



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## Meeting Agenda Planning Commission

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Wednesday, December 11, 2024

6:00 PM

Town Hall, 363 N.Main Street and Via Video  
Conference

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### MEETING CALLED TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PLANNING COMMISSIONERS PLEASE TAKE NOTICE

*Planning Commissioners are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.*

### ZOOM WEBINAR INVITATION

*This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.*

*When: Dec 11, 2024 06:00 PM Pacific Time (US and Canada)*

*Topic: Planning Commission*

*Please click the link below to join the webinar:*

*<https://us06web.zoom.us/j/85852864121>*

*Or One tap mobile :*

*+16694449171,,85852864121# US*

*Or Telephone:*

*Dial(for higher quality, dial a number based on your current location):*

*+1 669 444 9171 US*

*Webinar ID: 858 5286 4121*

*International numbers available: <https://us06web.zoom.us/j/85852864121>*

*To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Chair or Acting Chair calls for public comment on the item you wish to address.*

## **1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR**

### **ITEMS**

*MANNER OF ADDRESSING THE COMMISSION: All remarks and questions shall be addressed to the Planning Commission; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Chair or Acting Chair. Public comments are restricted to three (3) minutes per speaker.*

*TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Chair or Acting Chair may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Chair or Acting Chair, may speak on any topic that may be a proper subject for discussion before the Planning Commission for such period of time as the Chair or Acting Chair may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.*

*BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Commissioners' response to questions and requests made during this comment period.*

*WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Commissioners as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be emailed to [CDD@fortbragg.com](mailto:CDD@fortbragg.com).*

## **2. STAFF COMMENTS**

## **3. MATTERS FROM COMMISSIONERS**

## **4. CONSENT CALENDAR**

*All items under the Consent Calendar will be acted upon in one motion unless a Commissioner requests that an individual item be taken up under Conduct of Business.*

[24-976](#) Minutes of the February 28, 2024 Planning Commission Meeting

***Attachments:*** [02282024 PC Minutes](#)

[24-977](#) Minutes of the March 13, 2024 Planning Commission Meeting

***Attachments:*** [03132024 PC Minutes](#)

[24-978](#) Minutes of the March 20, 2024 Planning Commission Meeting

***Attachments:*** [03202024 PC Minutes](#)

[24-1074](#) Minutes of the March 27, 2024 Planning Commission Meeting

***Attachments:*** [03272024 PC Minutes](#)

**5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS**

**6. PUBLIC HEARINGS**

- 6A. [24-998](#) Receive a Report, Conduct a Public Hearing, and Consider Approval of a Coastal Development Permit 9-24 (CDP 9-24) and Design Review Permit 12-24 (DR 12-24) for the construction of: 1) a new 960 SF Bio-Solids Dryer Building which would be constructed in the same footprint as the existing Bio-Solids Dryer Building; 2) a new 5,000 SF Bio-Solids Storage Building, which would be constructed on the concrete pad of the now decommissioned secondary biofilters; and 3) and installation of a solar PV system which would consist of two modules of 6,250 and 10,850 SF each at 281 Jere Melo St. (101 West Cypress St.); Mitigated Negative Declaration and Mitigation and Monitoring Reporting Plan

Attachments: [WWTF Project Staff Report 12-11-2024](#)

[Att 1 - PC Resolution- Adopt MND for WWTF](#)

[Att 2 - PC Resolution- CDP 9-24, DR 12-24](#)

[Att 3 - FB WWTF Biosolids and PV Project - IS/MND 10-31-2024](#)

[Att 4 - MMRP WWTF 10-2024](#)

[Att 5 - Site Plan & Elevations](#)

[Att 6 - Comments from SVBP](#)

[Att 7 - FB WWTF- NOA and NOPH](#)

**7. CONDUCT OF BUSINESS**

**ADJOURNMENT**

*The adjournment time for all Planning Commission meetings is no later than 9:00 p.m. If the Commission is still in session at 9:00 p.m., the Commission may continue the meeting upon majority vote.*

STATE OF CALIFORNIA            )  
  )ss.  
COUNTY OF MENDOCINO        )

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on December 6, 2024.

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Maria Flynn  
Administrative Assistant, Community Development Department

**NOTICE TO THE PUBLIC**

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 416 North Franklin Street, Fort Bragg, California, during normal business hours. Such documents are also available on the City's website at [www.fortbragg.com](http://www.fortbragg.com) subject to staff's ability to post the documents before the meeting.

