigation for traffic control improvements on State Route 1 at South Street or North Harbor Drive. This is for two reasons: 1) Caltrans no longer uses LOS to determine mitigation; 2) Meeting a single traffic signal warrant does not require a signal, or other right of way improvement be implemented.
- We also do not concur with restricting left turns from South Street onto State Route 1. There is currently a left-turn prohibition at North Harbor Drive, meaning the southbound traffic leaving the Noyo River Harbor area likely uses South Street or Cypress Street for access to southbound State Route 1. We do not want to encourage additional southbound traffic to Cypress Street by restricting left turns at South Street.

We may have additional comments or recommendations as the proposed project moves through the CEQA process. A field review of the area is scheduled for Tuesday, February 16, 2021.

We look forward to working with the City of Fort Bragg as this project moves forward and expect we will discuss the comments outlined in this letter in more detail at our meeting on Friday, February 19, 2021.

Chantelle O'Neal
February 12, 2021
Page 3

Please feel free to contact me with any questions or for further assistance at (707) 684-6884 or tatiana.ahlstrand@dot.ca.gov.

Sincerely,

Tatiana Ahlstrand

TATIANA AHLSTRAND
Transportation Planning
Caltrans District 1

CC: California State Clearinghouse

From: [Al Sace](#)
To: [O'Neal, Chantell](#)
Subject: Grocery outlet
Date: Saturday, February 13, 2021 10:51:38 PM

No, thanks. We do not need or want this eyesore/business killer in Ft. Bragg.

From: [Leslie Kashiwada](#)
To: [O'Neal, Chantell](#)
Cc: [Lemos, June](#)
Subject: Comments of the Grocery Outlet Initial Study
Date: Tuesday, February 16, 2021 2:33:43 PM
Attachments: [GOBM_InitialStudy_Comments.pdf](#)

Hi Chantell,

Attached are my comments regarding the Grocery Outlet Initial Study. Please add them to the public comment section for this application.

Thank you,
-Leslie

Initial Study and Environmental Checklist for Best Development Grocery Outlet Bargain Market

**Comments submitted by Leslie Jan Kashiwada, PhD,
kashiwa@mcn.org**

Building Re-Use versus New Building

The Initial Study indicates that the project proposes to tear down the old Social Services Building (16,436 sq ft) and build a new building (16,157 sq ft) with a very different footprint and much greater visual impact. Given that adaptive re-use of existing buildings is a stated policy within the Coastal General Plan, this study needs to discuss the feasibility of repurposing and retrofitting the existing building, including a cost-benefit analysis of re-using the existing building versus demolition with a new building.

Biological Study - Biota

The site doesn't appear very interesting biologically, but the Biological Study was very superficial and severely lacking as a thorough effort to characterize the environment at the proposed site. The biological study consisted of one day on site (August 9) including a plant inventory (methodology not provided, but likely just a presence/absence survey) and visual evidence of animal activity (noting only gopher mounds and a crow). No mention was made of insects, reptiles or amphibians. The proposed night survey for bats (potentially roosting in the old building) was not conducted because of weather. In addition, the survey only included the south lot. The pine and mature cypress trees on the western edge of the northern lot were lumped in with "shrubby planted around the edges." There was no mention of the habitat provided by these trees (more on this below). The study recommended a follow-up survey on bats and the Initial Study mentions a bat survey will be required as a mitigation (page 10). There is no indication of when that survey will be conducted; only that, if bats are found, then CDFW will be consulted. That study should be done sooner rather than later in order to settle this issue before more time and money are spent on the project.

The proposal makes no effort to retain existing trees on the western edge of the northern lot, and only mentions new landscaping. The new landscaping includes Monterey cypress, but it will be many decades before any of them reach maturity, if they ever do. Because Monterey cypress trees have spreading limbs, these trees may be kept trimmed in a way that will not develop the habitat provided by the mature trees currently on site. In addition, because Monterey cypress is not native to the area, there should be an effort to find more appropriate native evergreens to use for landscaping. The existing trees (see photos below) should be retained to the maximum extent possible, and the study should address how this objective can be achieved. New trees should only be planted where there are currently no trees, or where an existing tree has to be removed, and they should be substantial in size.

Biological Study - Soils

The biological study noted that the soils are hydric, but no wetland species were found. However, the date of the one-day survey was at the end of the summer (dry season) and therefore those conclusions are at best preliminary, pending further surveys done at a variety of times throughout the year. A one-day survey does not provide sufficient data for a complete characterization of any site, no matter how uninteresting or disturbed.

Water Usage

The Initial Study notes that the change of site usage from offices to retail will include increased water use (especially given that the existing building has been vacant for over a decade). The report discusses the City's water supply (page 68), but there is no analysis of the amount of water the project will need and how that need will be met given that the City has had repeated water rationing during the dry season (even with several water storage reservoirs, which only store water – they do not produce new water). For comparison, KASL Consulting Engineers produced a Water Model Study for the 2015 Hare Creek Project MND, which noted that the average day demand would be 8,260 gpd (peak hour demand of 23,128 gpm). Although not directly comparable (The Hare Creek Project was much larger), most of that water use was allocated to a Grocery Outlet Bargain Market. The city's own water analysis shows that a minimal rise in sea level in conjunction with king tides will produce multiple days where the water system will not be able to draw water because of saltwater intrusion. This kind of in-depth look at water use and availability is essential for every proposed project that will depend on the City for its water supply, including this one.

Water System Infrastructure

The Initial Study barely mentions the capacity of City water system (infrastructure) to serve the needs of the project. On page 4 (and page 67) it states that "The existing water connection on South Street includes a 6-inch fire service line and is proposed to be the main water service to the building, with a new 6-inch fire connection to be constructed to the east of the existing connection. A total of three (3) fire hydrants with valve lines are proposed for fire suppression on the Site." Note: page 67 says there will be a new 8-inch fire connection. The KASL Water Model Study referenced above relied on a report taken from the City of Fort Bragg, Phase 1 Water Facilities Study: Existing Water Collection, Distribution and Capacity, Nov 2013 for a baseline of existing system demands. The Phase 1 Water Facilities Study noted some areas of low water pressure that might not meet demand on the south end of town, particularly at fire hydrants. Is this no longer an issue or will adding a new 6-inch (or 8-inch) fire connection further reduce water pressure in the area? Has any new data been produced that show water pressure at fire hydrants meets all current applicable requirements?

Storm Water Drainage

Storm water drainage is addressed in a very perfunctory way (page 5 and page 69). The Initial Study states that the swale and "bioretention facilities [are] sized to capture and treat runoff from the proposed impervious surfaces produced by the

24 hour 85th percentile rain event...” The study does not address runoff that exceeds this percentile. No system can retain all the water that might result from an atmospheric river dumping massive amounts of water in a short period of time. Because the site is in close proximity to the Noyo River and the Pacific Ocean there needs to be a Water Quality Management Plan that addresses these significant events, which will be more common in the coming years.

Traffic Study

The findings of the Traffic Study were not fully addressed in the Initial Study. In fact, the Initial Study concluded that would be a less than significant impact on transportation (based on VMT instead of LOS). I work in the harbor and make a right turn at North Harbor Drive every weekday on my way to the CDFW office (excluding this pandemic period). I usually drive out via South Franklin Street across South Street and take a left turn at the 4-way stop at Cypress Street. This affords me the safety of a left turn at the traffic light at Cypress Street onto Highway One. Crossing South Street at South Franklin Street (a 2-way stop) can be a challenge and the increased traffic brought about by this proposed project will only make it worse. In addition, I regularly see people illegally turning left onto Highway One from the Arco Station (signage at North Harbor Drive indicates “no left turn”) and turning left onto Highway One from South Street, an action that is allowed but often harrowing.

This proposed project would bring significantly more trips from both the north and the south and the Traffic Study indicated that LOS will worsen. The Traffic Study recommended improvements at several intersections to help mitigate those negative impacts. However, I do not think those improvements are viable for the following reasons:

- 1) The intersection of Highway One and North Harbor Drive is too close to the bridge for a stop sign or light. Was CalTrans asked to comment on this? I suspect that even the intersection of Highway One and South Street is too close to the bridge for stop signs or light. I assume the entrance to the Grocery Outlet Bargain Market was located facing North Harbor Drive to keep traffic off South Street as much as possible.
- 2) South Street is the primary access for ambulances to the hospital. Putting any kind of traffic control on South Street at South Franklin Street could negatively impact this access route.

Unfortunately, neither the Traffic Study nor the Initial Study address the issue of intersection improvement feasibility. In addition, despite the recommendation of the Traffic Study, the Initial Study did not indicate any responsibility on the part of the developer to pay for any road improvements (independent of feasibility). Is the City willing to let LOS worsen, including more accidents in the affected intersection, especially on Highway One and South Street? The issue of using VMT instead of LOS as a measure of impact is something the Initial Study said the county and city need to address (pages 61 and 62), but I think these metrics are only indicators, and likely not very good ones for area like the proposed site which has complex intersections.

Note on Zoning

The zoning is mostly described as Highway Visitor Commercial (pg 1, 3, 7, 46, Figure 2: Land Use Designation Map), but the Site Map lists zoning as General Commercial (pg 89).

Economic Analysis

This Initial Study goes through a checklist of CEQA evaluations, but an Economical Analysis is not included. Perhaps it was not a required part of the report, but it should be. Before progressing further with this project, the impact on existing grocery stores must be analyzed. Can the community support another grocery store or will one of the existing full-service stores go under? Are the anticipated tax receipts from the proposed Grocery Outlet Bargain Market offset by loss of tax receipts at the other stores? If so, by how much?