**ADA NOTICE AND HEARING IMPAIRED PROVISIONS:**

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



# City of Fort Bragg

416 N Franklin Street  
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## Text File

File Number: 24-976

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**Agenda Date:** 12/11/2024

**Version:** 1

**Status:** Business

**In Control:** Planning Commission

**File Type:** Minutes

**Agenda Number:**

Minutes of the February 28, 2024 Planning Commission Meeting



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
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## Meeting Minutes Planning Commission

Wednesday, February 28, 2024

6:00 PM

Town Hall, 363 N.Main Street and  
Via Video Conference

### Special Meeting

#### MEETING CALLED TO ORDER

Chair Deitz called the meeting to order at 6:00 PM

#### ROLL CALL

**Present** 5 - Vice Chair Jeremy Logan, Chair Scott Deitz, Commissioner Jary Stavely, Commissioner Richard Neils, and Commissioner David Jensen

#### 1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

None.

#### 2. STAFF COMMENTS

None.

#### 3. MATTERS FROM COMMISSIONERS

Commissioner Neils gave an update on the Community Housing Workshop that was hosted by the Community Development Committee on February 27, 2024. Commissioner Stavely noted that there would be an upcoming election and encouraged people to vote.

#### 4. CONSENT CALENDAR

None.

#### 5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

#### 6. PUBLIC HEARINGS

**6A.** [24-607](#)

Receive and Accept Comprehensive Downtown Parking Strategy;  
(1) Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that Fort Bragg City Council Amend Division 18 of the Fort Bragg Municipal Code and Parking Standards Established for the Central Commercial District - Exemption from CEQA; and  
(2) Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that the City Council File with the Coastal Commission a Local

Coastal Plan Amendment Application to Revise Parking Standards by Amending Division 17 of the Fort Bragg Municipal Code - Categorically Exempt

Chair Deitz opened the Public Hearing at 6:03 PM

Assistant Planner Peters and Consultant Weber presented the report. Commissioners asked clarifying questions regarding minor revisions to the recommendations; current and future parking demands; and alternative uses for existing parking spaces.

Public Comment: Dennis Miller, Jay McMartin-Rosenquist.

Chair Deitz closed the Public Hearing at 6:17 PM

Discussion: Commissioners discussed topics including Mobile Vending Units, loading zones, twenty minute parking in the CBD, parklets for dining, the impact on businesses in different districts, and employee parking.

**A motion was made by Vice Chair Logan, seconded by Chair Deitz, that the Planning Resolution be recommended for approval. The motion carried by the following vote:**

**Aye:** 5 - Vice Chair Logan, Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

Enactment No: RES PC07-2024/RES PC 08-2024

**A motion was made by Vice Chair Logan, seconded by Commissioner Jensen, that the Planning Resolution be recommended for approval. The motion carried by the following vote:**

Enactment No: RES PC07-2024/RES PC 08-2024

**7. CONDUCT OF BUSINESS**

None.

**ADJOURNMENT**

Chair Deitz adjourned the meeting at 7:16 PM



# City of Fort Bragg

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## Text File

File Number: 24-977

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**Agenda Date:** 12/11/2024

**Version:** 1

**Status:** Business

**In Control:** Planning Commission

**File Type:** Minutes

Minutes of the March 13, 2024 Planning Commission Meeting





# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
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## Meeting Minutes Planning Commission

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Wednesday, March 13, 2024

6:00 PM Town Hall, 363 N. Main Street and Via Video Conference

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### MEETING CALLED TO ORDER

Chair Deitz called the meeting to order at 6:00 PM

### ROLL CALL

**Present** 5 - Vice Chair Jeremy Logan, Chair Scott Deitz, Commissioner Jary Stavely, Commissioner Richard Neils, and Commissioner David Jensen

### 1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR

#### ITEMS

- (1) Non Agenda: Jay McMartin-Rosenquist
- (2) Consent Calendar: None

### 2. STAFF COMMENTS

None

### 3. MATTERS FROM COMMISSIONERS

Commissioner Stavely and Commissioner Neils, commented about community events. Chair Deitz directed staff to update the calendar on Planning Commission bylaws.