In addition, the Initial Study indicates that the store will be operated by 15 to 25 full-time staff and 2 managers. What are the salary ranges for these full-time employees? My research shows that there will be corporate pressure to staff the store at the lowest possible level and that many of those employees will be part-time to avoid paying benefits that often come with full-time employment (a quick scan of reviews about pay and benefits indicates that even full-time workers don't receive benefits: <https://www.indeed.com/cmp/Grocery-Outlet/reviews?ftopic=paybenefits>). I recommend the City conduct an analysis of the employment practices of the other large local franchise stores (Safeway, Dollar Store, Rite Aid, CVS in Fort Bragg and Grocery Outlet Bargain Market in Willits) to determine the most realistic employment model for the store. Relevant metrics would include square footage of retail space, number of check-out stations (staffed and self-serve), employee classifications with both full-time and part-time salary ranges (and which, if any, are covered by a union contract), the number of full- and part-time employees in each classification, and turnover in each classification.

Conclusion

This Initial Study is sorely deficient. While it ticks off "required" boxes, it does not provide the most important information for City Staff, the Planning Commission, or the City Council to make a truly informed decision about this project. We should want smart, forward-looking economic development using a wide perspective on how the different parts of the local economy work together. Merely describing the bare minimum required by law, with no analysis of interdependent factors and cumulative impacts can lead to hollowing out the local economy. The pandemic has devastated our local businesses, and I encourage using a very critical eye on proposed development by non-local corporations. There is a plethora of research showing that this type of development extracts more from the local economy than it brings to it. Instead, I encourage the City to propose pro-active measures to support and foster local businesses. Unfortunately, the Fort Bragg Community Development Department is minimally staffed and only has the capacity to react to applications by property owners with the money to go through the permitting process. This makes the City low-hanging fruit for large corporations to bring franchise businesses to town, which will turn us into Anywhere, USA.



From: [Clare Bercot Zwerling](#)
To: [O'Neal, Chantell](#)
Subject: Public comment IS/MND Grocery Outlet
Date: Tuesday, February 16, 2021 11:35:35 AM

We have at least 4 food stores in town, 3 of which are locally owned. Why on earth is the city even considering adding another chain store to the mix? I strongly oppose this. It makes no sense especially in light of the housing crises here for workers. Why can't the city be loyal to its existing businesses?

Clare Bercot Zwerling
Resident of Fort Bragg

Sent from my iPad

From: [Jacob Patterson](#)
To: [O'Neal, Chantell](#)
Subject: Re: Written Comments on the Draft IS/MND for the S. Franklin Street Grocery Outlet
Date: Tuesday, February 16, 2021 11:29:02 AM
Attachments: [09252019 Staff Report - AutoZone.pdf](#)

Chantell,

Please also include this email and the attached staff report for the Todd's Point Auto Zone project as additional written comments for the draft IS/MND. I referenced the Auto Zone permit review in my earlier written comments but it wouldn't already be in the record for this entitlement review. It includes visual analysis concerning views through the property and surrounding property that is developed so some of the views may be partially obstructed, which is also the situation with the proposed Grocery Outlet project on S. Franklin Street. I already submitted several emails with photos of the site showing the existing ocean views through the site as well as documented wildlife activity on the site that contradicts the biological survey. Since they are already in the record for this project, I do not need to submit them again as part of these comments but they should be included in my comments for the draft IS/MND by reference.

On a different note, I did find several typos and minor cross referencing errors in my prior submitted written comments but the meaning is still clear so I won't submit revised comments correcting the typos and incorrect cross references other than to point out that page 9 of my Coastal General Plan Consistency Analysis document (Exhibit A) should have should have referenced the analysis for Policy CD-1.1 not itself. As such it should read as follows:

"**Policy CD-1.4:** New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Consistency: (Same as consistency analysis of CD-1.1.)"

Thanks,

--Jacob

On Sun, Feb 14, 2021 at 6:43 PM O'Neal, Chantell <COneal@fortbragg.com> wrote:

Jacob,

This email is to confirm receipt of your comments. I will forward them to the Consultant Planning Firm for review.

Per section 15074 (b) of the CEQA handbook.

(b) Prior to approving a project, the decision-making body of the lead agency shall consider the

proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

Regards,

Chantell O'Neal

Assistant Director, Engineering Division

Public Works

(707) 961-2823 ext. 133



From: Jacob Patterson [mailto:jacob.patterson.esq@gmail.com]

Sent: Friday, February 12, 2021 12:13 AM

To: O'Neal, Chantell <COneal@fortbragg.com>

Subject: Written Comments on the Draft IS/MND for the S. Franklin Street Grocery Outlet

Chantell,

I have completed my review of the draft IS/MND for the Grocery Outlet project with a few days to go before the end of the public review and comment period. In lieu of a memo concerning the adequacy of the CEQA review, I have attached a copy of the actual draft IS/MND (minus the figures and attached reports at the end) with my written comments and objections presented in the form of notes and highlights. I have also attached an Exhibit A at

the end, which contains my analysis of the project's lack of consistency with applicable Coastal General Plan policies. (Exhibit A is referenced within the preceding notes and highlights but my analysis would not fit on the margins and blank spaces within the draft IS/MND.) Exhibit A provides a useful summary of various points raised throughout my notes and highlights so you may be most interested in reviewing the final ten pages of the attached comments. The other major area concerns analysis of the project's inconsistency with the Citywide Design Guidelines.

I am familiar with how some CEQA consultants choose to respond to written comments, which is to try to dismiss comments without providing a substantive response by claiming that many of the comments merely disagree with the analysis in the draft CEQA document or lodge objections without providing additional supporting evidence for the positions taken in the comments. I caution the City not to attempt that here because, although I am not submitting relevant supporting documentation with these written comments (e.g., I reference the City's water model but did not attach the actual water model to my comments), I will submit all such supporting documentation for the record before or during the public hearing(s) when the City will consider certifying the draft CEQA document. Such supporting documents are referenced in my comments and most are actually the City's own documents (e.g., prior staff reports, resolutions, and the like), which should already be available to you and the City's CEQA consultants at LACO Associates to verify my positions and objections.

Please confirm your timely receipt of my written comments. I am available to answer any questions or requests for clarification you LACO Associates might have during the review of my written comments..

Regards,

--Jacob

Email correspondence with the City of Fort Bragg (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act.

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Coastal Development Permit 9-18 (CDP 9-18)
Design Review 3-18 (DR 3-18)
Minor Subdivision 1-18 (DIV 1-18)

OWNER: Wayne Mayhew

APPLICANT: AutoZone Parts, Inc. – Mitch Bramlitt

AGENT: LACO Associates

PROJECT: Coastal Development Permit, Design Review, and Minor Subdivision to construct a 7,500 SF AutoZone retail store with 26-space parking lot and associated improvements and infrastructure. The existing 2.5-acre parcel is vacant and the proposed subdivision would create two lots. Lot 1 on the northern portion of the site would be the site of the proposed retail store. No development is proposed for the southernmost lot at this time.

LOCATION: 1151 S Main Street, Fort Bragg

APN: 018-440-58

LOT SIZE: 2.5-acres

ACTION: The Planning Commission will consider adoption of the project Mitigated Negative Declaration; and approval of Coastal Development Permit (CDP 9-18), Design Review (DR 3-18), and Minor Subdivision 1-18 (DIV 1-18)

ZONING: Highway Visitor Commercial (CH) in the Coastal Zone

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration has been prepared for the project. See Attachment 1.

SURROUNDING LAND USES:
NORTH: General Retail / Auto Repair Service
EAST: CA Hwy 1 / Vacant Lot / Drive-thru Restaurant
SOUTH: Lodging-Motel
WEST: Vacant Lot / Mendocino County Single Family Residential

APPEALABLE PROJECT: **Can be appealed to City Council**
 Can be appealed to Coastal Commission

STAFF RECOMMENDATION

Staff recommends that the Planning Commission: 1) receive staff report; 2) open the public hearing; 3) take testimony from the public and the applicant; 4) close the public hearing and deliberate; and

- 5a) direct staff to prepare a resolution with findings for approval based on the project's consistency with the City's Coastal General Plan and Coastal Land Use and Development Code as discussed and mitigated in the MND, and analyzed and conditioned in the staff report; **or**
- 5b) direct staff to prepare a resolution with findings for denial based on Planning Commission's determination that the project is inconsistent with either: a) Policy LU-4.1, (appearance/small town character); b) CLUDC 17.50.070 (sited and designed to protect views to and along the ocean and scenic coastal areas); and/or c) insufficient findings regarding Design Review Permit; and

Further, staff recommends the Planning Commission continue the public hearing to the next regularly scheduled meeting of Planning Commission on October 9, 2019, in order to provide staff an opportunity to develop a resolution for the selected Planning Commission action.

PROJECT DESCRIPTION

The applicant is seeking a Coastal Development Permit, Design Review and Minor Subdivision to create two parcels and construct a 7,500 SF AutoZone retail store. The retail store would include a 26-space parking lot, roadway improvements to the unnamed frontage road, pedestrian improvements, a bio retention pond, landscaping and signage. The minor-subdivision would create two lots from an existing 2.5-acre parcel; Lot 1 on the northern portion of the site would be the location of proposed AutoZone retail store; no development is proposed for the southernmost lot (Lot 2) at this time (Attachment 2 – Site Plan).



Map 1: Project Location – 1151 S Main Street

CONSISTENCY WITH COASTAL GENERAL PLAN AND COASTAL LAND USE & DEVELOPMENT CODE

The following analysis summarizes the proposed project's compliance with development standards and relevant Coastal General Plan policies that have a bearing on the project. Special conditions are recommended where necessary, to bring the project into conformance with the City's Local Coastal Program.

LAND USE

The zoning designation for the subject site is Highway Visitor Commercial (CH) in the Coastal Zone. The proposed land use is "General retail – 5,000 SF or larger", which is permitted by right in the CH zoning district. The proposed retail store is an AutoZone Parts, Inc., which meets the Coastal Land Use and Development Code definition of formula business:

"A business which is required by contractual or other arrangement to maintain standardized services, décor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to retail sales and service, and visitor accommodations."

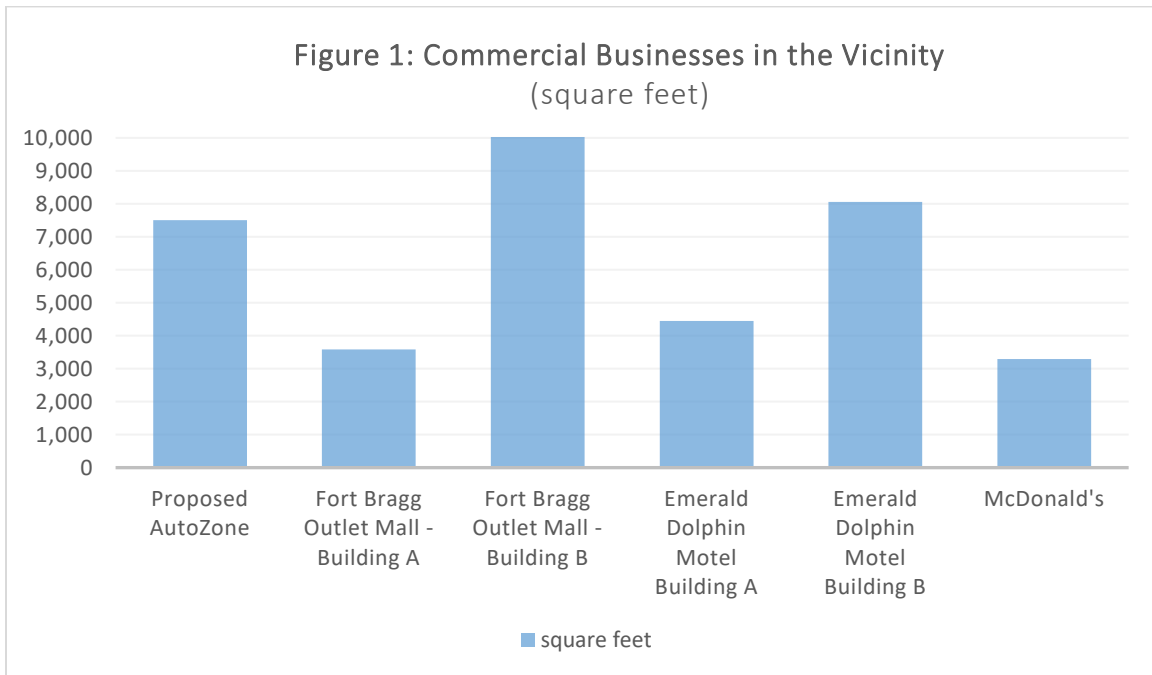
Formula businesses are permitted in Fort Bragg, and compliance with Policy LU-4.1 is intended to ensure that their location, scale and appearance do not detract from the economic vitality of established commercial businesses.

Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

To determine whether the: 1) location; 2) scale; and 3) appearance of the proposed AutoZone would detract from the economic vitality of established commercial businesses, staff has prepared the following analysis:

Location: The zoning designation, Highway Visitor Commercial, is applied to sites along CA Hwy 1 and is generally vehicle oriented. As most visitors to Fort Bragg arrive by motor vehicle, a retail store providing items to maintain vehicles is a vehicle oriented business. Land uses in the immediate vicinity of the project site include lodging, restaurant, café, retail and auto repair. Both the proposed project (retail) and adjacent existing businesses are permitted land uses by right, adhering to the intent of the CH zoning district, and thus would not detract from the economic vitality of established commercial businesses.

Scale: New development is comparable in scale with existing buildings and streetscape. Figure 1 depicts the scale of the proposed retail store, relative to established businesses in the vicinity. As shown, the size of the proposed retail store is comparable with other buildings in the immediate vicinity and would not detract from the economic vitality of established commercial businesses.



Appearance: Staff required the applicant to modify and revise the initial project design to better comply the Citywide Design Guidelines. Architectural features such as transom windows were added to the southern façade, awnings were included to create more articulation and the color palette changed from dark greys to earth-toned browns. In addition, a corner gable architectural element was removed because it made the building taller and landscaping was identified and further refined to improve the overall appearance. The Design Review Permit process gives the Planning Commission an opportunity to further evaluate the proposed design and, if desired, to further modify the design in order to ensure the appearance does not detract from the economic vitality of established commercial businesses. Design Review is discussed in detail further in the staff report. The following images represent the appearance of established commercial businesses in the area to provide context of the proposed project within the existing streetscape.



Image 1: Emerald Dolphin Motel Building A (right), Building B (left)



Image 2 : Fort Bragg Outlet Building A (right) and Building B (left)



Image 3: McDonald's



Image 4: Proposed AutoZone

The benefit of an auto parts retail establishment is to offer visitors and residents supplies to repair and maintain motor vehicles. This do-it-yourself approach to auto care could be interpreted as supportive of our community’s small town rural character. On the other hand, one might interpret the arrival of a third auto parts retail store to threaten the economic vitality of existing auto parts retail stores, Napa and O’Reilly’s.

The Planning Commission determine whether the project is consistent with the small town rural character of Fort Bragg and Policy LU-4.1. The mission of the City’s General Plan is to “*preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents.*” Several statements are listed to affirm this mission and statements relevant to this discussion are listed below:

- *A friendly city with a small town character and a strong sense of community.*
- *A city which strives to create an environment where business and commerce can grow and flourish.*
- *A city that embraces its role as the primary commercial and service center on the Mendocino coast.*
- *A city which promotes itself as a tourist destination and which provides the necessary infrastructure and services to support a growing population of transient visitors.*
- *A city that supports efforts to preserve and strengthen the vitality of commerce in its central business district.*
- *A city that fosters a business climate which sustains and nourishes the growth and expansion of local businesses and cottage industries.”*

Development Standards - Site development zoning standards for the Highway Visitor Commercial (CH) zoning district and the proposed project’s compliance with these standards is analyzed in Table 1:

Table 1: Zoning Standards for Highway Visitor Commercial (CH)			
Development Standards	CLUDC Requirements	Proposed Project	Compliance
Front Setback	15 feet	15 feet	Yes
Side Setback (north)	none	43 feet	Yes
Side Setback (south)	none	88 feet	Yes
Rear Setback	15 feet	78 feet	Yes
Height Limit	35 feet	26 feet	Yes
Lot Coverage	no limitation		Yes

As noted above, the project complies with the Development Standards for CH Zoning District.

Parking - CLUDC 17.26 regulates parking and loading requirements for developments. Off-street parking is required for all retail trade at a ratio of one (1) space for each 300 SF of floor area. In addition, one parking space for disabled persons is required within a parking lot with less than 26

spaces. Bicycle parking is required equal to a minimum of five percent (5%) of required vehicle parking. The proposed retail store at 7,500 SF requires 25 parking spaces, one (1) of which should be an ADA accessible parking space and parking for at least two bicycles. The proposed parking lot contains 26 parking spaces, two (2) ADA accessible spaces and parking for four (4) bicycles. In an effort to utilize land efficiently, CLUDC 17.36.040(f) discourages excessive parking:

- i. The City discourages a land use being provided more off-street parking spaces than required by this Chapter, in order to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces.
- ii. The provision of off-street parking spaces in excess of the requirements in Table 3-7 is allowed only with Minor Use Permit approval in compliance with Section 17.71.060, and only when additional landscaping, pedestrian amenities and necessary storm drain improvements are provided to the satisfaction of the review authority.

In order to approve the proposed project, Planning Commission would need to include Special Condition 1 or provide direction regarding additional landscaping, pedestrian amenities and storm drain improvements that the Planning Commission would require in order to maintain the current number of parking stalls.

Special Condition 1: Prior to issuance of building permit, applicant will either a) adjust site design to reflect the removal of two (2) parking space for a total of 25 parking spaces. The space to be removed shall be those located nearest to the unnamed frontage road; or b) provide additional landscaping, pedestrian amenities and storm drain improvements as directed by the Planning Commission.

Additional development standards with regards to parking and the projects compliance with these standards are represented in Table 2:

Table 2: Parking Lot Development Standards			
Development Standards	Requirements	Proposal	Compliance
Parking Stall Dimensions	90-degree angle parking should have a minimum space width of 9 feet and a minimum space depth of 18 feet.	The proposed parking lot offers space width of 9 feet and a space depth of 18 feet	Yes
Driveway Width	The minimum two-way driveway width is 22 feet	28 feet at entrance; 24 feet interior dimension	Yes
Surfacing	asphalt, concrete pavement or comparable material	heavy duty asphalt driveway, regular and heavy duty concrete parking stalls	Yes

Fencing - CLUDC Section 17.30.050 establishes standards for fences, walls and screening. Fencing is required between different land uses and therefore would be required to separate the proposed project from adjacent residential land uses; specifically, a decorative, solid wall of masonry. During consultation with the California Coastal Commission staff, the question of fencing versus retaining the open space character and blue water views of the site was discussed.