### 4. CONSENT CALENDAR

None

### 5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None

### 6. PUBLIC HEARINGS

- 6A.** [24-613](#) Continued from February 14, 2024. Conduct a Public Hearing, and Consider Approval of Minor Subdivision 1-23 (DIV 1-23) for 145 Dana Street (APN 008-312-18). Categorically Exempt.

Chair Deitz continued the public hearing at 6:16 PM.

Consultant Jones presented the report. Commissioners asked clarifying questions regarding the subdivision approval process; stormwater control plan; allowable density; whether or not the Staff Report is part of the public record.

Public Comment: Jacob Patterson, Jay McMartin-Rosenquist

Chair Deitz closed the public hearing at 6:24 PM

Discussion: Commissioners discussed amendments to the proposed resolution and the process for applicants to provide feedback.

**A motion was made by Commissioner Neils, seconded by Commissioner Stavely, that the Planning Resolution be recommended for approval. The motion carried by the following vote:**

**Aye:** 5 - Vice Chair Logan, Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

Enactment No: RES PC09-2024

**6B. [24-612](#)**

Continued from February 14, 2024. Receive Report, Conduct a Public Hearing, and Consider Approval of Variance 2-24 (VAR 2-24), Use Permit 2-23 (UP 2-23), Design Review 3-23 (DR 3-23), and Sign Permit 8-23 (SP 8-23) Applications Requesting to Convert an Existing Commercial Building to the Following Uses: Restaurant with Arcade, General Retail, and Four Multi-Family Dwelling Units in the Inland Central Business District. Categorically Exempt.

Chair Deitz continued the public hearing at 6:34 PM.

Consultant Jones presented the updates to the report. Commissioners asked clarifying questions parking access and traffic flow

Public Comment: Jacob Patterson

Chair Deitz closed the public hearing at 6:38 PM

Discussion: Commissioners discussed the Variance and Design Review.

**A motion was made by Commissioner Jensen, seconded by Vice Chair Logan, that the Planning Resolution be adopted. The motion carried by the following vote:**

**Aye:** 5 - Vice Chair Logan, Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

**7. CONDUCT OF BUSINESS**

None

**ADJOURNMENT**

Chair Deitz adjourned the meeting at 6:42 PM



# City of Fort Bragg

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## Text File

File Number: 24-978

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**Agenda Date:** 12/11/2024

**Version:** 1

**Status:** Business

**In Control:** Planning Commission

**File Type:** Minutes

**Agenda Number:**

Minutes of the March 20, 2024 Planning Commission Meeting



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## Meeting Minutes Planning Commission

Wednesday, March 20, 2024

6:00 PM

Town Hall, 363 N.Main Street  
and Via Video Conference

### Special Meeting

#### MEETING CALLED TO ORDER

Chair Deitz called the meeting to order at 6:00 PM

#### ROLL CALL

- Present** 4 - Chair Scott Deitz, Commissioner Jary Stavely, Commissioner Richard Neils, and Commissioner David Jensen
- Absent** 1 - Vice Chair Jeremy Logan

#### 1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

- (1) Non-Agenda: Jay McMartin-Rosenquist
- (2) Consent Calendar: None

#### 2. STAFF COMMENTS

Assistant Planner Peters gave an update on a potential Mobile Vending Unit code amendment.

#### 3. MATTERS FROM COMMISSIONERS

Commissioners thanked City staff for recent reports discussed upcoming dates for the Community Development Committee's Housing Workshop. Chair Deitz reminded the Commission about an upcoming Special Meeting.

#### 4. CONSENT CALENDAR

None

#### 5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None

#### 6. PUBLIC HEARINGS

None

#### 7. CONDUCT OF BUSINESS

- 7A. [24-651](#) Revision of Fort Bragg Planning Commission Bylaws 2024

Chair Deitz presented on this item.

Public Comment: None

Discussion: None

**This Staff Report was**

**Aye:** 4 - Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

**Absent:** 1 - Vice Chair Logan

**7B. [24-634](#) General Discussion on Use of Dark Paint Colors in the Central Business District**

Assistant Planner Peters presented the memo.

Public Comment: Jacob Patterson

Discussion: Commissioners referenced the City's current Design Guidelines, paint trends, noted that paint colors should be contrasting but not extreme, and should compliment surroundings. Commissioners discussed the process for updating and enforcing the Design Guidelines.