Through this conversation it was determined that split rail fencing and native vegetation would have the least impact on visual resources on the site. Coastal General Plan Policy 1-2 states:

Policy 1-2: Where policies in the Coastal General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

The split rail fencing and native vegetation is reflected on the project site plan and preliminary landscape plan. Further analysis of the impact the proposed project would have on existing blue water views will be discussed later in the staff report as part of the Coastal Development Permit analysis on visual resources.

Landscaping - CLUDC Chapter 17.34 establishes requirements for landscaping. Landscaping is a vital component of development, as it enhances the appearance, controls soil erosion and improves air quality. A Preliminary Landscape Plan is required as part of an application for new development (Attachment 3 – Preliminary Landscape Plan). A Final Landscape Plan is required after planning permit approval and prior to issuance of building permit.

Maintenance of all landscaped areas is a requirement of CLUDC 17.34.070 and the applicant would be required to enter into a Landscape Maintenance Agreement with the City to guarantee proper maintenance of landscaping.

Special Condition 2: Prior to building permit approval, a Final Landscape plan shall be prepared by a qualified professional in accordance with CLUDC 17.34 and approved by the Community Development Department.

Special Condition 3: Prior to final building inspection or the issuance of a certificate of occupancy, and prior to the recordation of a final subdivision map, the applicant shall enter into a landscape maintenance agreement with the City to guarantee proper maintenance in compliance with CLUDC 17.34.070(A). The form and content of the agreement shall be approved by the City Attorney and the Community Development Director or designee.

The proposed projects conformance with landscaping requirements is analyzed in Table 3:

Table 3: Landscape Development Standards			
Development Standards	Requirements	Proposal	Compliance
Parking lot screening	Landscaping must screen cars from view from the street to a minimum height of 36 inches.	Landscaping includes a variety of native and drought tolerant landscaping comprised of plants 1-8 feet tall	Yes
Adjacent to structures	Eight feet of landscaping between parking areas and buildings, exclusive of sidewalks	The proposed project includes eight feet of landscaping between sidewalk and building	Yes
Adjacent to side property line	Minimum of eight feet landscaping where parking meets side property line	The proposed project includes eight feet of landscaping	Yes

Adjacent to street	15 foot setback required	32 foot setback (possibly more with implementation of Special Condition 1)	Yes
Location of interior landscaping	Shall be located so pedestrians are not required to cross unpaved areas to reach building.	Landscaping is proposed between sidewalk and building and as located, will not obstruct pedestrian travel	Yes
Stormwater Management	Landscaping shall be designed for infiltration and retention of stormwater.	The project plans include the required design for infiltration and retention of stormwater from the parking lot surface.	Yes
Trees	see discussion below		

The proposed project includes the removal of six (6) mature coniferous trees (Bishop pine, Monterey pine and Douglas fir). These conifers are scattered individuals and are not considered a forest community or special habitat, per California Department of Fish and Wildlife (CDFW) staff. Mitigation Measure ASETH-3 and AESTH-4 from the MND included provisions to ensure the establishment of replacement trees:

ASETH-3: Prior to issuance of Building Permit, a Final Landscaping Plan shall be submitted, in accordance with CLUDC Chapter 17.34. The plan shall utilize attractive native and drought tolerant plants and shall depict the location of six native trees to be planted to replace the six conifers removed as part of the project. Tree placement shall take scenic areas into consideration and shall not block views.

ASETH-4: A Tree Mitigation Monitoring Plan shall be submitted along with the Final Landscaping Plan demonstrating a 10-year plan to: 1) prevent net loss of canopy; 2) maintain aesthetics associated with existing trees; 3) maintain habitat value. If tree(s) perish during this monitoring period, new tree(s) will be planted as replacement and with a new 10-year monitoring plan timeline.

In addition, mitigation measure BIO-3 is included to enhance and protect vegetation on site:

BIO-3: Plant species listed as invasive (High, Moderate, or Limited) on the California Invasive Plant Inventory (Cal-IPC Inventory) shall not be installed anywhere in the project area as they pose a risk to the surrounding plant communities. Existing invasive scotch broom and pampas grass shall be removed from the site, and the site shall be kept free of these invasive plants into the future.

The City's Coastal General Plan contains several policies to protect and enhance existing trees and vegetation that are relevant to this project:

Policy OS-5.1 Native Species: Preserve native plant and animal species and their habitat.

Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.

Policy OS-5.4 Condition development projects, requiring discretionary approval to prohibit the planting of any species of broom, pampass grass, gorse, or other species of invasive non-native plants deemed undesirable by the City.

Policy OS-11.8: Landscape with Native Plant Species. The City shall encourage development to use drought-resistant native plant species for landscaping, to reduce the need for irrigation and landscaping chemicals
Policy OS-14.3: Minimize Disturbance of Natural Vegetation. Construction shall minimize the disturbance of natural vegetation (including significant trees, native vegetation, and root structures), which are important for preventing erosion and sedimentation.

Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

Planning Commission could consider mitigation measures AESTH-3, AESTH-4 and BIO-3 adequate and conclude that the project complies with the above policies.

Lighting. The applicant submitted a lighting plan (Attachment 4 - Photometric Plan), which illustrate ten (10) wall mounted LED lights around the exterior of the building and two (2) 16-foot tall LED light poles. All lighting is shown to be recessed and downcast, which complies with City regulations regarding outdoor lighting.

Solid Waste/Recyclable Materials Storage - Project plans illustrate a trash/recyclable storage area located in the northwest corner adjacent to the parking lot. CLUDC 17.30.110 requires that such storage areas be fully enclosed and that landscaping be provided to soften and screen the enclosures. The proposed project complies with these standards.

Signage – The placement, type, size and number of signs are regulated by CLUDC 17.38. The proposed AutoZone signage would include two signs: 1) a monument sign near the entrance to parking lot; and 2) channel lettering signs above the entrance on the south elevation. Compliance with development standards for signage is illustrated in Table 4:

Table 4: Signage Development Standards			
Development Standards	Requirement	Proposal	Compliance
Number of Signs Allowed	(3) Three	(2) Two	Yes
Maximum Sign Area	86 SF total	wall mounted: 48.5 SF monument: 28.8 SF TOTAL: 77.3 SF	Yes
Wall Mounted Sign	Below the roof	above entrance on southern façade, below the roof	Yes
Freestanding Monument Sign	Maximum of 6 feet in height	6 feet in height	Yes
Address	Must include an illuminated street address of six inches in height	Proposed monument signs includes street address of six inches in height	Yes

Based on the following findings, the proposed sign plan may be approved:

1. The two proposed signs: 1) freestanding monument; and 2) wall mounted channel lettering comply with height limits, maximum sign area allowed. The address number is of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. With the inclusion of Special Condition 4, the placement of the sign on the site is appropriate for the height and area of a freestanding sign, as it is within the six maximum height limit, 86 SF maximum sign area, and would not obstruct visibility;
3. The flush, wall mounted sign relates to the architectural design of the structure. Signs do not cover windows, or spill over natural boundaries, and/or cover architectural features;
4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties, as the proposed southern lot is vacant and the adjacent business has a wall mounted sign on the eastern façade;
5. With the inclusion of Special Condition 4, the placement and size of the freestanding monument sign will be outside of traffic visibility area and not impair pedestrian or vehicular safety;
6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and
7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs), as the design of the signage is trademarked and the sign plans are developed and will be constructed by professionals Attachment (5 – Sign Plan).

Special Condition 4: The proposed monument sign shall be relocated outside of the traffic visibility area (setback 15 feet from the driveway).

SUBDIVISION ANALYSIS

CLUDC Chapter 17.88 establishes the standards for the design and layout of subdivisions. All improvements, dedications and easements associated with the proposed subdivision must comply with the requirements of the City Engineer in compliance with the City’s Local Coastal Program and California Map Act. Additionally, Policy CD-1.10 requires that future potential development of newly created parcels resulting from divisions of land are also analyzed.

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

The City of Fort Bragg Public Works Department analyzed the proposed subdivision to ensure the site: 1) is physically suitable for the proposed density of development; 2) will not conflict with existing easements; 3) the soil conditions, as outlined in the preliminary soils report would

accommodate the development; 4) that the City's sewer and water system would accommodate the increased impact; and 5) and that the type and design of improvements would facilitate safe access to site.

Table 5: Subdivision Design and Development Standards			
Development Standards	Requirement	Proposal	Compliance
Street Improvements	Widen Street to full width	Widen the unnamed frontage road to City standards	Yes see Special Condition 5
Frontage Improvements	Pedestrian walkways	Sidewalk, curb and gutter would be installed along unnamed frontage road the length of parcel	Yes see Special Condition 5 and 6
Parcel Design	Minimum Width: 50 feet Minimum Length: none	<u>Lot 1</u> Min. Width: +/- 196 feet Min. Length: +/- 250 feet <u>Lot 2</u> Min. Width: +/- 200 feet Min. Length: +/- 205 feet	Yes
Driveway Standards	Subdivision of larger parcels designed with single, or limited access points for safety	A shared driveway will access the proposed project and potential future development of Lot 1	Yes see Special Condition 7
Site Preparation	Grading and Sediment Control Plan	A final grading plan will be submitted prior to issuance of building permit	Yes see Mitigation Measures: AIR-1, BIO-2, HYDRO-1, HYDRO-2

Frontage improvements along the unnamed frontage road include widening the street to full width with full width sidewalk, curb and gutter on the west side of the parcel. Future frontage improvements along Harbor Drive will be required at the time of future development of Lot 1. This complies with several policies in the Circulation Element of the Coastal General Plan, and specifics of the proposed project are outlined in Special Condition 5 and Special Condition 6.

Policy C-9.1: Provide Continuous Sidewalks: Provide a continuous system of sidewalks throughout the City.

Policy C-9.2: Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.

Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements. Program C-9.3.1: Incorporate additional sidewalks from the Noyo Bridge to Ocean View Drive in the Capital Improvement Program.

Policy C-11.2: Handicapped Access. In conformance with State and Federal regulations, continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.

Policy C-2.4 Roadway Standards: Continue to provide consistent standards for the City's street system.

Special Condition 5: Improvements to the unnamed frontage road along the entire parcel (Lot 1 and Lot 2) that include widening street to full width, sidewalk, curb and gutter on the west side.

- The developer shall submit to the City Engineer for review and approval improvement drawings drawn by and bearing the seal of a licensed Civil Engineer for the required improvements to unnamed Frontage Road.
- Frontage Road improvements shall be completed prior to final inspection of building permit for development of Lot 1. All frontage and utility improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented according to current City Standards.

Special Condition 6: Improvements to Harbor Avenue the entire road length from Ocean View Drive to the north end of Lot 2 include widening street to full width.

- The developer shall submit to the City Engineer for review and approval improvement drawings drawn by and bearing the seal of a licensed Civil Engineer for the required improvements to Harbor Avenue.
- Harbor Avenue improvement plans and improvements shall be completed prior to final inspection of building permit for development of Lot 2. All street improvements shall be implemented according to current City Standards.

In addition, to frontage improvements, the applicant shall provide plats and legal descriptions for the proposed subdivision, which include several permanent access and utility easements as stated in Special Condition 7 below:

Special Condition 7: Plats and legal descriptions of the proposed parcels, created by a licensed Land Surveyor or authorized Civil Engineer shall be submitted to the Public Works Director for approval prior to issuance of building permit. The surveyor shall provide the lot calculations for the existing and proposed lot configurations, in addition to:

- a) The plat(s) and legal description(s) shall convey permanent access and utility (water, storm drainage, circulation, access, etc.) easements. The following easements shall be Included:
 - i. A shared driveway located on Lot 1 shall be utilized to access Lot 1 and Lot 2. A private, non-exclusive, joint access easement for the benefit of Lot 2 over Lot 1 shall be created. This shared driveway requires a maintenance agreement between the two parcels. This agreement to be recorded with minor subdivision.
 - ii. Abutters rights of access along the public street frontage of Lot 1 and Lot 2 (excepting joint-use driveway) shall be dedicated to the City of Fort Bragg.

- iii. The existing 10' public road embankment slope construction easement shall be perpetuated (Book 1904, Page 446).
 - iv. A 15' private utility easement for the proposed water line shall be created across Lot 2 benefiting Lot 1.
 - v. A private drainage easement shall be created on Lot 2 for the benefit of Lot 1 for overflow from Lot 1 during storm events that exceed the design storm of 85th-Percentile 24-hour storm.
 - vi. Demarcation of a visual easement, clearly illustrated on the plat, to be recorded as a deed restriction and as a permanent exhibit to the deeds for the new parcels as illustrated in Attachment 5. View blocking development is not permitted within the visual easement; and
 - vii. All maintenance agreements, map notes, deed restrictions, easements, and lot calculations shall be submitted to Public Works Director for review and approval prior to recordation of Final Map.
- b) The proposed development shall have a maintenance agreement between the parcels providing for the upkeep of the jointly-used private facilities within the minor subdivision (shared driveway, drainage, oil and grease separator, etc.). A draft of the agreement shall be submitted prior to issuance of the Coastal Development Permit. The minor subdivision will not be finalized until the maintenance agreement has been formalized.

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

In order to analyze whether the project complies with the above policy, the following additional visual resource policies from the Coastal General Plan and mitigation measure AESTH-3, LAND-1 and LAND-2 from the MND should be considered:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-1.5: All new development shall be sited and designed to minimize alteration of natural landforms by: 1) Conforming to the natural topography; 2) Preventing substantial grading or reconfiguration of the project site; 3) Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs; 4) Requiring that man-made contours mimic the natural contours; 5) Ensuring that graded slopes blend with the existing terrain of the site and surrounding area; 6) Minimizing grading permitted outside of the building footprint; 7) Clustering structures to minimize site disturbance and to minimize development area; 8) Minimizing height and length of cut and fill slopes; 9) Minimizing the height and length of retaining walls.

Policy CD-1.6: Fences, walls, and landscaping shall minimize blockage of scenic areas from roads, parks, beaches, and other public viewing areas.

Policy CD-1.9: Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity fixtures, and shielded so that no light shines beyond the boundary of the property.

Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

The following Mitigation Measures are proposed in the MND in order for the proposed project to achieve compliance with the above Coastal General Plan policies. Staff discussed these proposed mitigation measures with Coastal Commission staff who indicated that they would be adequate to achieve compliance with the above policies

ASETH-3: Prior to issuance of Building Permit, a detailed Landscaping Plan shall be submitted, in accordance with CLUDC Chapter 17.34. The plan shall utilize attractive native and drought tolerant plants and shall depict the location of six native trees to be planted to replace the six conifers removed as part of the project. Tree placement shall take scenic areas into consideration and shall not block views.

LAND-1: Wooden fencing, such as split rail fencing, with a maximum height of 48 inches and native and drought tolerant landscaping shall be installed along the entire western length of the property. The fencing and landscaping shall be included as part of the final Landscaping Plan to be approved by the Community Development Department, prior to issuance of building permit.

LAND-2: Demarcation of a visual easement, clearly illustrated on plat(s) for proposed subdivision shall be recorded as a deed restriction and as a permanent exhibit to the deeds for the new parcels. The view easement shall be 50 feet wide at widest measurement on the northwest corner of Lot 1 and 24 feet wide at the narrowest point on the southeast corner of Lot 2, as illustrated in Image 5 and Image 6. View blocking development is not permitted within the visual easement, excluding split rail fencing along western property line, driveways and low-lying landscape vegetation (<4 ft.); no trees shall be planted within the view easement.

The proposed project complies with visual resource policies as discussed and conditioned in this staff report, and as discussed and mitigated in the project MND. Should Planning Commission decide the removal of trees and the proposed siting of the structure conflicts with these policies, this could form the basis for developing findings for denial.

DESIGN REVIEW ANALYSIS

As stated previously, the applicant revised and modified the design twice to include architectural and design elements required by Fort Bragg's Citywide Design Guidelines. These guidelines are intended to support positive design characteristics and are provided to assist decision makers through the design review process. All projects that receive Design Review approval from the

Planning Commission must be found to be consistent with the **Project Review Criteria** of Section 17.71.050E as listed below.

1. Complies with the purpose and requirements of this Section.

Purpose: Design Review is intended to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the small-town, coastal, historic, and rural character of the community.

Coastal General Plan Policy LU-4.1 ensures the location, scale, and appearance of Formula and Big Box retail does not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg. Please see discussion above (pages 4-6) regarding the projects compliance with this policy. Staff has worked with applicant to revise the design of the building to bring the project into conformance with the Citywide Design Guidelines (see Table 6, below). However, many design elements are subjective and Planning Commission may interpret this analysis differently.

2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.

Please see discussion regarding Policy LU-4.1 (pages 4-6) for the projects compatibility in terms of scale and massing with the surroundings and the community for project compliance with these terms.

To determine the appropriateness of the design, staff analyzed the project’s conformance with Chapter 2.3: General Commercial Design Guidelines of Fort Bragg’s Citywide Design Guidelines. Table 6 below analyzes the project’s conformance with the required design guidelines.

Table 6: General Commercial Design Guidelines		
General Commercial Design Guidelines	Proposed Project Compliance	Conformance with Guideline
Site Planning		
<u>Building Siting:</u> 1) strip-type development is to be avoided in favor of more pedestrian oriented configurations; 2) view corridors that offer unobstructed views of the shoreline and/or sea from the public right-of-way should be provided; and 3) cluster development to avoid blocking viewsheds to the maximum extent possible.	1) No parking is proposed in front of the building. Parking is oriented on the south and rear, semi street adjacent; 2) a view corridor easement shall be recorded as part of the subdivision, see Special Condition 7; and 3) development is clustered to the north adjacent to an existing retail store, Fort Bragg Outlet.	Yes Special Condition 7
<u>Residential Interface:</u> 1) commercial development should be buffered from residential uses as much as possible; 2) commercial development should not directly face single family residential streets; 3) development on parcel	1) the bioretention area to infiltrate stormwater from the site is located along the rear of parcel, buffering residential zoning. Fencing with landscaping will be installed as stated in mitigation measure LAND-2; 2) the development would directly face the unnamed frontage road;	Yes Mitigation Measure: LAND-2