**7C. [24-633](#) Receive Report and Provide a Recommendation to City Council to Accept the Annual 2023 General Plan Report and Annual 2023 Housing Element Progress Report.**

Consultant Jones and Assistant Planner Peters presented the report.

Public Comment: None

Discussion: Commissioners discussed specific properties that were not included in the report and offered Staff feedback regarding the content and format of the report.

**ADJOURNMENT**

Chair Deitz adjourned the meeting at 6:58 PM



# City of Fort Bragg

416 N Franklin Street  
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## Text File

File Number: 24-1074

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**Agenda Date:** 12/11/2024

**Version:** 1

**Status:** Business

**In Control:** Planning Commission

**File Type:** Minutes

**Agenda Number:**

Minutes of the March 27, 2024 Planning Commission Meeting



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## Meeting Minutes Planning Commission

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Wednesday, March 27, 2024

6:00 PM

Town Hall, 363 N.Main Street  
and Via Video Conference

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### Special Meeting

#### MEETING CALLED TO ORDER

Chair Deitz called the meeting to order at 6:00 PM

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

**Present** 5 - Vice Chair Jeremy Logan, Chair Scott Deitz, Commissioner Jary Stavely, Commissioner Richard Neils, and Commissioner David Jensen

#### **1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS**

- (1) Jacob Patterson
- (2) None

#### **2. STAFF COMMENTS**

Assistant Planner Peters gave an update on the Community Development Committee's discussion on updating the Mobile Vending Vehicle Ordinance at their meeting on March 26, 2024.

#### **3. MATTERS FROM COMMISSIONERS**

Commissioner Neils gave an update on the County Board of Supervisors meeting and noted that the American Legion would be hosting an upcoming pancake breakfast. Chair Deitz inquired about the status of previous Planning Commission meeting minutes.

#### **4. CONSENT CALENDAR**

None.

#### **5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS**

Commissioner Jensen noted that he received a call from a member of the public regarding Tiny Homes and ADUs. Chair Deitz asked for clarification on what constitutes Ex Parte Communication. Consultant Jones and Vice Chair Logan noted that is when individual Commissioners receive information from an applicant about an agenda item that may inform or influence their decision.

**6. PUBLIC HEARINGS**

**6A. [24-664](#)** Continue a Public Hearing on Coastal Development Permit 2-23 (CDP 2-23), Design Review 3-24 (DR 3-24), Sign Permit 2-24 (SP 2-24), and Variance 1-24 (VAR 1-24), proposing to remodel an existing 1,536 SF convenience store with an addition of 447 SF into a 1,809 SF convenience store; install 660 SF of new landscaped area; replace and expand an existing gas station canopy; replace gas dispensing units; and replace existing canopy signs and monument sign face located at 105 South Main Street.

Chair Deitz opened the public hearing at 6:08 PM.

Staff requested this item be continued.

Public Comments: Jacob Patterson

Discussion: None.

Chair Deitz continued the public hearing to a date certain, the next regularly scheduled Planning Commission meeting, Wednesday, April 10, 2024 at 6 PM.

**6B. [23-259](#)** Receive a Report, Hold a Public Hearing, and Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that the City Council Amend Chapter 18.42.175 - "Tiny Homes", of Division 18 of the Fort Bragg Municipal Code to Modify Regulations and Standards for Tiny Homes; Approve Mitigated Negative Declaration

Receive a Report, Hold a Public Hearing, and Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that the City Council Submit an LCP Amendment Application to the Coastal Commission to Amend Chapter 17.42.175 - "Tiny Homes", of Division 17 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes; Approve Mitigated Negative Declaration

Chair Deitz opened the public hearing at 6:33 PM

Consultant Jones presented the report. Commissioners asked clarifying questions regarding foundations; roof pitch; tax assessment on improvements; length of Coastal Commission application process; fire inspection requirements; the difference between mobile homes, RVs, and manufactured homes; how the ordinance affects existing mobile homes; homeowners and renters insurance; California building code; how Senate Bill 9 (SB-9) affects Tiny Homes; Tiny Homes in relation to ADUs, JADUs, and duplexes.