<p>should be located as far as possible from adjacent residential properties.</p>	<p>and 3) the bioretention area to infiltrate stormwater from the site is located along the rear of parcel, buffering residential zoning</p>	
<p><u>Open Space, Courtyards, Plazas and Pedestrian Areas:</u> 1) development should provide site amenities and other design features that encourage pedestrian utilization, including benches, seating areas, public art, bicycle racks and lighting; and 2) pedestrian activity areas should provide a sufficient level of wind and rain protection for pedestrians.</p>	<p>1) the project includes bicycle racks; and 2) canopies are provided on the exterior of building as pedestrians walk to entrance.</p>	<p>Yes</p> <p>Planning Commission may wish to condition additional site amenities</p>
<p>Architecture</p>		
<p><u>Architectural Form and Detail:</u> 1) architectural styles should be compatible with surrounding character, including style, form, size, materials, roofline; 2) long, blank unarticulated walls over 100 feet are discouraged; 3) design features should be consistent on all elevations of a structure; 4) the size and location of various building elements should not be exaggerated to provide additional height for signs; 5) roofs should include two or more roof planes; 6) size and location of doors/windows should relate to scale and proportions of structure; 7) street facing façade should have a public entrance; 8) primary building entries should include features such as, overhangs, peaked roof forms, arches, columns, towers, etc.; 9) windows should be provided at storefront locations; and 10) the use of standardized “corporate franchise” architectural styles is strongly discouraged.</p>	<p>1) see discussion regarding compliance with LU-4.1 above; 2) the southern façade includes canopies and the northern façade includes landscaping along length of building; 3) design features are consistent on south, west, east elevations and the north elevation does not include as many windows; 4) roof height where the signage is sited stands two feet four inches (2’4”) taller than other roof lines; 5) there are four roof planes; 6) doors and windows appear to relate to scale and appearance of structure; 7) the street facing façade has a public entrance; 8) the front entrance has an overhang and canopy; 9) there are windows on the east and south elevation; and 10) the applicant revised and modified structure from a standardized AutoZone corporate franchise appearance three times, changing color tone, adding windows, canopies and articulation.</p>	<p>Yes</p> <p>Planning Commission may wish to require additional windows on the northern elevation</p>
<p><u>Materials and Colors:</u> 1) exterior materials such as fake stone veneer, plastic or corrugated metal siding and heavily troweled finishes should be avoided; 2) materials should be varied to provide architectural interest, however, the number of materials and colors should be limited and not exceed what is required; and 3) Florescent, garish colors should be avoided.</p>	<p>1) the building includes HardiPlank siding and stucco finish; 2) building materials demonstrate a clear separation between the base, mid-section and upper section, with roof corbels; 3) the color palette is muted brown earth tones.</p>	<p>Yes</p>

<p><u>Architectural Details:</u> 1) when appropriate, incorporate design elements and features from the historic architectural styles of the Central Business District; 2) use of awning, canopies, recesses and arcades is encouraged to provide protection for pedestrians and add interest and color to buildings; 3) exterior lighting should be designed as part of the overall architectural style of the building and shielded to avoid spillover to adjacent properties. Full lighting of building façade is strongly discouraged; and 4) the use of security grills on windows is discouraged.</p>	<p>1) the composition of building (base, midline, roof, transom windows are architectural elements of structures in the Central Business District; 2) the structure includes metal awnings near at the entrance and rear of south elevation; 3) wall mounted light fixtures are downcast and Final Landscape Plan will include additional lighting for pedestrian paths and driveway in conformance with CLUDC; 4) no security grills on windows are proposed.</p>	<p>Yes</p>
<p>Parking and Circulation</p>		
<p><u>Site Access and Circulation:</u> 1) the number of access driveways should be minimized and located as far from possible from street intersections; 2) parking lots should be accessed from commercially developed streets; 3) ensure visibility for vehicles entering and exiting parking lot.</p>	<p>1) A shared driveway will serve the proposed development and potential future development on Lot 2; 2) the project will be accessed by the unnamed frontage road; and 3) the proposed development adheres to setback requirements and with Special Condition 4, the proposed monument sign will be located outside the traffic visibility area.</p>	<p>Yes with inclusion of Special Condition 4</p>
<p><u>Parking Lot Design:</u> 1) the use of common or shared driveways is strongly encouraged between adjacent uses; 2) dead end drive aisles are strongly discouraged; and 3) use continuous curbs around perimeter of parking areas.</p>	<p>1)) A shared driveway will serve the proposed development and potential future development on Lot 2; 2) there are no dead end driveway aisles; and 3) the parking area has curbs around the perimeter with curb cuts to allow stormwater to infiltrate into landscaped areas.</p>	<p>Yes</p>
<p><u>Pedestrian Circulation:</u> 1) clearly define pedestrian walkways so persons will not have to cross parking aisles and landscape islands; and 2) raised walkways, decorative paving, landscaping, and/or bollards should be used to separate pedestrians from vehicular circulation to maximum extent possible.</p>	<p>1) The proposed project includes painted pedestrian crosswalk, however Planning Commission may wish to include a Special Condition for the walkway to be raised; and 2) sidewalks, crosswalks and landscaping are proposed to separate pedestrians from vehicular circulation.</p>	<p>Yes Planning Commission may wish to require parking lot pedestrian crossing to be raised</p>
<p><u>Loading and Delivery:</u> 1) loading and delivery should be designed to minimize visibility, circulation conflicts and adverse noise; 2) loading and delivery areas should be screened with portions of the building, walls, landscape planting; 3) when adjacent to residential properties, loading areas should be</p>	<p>1) The loading zone is a designated space located in the least visible location on the north west portion of building; 2) the loading zone is tucked along the rear drive of building, screened by the building and trash enclosure; 3) the loading zone is located on the side; and 4)</p>	<p>Yes</p>

located on the side; and 4) colors, materials, appearance of walls/fences should be compatible with landscaping used to soften appearances.	colors of materials are earth toned brown and compatible with the landscaping.	
Landscaping and Amenities		
<u>Landscaping Design:</u> 1) landscaping should enhance development by softening appearances, screening, buffering incompatible uses and providing sun/wind protection; 2) plantings should utilize three tier system (ground cover, shrubs, trees); 3) landscaping strip should be used to separate parking lots and along buildings; 4) planters and pots are encouraged to provide visual interest, color and texture; 5) native planting materials, which are drought tolerant are preferred.	1) landscaping would buffer the front of development from the road, surrounding building and in parking lot, and separating commercial from residential land uses; 2) the preliminary landscape plan demonstrates a multi-tier system; 3) a landscaping strip surrounds the structure and parking lot; 4) no planters and/or pots are proposed to provide visual interest; 5) preliminary landscape plan shows native and drought tolerant plants.	Yes Planning Commission may wish to require planters and/or pots
<u>Site Elements and Amenities:</u> 1) outdoor furniture and fixtures such as lighting, trellises, raised planters benches, etc., should be selected as part of design; 2) Decorative paving, such as stamped concrete, stone, brick, pavers colored concrete, etc., should be incorporated into pedestrian areas; 3) light fixtures should be architecturally compatible and used to illuminate entries, walkways, driveways; 4) trash enclosures and mechanical devices should be located in least visible area and screened from public view.	1) outdoor lighting was selected as part of the design; 2) decorative paving is not included as part of the project; 3) photometric plan shows adequate lighting and is architecturally compatible with structure; 4) trash enclosure is located in the northwest portion of the parking lot.	Yes Planning Commission may wish to require decorative paving in pedestrian areas

The project significantly conforms with the Citywide Design Guidelines. However, if the Planning Commission would like to include additional site amenities, staff recommends including a Special Condition to this effect and encourages the Planning Commission to consider what additional site amenities would be beneficial.

Special Condition 8: Applicant shall revise site plan to include the following: a) ____; b) ____; c) ____; and d) ____ in order to bring the project more into compliance with the Citywide Design Guidelines.

3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.

As conditioned, and as previously analyzed in this staff report, the project provides attractive site layout and design.

4. Provides efficient and safe public access, circulation, and parking.

As conditioned, and as previously analyzed in this staff report, the project provides safe and efficient access, circulation and parking.

5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.

As conditioned, the project provides appropriate open space, landscaping and use of water efficient landscaping.

6. Is consistent with the Coastal General Plan, any applicable specific plan, and the certified Local Coastal Program if located in the Coastal Zone.

As conditioned, and as noted previously in this report, the project conforms with policies and programs of the Coastal General Plan and the Certified LCP. The Planning Commission may agree that the project's impact on Visual Resources, as conditioned and mitigated, conforms with visual resource policies or Planning Commission may determine the project does not comply with visual resource policies. Staff is seeking direction regarding this issue, in order to develop findings for approval or denial of the proposed project.

7. Complies and is consistent with the City's Design Guidelines.

As conditioned the project complies with the City's Design Guidelines. Please see Table 8 above for the complete analysis.

COASTAL DEVELOPMENT ANALYSIS

Cultural Resources - The site was surveyed for cultural resources and none were found. Sherwood Valley Band of Pomo has requested that tribal monitors be on site during all ground disturbing activities in the event that cultural resources are discovered. The MND analyzed this issue and identified mitigation measures TRIBAL-1, TRIBAL-2 and TRIBAL-3 to address tribal cultural resource concerns. Staff recommends Special Condition 8 to ensure the applicant is aware that they are required by law to implement these and all MND mitigation measures for this project.

Special Condition 8: The applicant shall implement all Mitigation Measures identified in the MND for this project as required pursuant to the California Environmental Quality Act (CEQA).

Plant and Animal Species - A biological survey was conducted by a Senior Environmental Scientist at LACO Associates and a technical memorandum was prepared for the proposed site. The report indicates that the project has no potential impact on special status plants, fish, wetlands or wildlife, because no special status plants, wetlands, fish or wildlife were found or known to exist on the site. A constructed earthen berm with several native species of coastal scrub vegetation is located in the southwest corner of parcel, however these are not special status species. The grassland habitat is dominated by non-native grasses with widely scattered non-native and native

perennials. Tree species include Bishop pine, Monterey pine and Douglas fir. These conifers are scattered individuals and are not considered a forest community or special habitat, per California Department of Fish and Wildlife (CDFW) staff.

Although the site is not habitat to any botanical or animal resources protected by the Coastal Act, the proposed development would involve the removal of six mature conifers. The mature trees provide nesting habitat for a variety of common bird species and mitigation measure BIO-1 has been drafted to avoid the breeding season. Additionally, mitigation measure AESTH-3 and AESTH-4 require that all six trees identified for removal as part of the project, be replaced and a Tree Mitigation Monitoring Plan be submitted with the final landscape plan to ensure the replacement trees grow to maturity.

Several policies within the Coastal General Plan, specifically, CD-1.11, OS-5.1 and OS-5.2 require that existing native trees and vegetation should be preserved and protected, as feasible.

Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

Policy OS-5.1 Native Species: Preserve native plant and animal species and their habitat.

Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.

Furthermore, the MND included mitigation measure BIO-3 which requires the removal of existing invasive species on site, such as pampass grass and scotch broom.

Public Access - The project applicant will include pedestrian improvements along the entire parcel fronting the unnamed frontage road as part of the minor subdivision process. As such, the project would likely increase pedestrian activity in the area and additional use of Noyo Headlands Trail and Pomo Bluffs. The project would not interfere with public coastal access.

Geologic, Flood, and Fire Hazard - The proposed development would require grading for the foundation of a 7,500 SF structure, parking lot, driveway, sidewalk/curb and gutter and related infrastructure. Salem Engineering Group, Inc. prepared *Geotechnical Engineering Investigation*, March 6, 2018 for the proposed project. This geotechnical report describes the site conditions, geologic and seismic setting of the site vicinity and subsurface soil and groundwater conditions encountered at the exploration locations. Development of the proposed project at the site shall comply with the recommendations and expertise provided in the report, *Geotechnical Engineering Investigation* by Salem Engineering Group, Inc. (March 6, 2018) and design standards included in the latest version of the California Building Code (CBC).

The proposed development is not located in an area subject to tsunami inundation according to maps provided by the California Department of Conservation. According to Federal Emergency Management Agency (FEMA) flood insurance maps, the project site is located outside the 500-year flood plains associated with the Noyo River and Pudding Creek. No flooding concerns are raised relative to the project. Any hazards associated with earthquakes will be addressed by the building permit process under the authority of the California Building Code.

Staff consulted with City of Fort Bragg Fire Department regarding the proposed project. No special concerns related to the project were identified, as there is adequate circulation for emergency vehicles, and the building would include automatic sprinklers as required by the California Building Code. The project could result in additional calls for service, however the site can be adequately served by existing fire stations and no new facilities are required.

The project was also referred to the Fort Bragg Police Department and no specific concerns were identified by the police. The project design includes sufficient lighting to enable effective law enforcement in the evening. The proposed project may result in an increase in calls for service related to expansion of commercial uses at the site, however it would not result in any increased need for additional police stations.

Traffic – New development is not permitted that would result in the exceedance of roadway and intersection Levels of Service standards. In accordance with Policy C-2.6 the traffic study included: 1) the amount of traffic to be added to the street system by the proposed development; 2) other known and foreseeable projects and their effects on the street system; 3) the direct, indirect, and cumulative adverse impacts of project traffic on the street system operations, safety and public access to the coast; 4) mitigation measures as necessary to provide for project traffic while maintaining City Level of Service standards; 6) the responsibility of the developer to provide improvements; and 7) the timing of all improvements (Attachment 1 – AutoZone MND and Attachments).

The Traffic Impact Analysis prepared by LACO and Associates on behalf of the applicant, and the project MND identified the following mitigations measures, so the project would not exceed roadway Levels of Service:

TRANS-1: CA Hwy 1 / Ocean View Drive (Intersection 2) and Ocean View Drive / unnamed frontage road (Intersection 5) - The project must include installation of appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the unnamed frontage road. This will allow southbound traffic on the frontage road to merge with eastbound traffic on Ocean View Drive, without impacting the operations of the traffic signal at Highway 1 and Ocean View Drive. There is sufficient additional stacking room between the Ocean View/Frontage Road intersection and the Ocean View/Harbor Avenue intersection to the west to accommodate the anticipated additional queue length for eastbound left and eastbound through traffic.

TRANS-2: CA Hwy 1 / CA Hwy 20 (Intersection 3) - As conditions warrant and concurrent with regular maintenance, the westbound north lane striping could be extended by approximately 100 feet to provide an earlier separation between left turning and right turning traffic.

Special Condition 9: Prior to any construction activities in the City's public right of way, the applicant is required to obtain a City encroachment permit.

Water Supply, Sewage Disposal, Solid Waste – Several policies in the City's Coastal General Plan regulate new development to ensure adequate public services and infrastructure are available to serve the proposed new development and ensure adequate capacity to serve future priority uses.

Policy PF-1.1: All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.

Policy PF-1.2: Ensure Adequate Services and Infrastructure for New Development. No permit for development shall be approved unless it can be demonstrated that such development will be served upon completion with adequate services, including but not limited to potable water; wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development.

- a) Demonstration of adequate water and sewer facilities shall include evidence that adequate capacity will be available within the system to serve the development and all other known and foreseeable development the system is committed to serving, and that the municipal system will provide such service for the development;**
- b) Demonstration of adequate road facilities shall include information demonstrating that:
(i) access roads connecting to a public street can be developed in locations and in a manner consistent with LCP policies; and (ii) that the traffic generated by the proposed development, and all other known and foreseeable development, will not cause Levels of Service (LOS) of roads, streets, and intersections within the City to reduce below LOS standards contained in Policy C-1.1 of the Circulation Element of the Coastal General Plan.**

Policy PF-1.3: Ensure Adequate Service Capacity for Priority Uses.

- a) New development that increases demand for new services by more than one equivalent dwelling unit (EDU) shall only be permitted in the Coastal Zone if: 1) Adequate services do or will exist to serve the proposed development upon completion of the proposed development, and 2) Adequate services capacity would be retained to accommodate existing, authorized, and probable priority uses upon completion. Such priority uses include, but are not limited to, coastal dependent industrial (including commercial fishing facilities), visitor serving, and recreational uses in commercial, industrial, parks and recreation, and public facilities districts. Probable priority uses are those that do not require an LCP amendment or zoning variance in the Coastal Zone.**
- b) Prior to approval of a coastal development permit, the Planning Commission or City Council shall make the finding that these criteria have been met. Such findings shall be based on evidence that adequate service capacity remains to accommodate the existing, authorized, and probable priority uses identified above.**

Policy PF-2.2: Potable Water Capacity: Develop long-term solutions regarding the supply, storage, and distribution of potable water and develop additional supplies. In addition to providing capacity for potential build-out under the City General Plan outside the coastal zone, any expansion of capacity of water facilities shall be designed to serve no more than the maximum level of development in the coastal zone allowed by the certified LCP that is consistent with all other policies of the LCP and Coastal General Plan. The City shall identify and implement water system improvements or changes in service areas that are designed to ensure adequate service capacity to accommodate existing, authorized, and projected probable future coastal dependent priority uses. Such uses include, but are not limited to, industrial (including commercial fishing facilities), visitor serving, and

recreational priority uses in commercial, industrial, parks and recreation, and public facilities districts.

Policy PF-2.5: Wastewater Capacity: Review wastewater capacity and expansion plans as needed

when regulations change and as the treatment and disposal facility nears capacity. In addition to

providing capacity for potential build-out under the City General Plan outside the coastal zone, any

expansion of capacity of wastewater facilities shall be designed to serve no more than the maximum level of development in the coastal zone allowed by the certified LCP that is consistent with all other policies of the LCP and Coastal General Plan. The City shall identify and implement wastewater system improvements or changes in service area that are designed to ensure adequate service capacity to accommodate existing, authorized, and probable future priority uses. Such uses include, but are not limited to, industrial (including commercial fishing facilities), visitor serving, and recreational priority uses in commercial, industrial, parks and recreation, and public facilities districts.

The analysis below indicates that the proposed project, as conditioned, would be in compliance with the above policies. Currently the City's wastewater treatment plant is undergoing a major upgrade and the Public Works Department has determined there is sufficient capacity to serve the proposed development as well as a significant increase of future development. The following special condition has been drafted regarding the sewer connection:

Special Condition 10: Sewer connection: 1) connection fees are due prior to issuance of building permit; 2) the sewer depth in the unnamed frontage road is approximately 10' at site. FBMC 14.28.040 states the minimum size of a sewer lateral shall be 4-inch diameter. The minimum slope of a sewer lateral shall be 2 feet per 100 feet (2% slope). Exceptions will be reviewed and approved at the discretion of the District Manager; and 3) the exact location of the utility hookup configuration in the City right of way shall be approved by the by the Public Works Director or designated staff at the time of review of the encroachment permit application.

The applicant will need to ensure that there is adequate pressure and flow to the subject site for fire suppression:

Special Condition 11: Prior to issuance of building permit, the applicant shall submit documentation to ensure adequate pressure and flow to the subject site in order to provide necessary commercial and fire suppression flows. The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their system to meet standards.

With the additional water service capacity made available with Summers Lane Reservoir, the Public Works Department has determined there is adequate potable water capacity to serve the proposed development, as well as future potential development. There is one "priority use" project, the Avalon Hotel, in the permitting pipeline at this time and water service capacity would

need to be reserved for this use as required by Coastal General Plan Policy PF-1.3. The Avalon Hotel is a proposed 65-room hotel and meeting facility with a restaurant and bar at the location of the former Hi-Seas Motel site north of Pudding Creek. The City has determined there is adequate water to serve the proposed Avalon project, as well as the two proposed parcels that are part of the proposed minor subdivision.

Special Condition 12: Water Connection: 1) connection fees are due prior to issuance of building permit; 2) the water main is located in Harbor Avenue. A private utility easement benefiting Lot 1 shall be recorded on the Final Map (see Special Condition 7) for connection across Lot 2; and 3) final utility hookup configuration shall be approved by the Public Works Director or designated staff.