Public Comment: Chris Davis, Carolyn Wheeler, Jacob Patterson

Discussion: Commissioners discussed the following topics: if the ordinance should apply to park model RVs in addition to Tiny Homes; if they should be allowed in commercial zoning districts; visual impacts of Tiny Homes; setbacks; quantity of units allowable on each parcel; allowing a Tiny Home on the same parcel as an ADU and setbacks between buildings; design standards; capacity fees; and how to address parcels with Tiny Homes that go through a lot split.

Chair Deitz continued the public hearing to a date certain, the next regularly scheduled Planning Commission meeting, Wednesday, April 10, 2024 at 6:00 PM



**6C. [23-261](#)** Receive a Report, Hold a Public Hearing, and Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that the City Council Repeal Chapter 18.42.110 "Mobile Home Parks" of Division 18 of the Fort Bragg Municipal Code and Replace it with Chapter 18.42.110 "Tiny Home Communities" to Establish Standards for Tiny Home Communities; Approve Mitigated Negative Declaration.

Receive a Report, Hold a Public Hearing, and Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that the City Council Submit an LCP Amendment Application to the Coastal Commission to Repeal Chapter 17.42.110 "Mobile Home Parks" of Division 17 of the Fort Bragg Municipal Code and Replace it with Chapter 17.42.110 "Tiny Home Communities" to Establish Standards for Tiny Home Communities; Statutory Exemption.

Chair Deitz opened the public hearing at 7:40 PM

Consultant Jones presented the report. Commissioners asked clarifying questions regarding how this ordinance would affect existing Tiny Home communities; Housing and Community Development (HCD) oversight of mobile home parks and Tiny Home communities; minimum lot size; quantity of vacant parcels currently available for a Tiny Home community; capacity fees; and planning entitlement requirements.

Public Comment: Carolyn Wheeler, Jacob Patterson, Jenny Shattuck

Discussion: Commissioners discussed the following topics: zoning districts where Tiny Home communities would be allowable; ownership structure; the requirement of on site management quarters/office; allowable amenities, size, orientation, design, landscaping, setbacks, internal streets, and walkways; and maximum percentage of manufactured homes allowed.

Chair Deitz continued the public hearing to a date certain, the next regularly scheduled Planning Commission meeting, Wednesday, April 10, 2024 at 6:00 PM

**7. CONDUCT OF BUSINESS**

**7A. [24-667](#)** Receive Report and Provide Code Interpretation Guidance Regarding the Appropriate Level of Design Review for Solar Canopies (Photovoltaic above Parking).

Consultant Jones presented the report. Commissioners asked clarifying questions regarding maximum allowable ground mounted solar arrays on each parcel; types of solar arrays allowed in each zoning district; and current procedure for solar permits.

Public Comment: Jacob Patterson

Discussion: Commissioners gave direction to staff that ground mounted solar be subject to Administrative Design Review unless the Director wishes to escalate the review to the Planning Commission.

**ADJOURNMENT**

Chair Deitz adjourned the meeting at 8:20 PM



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## Text File

File Number: 24-998

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**Agenda Date:** 12/11/2024

**Version:** 1

**Status:** Public Hearing

**In Control:** Planning Commission

**File Type:** Planning Staff Report

**Agenda Number:** 6A.

Receive a Report, Conduct a Public Hearing, and Consider Approval of a Coastal Development Permit 9-24 (CDP 9-24) and Design Review Permit 12-24 (DR 12-24) for the construction of: 1) a new 960 SF Bio-Solids Dryer Building which would be constructed in the same footprint as the existing Bio-Solids Dryer Building; 2) a new 5,000 SF Bio-Solids Storage Building, which would be constructed on the concrete pad of the now decommissioned secondary biofilters; and 3) and installation of a solar PV system which would consist of two modules of 6,250 and 10,850 SF each at 281 Jere Melo St. (101 West Cypress St.); Mitigated Negative Declaration and Mitigation and Monitoring Reporting Plan

MEETING DATE: December 11, 2024

PREPARED BY: MJC

PRESENTED BY: Marie Jones, MJC

## AGENDA ITEM SUMMARY REPORT

**PROJECT TYPE:** Coastal Development Permit (CDP 9-24); Design Review Permit (DR 12-24)

**OWNER/APPLICANT:** Fort Bragg Municipal Improvement District No. 1

**REQUEST:** Coastal Development Permit and Design Review Permit for the construction of: 1) a new 960 SF Bio-Solids Dryer Building which would be constructed in the same footprint as the existing Bio-Solids Dryer Building; 2) a new 5,000 SF Bio-Solids Storage Building, which would be constructed on the concrete pad of the now decommissioned secondary biofilters; and 3) and installation of a solar PV system which would consist of two modules of 6,250 and 10,850 SF each.

**LOCATION:** 281 Jere Melo (101 West Cypress) Street, Fort Bragg

**APN:** 008-020-07; 6.1 acres

**ZONING:** Public Facilities (PF)

**ENVIRONMENTAL DETERMINATION:** A Mitigated Negative Declaration has been prepared for the project. See **Attachment 3**.

**SURROUNDING LAND USES:**

NORTH: Vacant Industrial  
SOUTH: Park / Vacant Industrial  
EAST: Vacant Industrial  
WEST: Pacific Ocean

**APPEALABLE PROJECT:**

- Can be appealed to City Council
- Can be appealed to California Coastal Commission

## PROJECT HISTORY

Constructed in 1970, the City of Fort Bragg's Wastewater Treatment Facility (WWTF) is an aging facility. The City obtained Planning Commission approval of a Coastal Development Permit (CDP 2-16) and Design Review Permit (DR 2-16) for the WWTF renovation and upgrade in October, 2016. The CDP and DR permitted the installation of an activated sludge treatment system, a new dewatering building, new sludge holding area, splitter box and pump station, conversion of the existing primary and secondary clarifiers to emergency/surge storage basins, and new and renovated interior site accessways and modified catchment basins. The City obtained approval of CDP 5-18 to place approximately 12,000 cubic yards of clean soil associated with construction of the Wastewater Treatment Facility on the Noyo Center Site.

## REGULATORY FRAMEWORK

Due to the project's proximity to the bluff and its location (west of the first road parallel to the ocean), the Planning Commission's action is appealable to the California Coastal Commission. The project is also subject to Design Review by the Planning Commission, as the proposed development is nonresidential in nature and is viewable from public areas, per CLUDC Section 17.71.050(B)(1)(a). The findings listed in CLUDC Section 17.71.050(F) are required for the approval of any Design Review Permit.

## COASTAL DEVELOPMENT PERMIT ANALYSIS

### ***Coastal General Plan Compliance***

The project does not conflict with any Coastal General Plan policies, and it implements the policies below, as the proposed project would upgrade a portion of the existing WWTF to meet the City's ongoing needs and the project includes a significant PV array helping to implement Policies S-2.2 and S-2.5.

Policy PF-2.5 Wastewater Capacity: Review wastewater capacity and expansion plans as needed when regulations change and as the treatment and disposal facility near 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.

Program PF-2.5.2 Continue to improve the wastewater treatment and disposal facility to comply with changing State requirements.

Policy PF-2.7 Public Buildings: Ensure that public buildings in the City are adequate to provide services for the community.

Policy S-2.2 Alternative Energy: Encourage the development and use of alternative sources of energy such as wind, solar, and biomass to meet Fort Bragg's energy needs.

Policy S-2.5 Use of Local and Renewable Energy: Buildings and infrastructure that create and/or use locally and renewably generated energy are encouraged. Photovoltaic and wind energy systems are encouraged. The installation of solar panels or other clean energy power generation sources over parking areas is preferred.

### ***Site Development Requirements***

This section analyzes the project's compliance with the regulations of the Coastal Land Use and Development Code (CLUDC).

Zoning & Development Standards. The project site is located within the Public Facility (PF) zoning district. The CLUDC defines a Utility Facility as “a fixed base structure or facility...[and] include[s]...wastewater treatment plants.” The proposed project is consistent with this definition, and Utility Facilities are principally permitted uses in the PF zoning district. Additionally, the Public Facilities zoning district does not establish minimum setback, height limits or a lot coverage ratio, so conformance with these typical standards is not required.

Fencing. The WWTF is surrounded by an existing six-foot-high view-obscuring cyclone fence for safety and security. The existing fence partially shields the WWTF and the proposed upgrades from public view. The CLUDC regulates fencing in Section 17.30.050, including limitations on heights and materials. No changes are proposed to the existing fencing, which currently meets the height limit requirements. Generally, chain-link fencing is prohibited in any zoning district; however, it may be permitted for special security needs, or when required by a City, State or Federal law or regulation (Section 18.30.050(E)). The American Society of Civil Engineers, along with the American Water Works Association, recommend six-foot chain-link fencing with fabric screening as the base-level fence guideline for WWTF security (*Guidelines for Physical Security of Wastewater/Stormwater Utilities*, 2006). Due to the need for security at the facility and industry recommendations, staff finds the continued use of a chain-line fence acceptable in this application.