Stormwater - The proposed project will result in a significant increase of impervious surfaces on this undeveloped site, including 7,500 SF of building with parking lot and associated improvements. A preliminary stormwater control plan was submitted, which shows that drainage will continue to flow to the west and a 13,773 SF bio retention area has been designed to capture water onsite. In addition, there are several landscaped self-treating areas surrounding the building and in the parking lot. As the project will have over an acre of ground disturbance, the applicant is required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the California State Water Board in order to obtain a Construction General Permit. Furthermore, the City requires a Runoff Mitigation Plan to demonstrate the project meets local, state and federal regulation requirements.

Special Condition 13: Prior to issuance of building permit, a Draft Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by Public Works Department. A grading plan for the bioretention areas shall be incorporated into the SWPPP.

Special Condition 14: Prior to issuance of building permit, a Runoff Mitigation Plan (RMP) must be submitted and approved by the Public Works Department. This requirement could be fulfilled using a SWPPP. If using a SWPPP to fulfil the RMP, a draft version shall be submitted and approved prior to filing for a Notice of Intent (NOI) with the California State Water Resources Control Board.

Special Condition 15: In consideration of AutoZone's recent \$11 million settlement agreement (*The People vs AutoZone, County of Alameda*, June 17, 2019), provide evidence ensuring adequate measures in the handling and disposal of hazardous materials and their containers.

Several policies with the goal to improve water quality, through project design and implementation of Best Management Practices (BMPs), both during the construction phase and post-development. Mitigation Measures: AIR-1, BIO-2, and HYDRO-1 involve the implementation of BMPs in order for the project to comply with regulations pertaining to stormwater.

Visual Resources – The proposed project location is not identified as a potentially scenic view on Map CD-1 of the Coastal General Plan. However, this vacant site and the numerous vacant residential parcels in the County located west of the site, offer views to the ocean and a general

open space quality. Staff conducted a site visit with California Coastal Commission staff to determine how best to protect views to the ocean through the site. It was decided that a “View Easement” would be the best tool for protecting blue water views from the proposed development and any future potential development. The view easement would be clearly illustrated on the Plat to be recorded as a deed restriction and permanent exhibit to the deeds as a condition of the subdivision (see mitigation measure LAND-2). With mitigation incorporated, the project will have a less than significant impact on blue water visual resources.

In selecting the most protected view easement, the adjacent parcels were considered because many existing views cross through vacant lots. The aerial image below depicts several views from the unnamed frontage road. The red lines offer expansive blue water views today, however cross through vacant parcels that are zoned for residential units and will likely be developed. The white corridor crosses through the center of site and stretches toward Noyo Harbor. Although there could be additional development on these lots, they are more protected than the vacant lots.



Image 5: Aerial of View Corridor



Image 6: Perspective of view easement across lot from unnamed frontage road

In order to approve a Coastal Development Permit (CDP) for a project that is located “along Highway 20 and Highway 1 on sites with views to the ocean” CLUDC 17.50.070 requires the review authority to find that the proposed project:

1. Minimize the alteration of natural landforms;
2. Is visually compatible with the character of the surrounding area;
3. Is sited and designed to protect views to and along the ocean and scenic coastal areas; and
4. Restores and enhances visual quality in visually degraded area, where feasible.

These requirements are also illustrated with following Coastal General Plan Policies:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

Policy CD-1.5: All new development shall be sited and designed to minimize alteration of natural landforms by:

1. Conforming to the natural topography.
2. Preventing substantial grading or reconfiguration of the project site.
3. Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.
4. Requiring that man-made contours mimic the natural contours.
5. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.
6. Minimizing grading permitted outside of the building footprint.
7. Clustering structures to minimize site disturbance and to minimize development area.
8. Minimizing height and length of cut and fill slopes.
9. Minimizing the height and length of retaining walls.

In collaboration with Coastal Commission staff, staff proposes that an easement protecting the view associated with the white view corridor illustrated in Aerial 5, would meet these Coastal General Plan requirements, and therefore the MND includes Mitigation Measure LAND-2 to ensure preservation of this view corridor.

Environmental Determination. The project was analyzed in a Mitigated Negative Declaration pursuant to the CEQA. The MND identified the following mitigation measures which shall be implemented under Special Condition 8.

PLANNING COMMISSION ACTION

Staff recommends that the Planning Commission: 1) receive staff report; 2) open the public hearing; 3) take testimony from the public and the applicant; 4) close the public hearing and deliberate; and

- 5a) direct staff to prepare a resolution with findings for approval based on the project's consistency with the City's Coastal General Plan and Coastal Land Use and Development Code as discussed and mitigated in the MND, and analyzed and conditioned in the staff report; **or**
- 5b) direct staff to prepare a resolution with findings for denial based on Planning Commission's determination that the project is inconsistent with either: a) Policy LU-4.1, (appearance/small town character); b) CLUDC 17.50.070 (sited and designed to protect views to and along the ocean and scenic coastal areas); and/or c) insufficient findings regarding Design Review Permit; and

Further, staff recommends the Planning Commission continue the public hearing to the next regularly scheduled meeting of Planning Commission on October 9, 2019, in order to provide staff an opportunity to develop a resolution for the selected Planning Commission action.

ATTACHMENTS

1. Mitigated Negative Declaration and Attachments
2. Site Plan
3. Preliminary Landscape Plan
4. Photometric Plan
5. Sign Plan

6. Findings

NOTIFICATION

- Applicant, Mitch Bramlitt
- Planning Commission
- “Notify Me” Subscriber Lists: Current Planning Permits, Fort Bragg Downtown Businesses, Public Hearing Notices

From: [Jacob Patterson](#)
To: [O'Neal, Chantell](#)
Subject: LACO Associates
Date: Tuesday, February 16, 2021 11:35:23 AM

When I downloaded the staff report for the Todd's Point Auto Zone project, it was entertaining to be reminded that LACO Associates was the applicant's agent for that entitlement review, which was denied by the Planning Commission because they found it wasn't consistent with the Coastal General Plan. Since that project also had consistency issues with the Coastal General Plan, it isn't surprising that the review from this project has similar consistency issues that were not addressed in the draft IS/MND. It is very difficult to represent both the lead agency and applicants for entitlements under review by that agency and maintain professional integrity or produce high-quality and unbiased work because if the City takes restrictive interpretive approaches on one project, taking a consistent interpretive approach for other projects may interfere with the interests of their clients who are seeking entitlements that might be restricted or prevented from being approved because of the "problematic" applicable policies and regulations.

From: [Kyra Dear](#)
To: [O'Neal, Chantell](#); [Lemos, June](#)
Subject: NO GROCERY OUTLET
Date: Saturday, February 13, 2021 9:57:21 PM

I am extremely concerned about the Initial Study (IS) and Mitigated Negative Declaration (MND) for the Grocery Outlet store, which is planned to be built on land that is accessible from South Franklin Street, North Harbor Drive and South Street in Fort Bragg.

This project needs a Coastal Development Permit, a Design Review, and a Parcel Merger (CDP 8-19; DR 1-19; MGR 1-19) to merge two adjacent parcels and construct a new 16,000 square foot Grocery Outlet (the former Social Services building would be torn down). The concern is that it does NOT satisfy the requirements of the California Environmental Quality Act. There is not reason to risk any more of our already ailing coastal health with potential problems that may not be mitigated with an MND. An Environmental Impact Report (EIR) is ABSOLUTELY needed

Finally...

We need more gardens and farms, not a grocery outlet. The economy that is supported largely by tourism will NOT see a Grocery Outlet as an attraction, but rather a shady eye soar. Transporting to the coast, massive amounts of the rejected "food items" of other grocers, and endless shelf-life packaged food IS NOT a benefit to public health. It may increase the cases of diabetes.

Fort Bragg has the opportunity to be a model of community health and well being, food sovereignty, and a robust local economy if you invest in community gardens and small organic farms rather than non-hydrogenated oils, conflict palm oil (a main ingredient in most products sold at Grocery Outlets), and frozen dinners.

Thank you,
Kyra R ice

From: ken armstrong [mailto:kendianastrong@yahoo.com]
Sent: Thursday, February 11, 2021 2:25 PM
To: O'Neal, Chantell <COneal@fortbragg.com>
Subject: grocery outlet

February 10, 2021

Chantell O'Neal
City of Fort Bragg 416 N Franklin Street Fort Bragg, CA 95437
Email: coneal@fortbragg.com

Subject: Grocery Outlet Environmental Study

Dear Chantell O'Neal,

I live in Fort Bragg and I am writing to express concerns about the impact a new 16,000 square foot Grocery Outlet and parking lot on S. Franklin St will have on the community.

First, the new store is obviously going to create a massive traffic problem on Highway 1, since the report states it will add over 1,700 new car trips on weekdays and over 2,800 on Saturdays. How can the City conclude that this won't cause a significant impact? There should be mitigation measures applied to the store to reduce travel by car and encourage travel by other modes.

There is also a concern that the store will sit right across the street from a relatively quiet residential neighborhood, with houses on Franklin, Harbor, and Myrtle. The customer cars and delivery trucks coming and going from the store, unloading freight, running loud refrigerator units, will cause noise disturbances and air pollution. What about diesel exhaust and other pollution from the thousands of cars and the trucks? Are there any restrictions on the store's opening hours or on delivery hours? Has the City even considered these issues?

Please do not approve this new grocery store, there is not enough information that has been provided to the public.

Thank you for your time and consideration.

Sincerely

, Ken Armstrong
31380 Turner Rd.
Fort Bragg, CA 95437