Parking. The project would not result in additional employees and so no additional parking is required.

Signage. No changes are proposed to the existing signage.

Landscaping. The project site is an industrial facility without public access. No landscaping is proposed or required for the proposed project.

## **Public Access**

CLUDC Chapter 17.56 provides requirements for the dedication and improvement of public access to and along the coast, as guaranteed by the California Constitution. These policies require the creation of public access easements for new development along the coastline; however, these requirements do not apply to improvements that do not change the intensity of use or repair and maintenance activities; therefore, new access is not required for this facility. Additionally, the City provides 104 acres and six miles of public trails immediately adjacent to the facility at Noyo Headlands Park and Coastal Trail.

Public Access across the trail in front of the Wastewater Treatment facility would be interrupted occasionally as contractors and delivery trucks bring construction materials into the site. Additionally, some contractors may need to park to the east of the Coastal Trail on the gravel drive of Jere Melo Drive. This would not conflict with Coastal Access. Special Condition 1 is included to ensure pedestrian and bicycle safety.

**Special Condition 1.** During construction, the applicant shall install signage to the north and south on the Coastal Trail which includes the following language “Caution, Slow Down, Truck Traffic ahead.”

## **Cultural Resources**

CLUDC Section 17.50.030 requires an archaeological report for areas potentially containing archaeological or paleontological resources and for any development on the former Georgia-Pacific Mill Site. ALTA Archaeological Consulting performed an archaeological survey report for the project dated February 2016. The survey includes a records check by the Northwest Information Center on January 13, 2016, which indicated that numerous cultural resource studies have been conducted within the one-half-mile records search area. Previous studies evaluated the historical significance of standing structures associated with the Mill Site property, and a manuscript documenting the history of the Mill Site. The review found that no cultural resources are known within the WWTF project area.

On January 21, 2016, the archaeologist surveyed the project area for cultural resources. Following the records search and the field survey, the archaeologist determined that no cultural, historic, or archaeological resources are present within the project area, and no mitigation measures are recommended. Consistent with CLUDC Section 17.50.030(E), work shall be halted if previously unidentified cultural materials are unearthed during construction until a qualified archaeologist can assess the significance of the find. These requirements are included as Mitigation Measures in the MND for this project. The City consulted with the SVBP Tribal Historic Resources officer to craft the mitigation measures.

**Mitigation Measure CR1:** Tribal Monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative, Valerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction for scheduling.

**Mitigation Measure CR2:** If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.

**Mitigation Measure CR3:** If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County Coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

### ***Geologic, Flood and Fire Hazard***

#### **Geological and Geotechnical Hazards**

CLUDC Section 17.54.020 applies to all development proposed on blufftop and shoreline properties, and requires a geological analysis of the project site. Brunsing Associates, Inc. prepared an *Engineering Geologic and Geotechnical Reconnaissance* report, dated September 12, 2016. The report concluded that “the site is geologically and geotechnically suitable for the proposed biological treatment facility.” The proposed new improvements would be further from the bluff edge and would weigh considerably less than the biologic treatment facility which was analyzed in the report and built in 2018.

Development located on a blufftop must be setback from the bluff edge a sufficient distance to ensure that it will be stable for a projected 75-year lifespan, per California Coastal Commission requirements. The consulting engineers determined that the bluffs along the WWTF property will retreat 14.75 feet over a 75-year timespan. Adding a safety factor of two, the engineers recommend “a bluff edge setback of 30 feet for future improvements.”

The western limits of the proposed solar panels are 28 feet from the bluff edge in one location. Solar panels have only a 30-year lifespan and panels can easily be relocated in the future, so if this area of the bluff erodes in the future Special Condition 2 is recommended.

**Special Condition 2:** If bluff erosion reduces the setback from the solar panels to the bluff edge to less than 20 feet, the solar panels shall be relocated at least 30 feet from the bluff edge.

Brunsing Associates, Inc. also prepared a bluff stability analysis to correspond, at a minimum, to the guidelines by the Dr. Mark J. Johnsson, Staff Geologist, California Coastal Commission, report titled *Establishing Development Setbacks from Coastal Bluffs*. Dr. Johnsson recommends a factor of safety greater than or equal to 1.5 for static conditions, 1.1 for seismic conditions and a horizontal seismic coefficient of 0.15.

The consulting engineer writes, “The results of our stability analyses indicate that the bluff has a factor of safety of greater than 1.5 for static conditions, a factor of safety greater

than 1.1 for seismic conditions with a seismic coefficient of 0.15 and a factor of safety greater than 1.0 for pseudo-static conditions with a seismic coefficient of 0.31. Therefore, no additional setback is necessary from a slope stability standpoint.”

#### Flood and Tsunami Hazards

The CLUDC greatly limits and restricts development within identified floodplains. The proposed WWTF upgrades are not located within a FEMA 100-year flood hazard area. Additionally, the project would not alter the course of a stream, river or erosional forces on site. The WWTF is not located within a mapped tsunami hazard area and will have no impacts due to inundation by seiche, tsunami or mudflow. The proposed project is located on a blufftop at an elevation of approximately 60 feet. In a severe earthquake (magnitude 8.0 or higher), a wave of this scale could be formed from the San Andreas Fault. However, the proposed facility improvements are at no more risk from tsunami inundation than the existing WWTF. The project is consistent with CLUDC and Coastal Act flood hazard standards as proposed.

Fire Hazards. Coastal General Plan Program SF-5.1.1 requires the City to consult the Fort Bragg Fire Protection Authority in the review of development proposals to identify the projected demand for fire protection services. The Fort Bragg Fire Protection Authority received a copy of the project application on September 12, 2024 and did not provide comment.

The WWTF upgrade will also require building permits prior to construction. At the time of application for a building permit, the construction plans will be further reviewed by the Fort Bragg Fire Protection Authority. Additionally, the WWTF will be subject to California Building Code requirements, including *Fire Code, Part 9*.

#### ***Environmentally Sensitive Habitat Areas***

WRA prepared a Biological Resources Report and biological survey of the project property for special status species, wetlands and special status species. For the survey a botanist with 40-hour Corps wetland delineation training traversed the entire Study Area on foot to document: (1) land cover types (e.g., terrestrial communities, aquatic resources), (2) if and what type of aquatic natural communities (e.g., wetlands) are present, (3) existing conditions and to determine if such provide suitable habitat for any special-status plant or wildlife species, and (4) if special-status species are present.

Eight land cover types were identified in the report as present in the Study Area: developed, non-native grassland, Himalayan blackberry scrub, ice plant mat, ruderal, Monterey cypress grove, coastal bluff, coastal strand. WRA mapped all land cover types within the Study Area (Figure below) and are summarized in Table 1 (below).



**Table 1. Vegetation Communities and Other Land Cover Types**

COMMUNITY / LAND COVERS	SENSITIVE STATUS	RARITY RANKING	ACRES WITHIN STUDY AREA
<b>TERRESTRIAL / COMMUNITY LAND COVER</b>			
Developed	Non-ESHA	n/a	2.06
Monterey Cypress Grove	Non-ESHA	GNA SNA	0.14
Non-native Grassland	Non-ESHA	GNA SNA	0.04
Ice plant Mat	Non-ESHA	GNA SNA	0.36
Himalayan Blackberry Scrub	Non-ESHA	GNA SNA	0.14
Ruderal	Non-ESHA	n/a	0.74
Coastal Bluff	ESHA	n/a	0.17
<b>AQUATIC RESOURCES</b>			
Coastal strand (Pacific Ocean)	ESHA	n/a	0.05



WRA reports that Mendocino Paintbrush, a special-status species, could be present on the parcel on the western side of the site fence on the bluff top. Additionally, WRA reports the presence of coastal Bluff Scrub in this same location although it is heavily impacted by invasive ice plant. Both of these populations are located within the 100-foot buffer but not within the area of the project. WRA completed

a reduced buffer analysis and recommends **Mitigation Measures BR1** and **BR2** to reduce project impacts to a less than significant level. These mitigation measures are included in the MND for this project.

**Mitigation Measure BR1:** Areas of Ice Plant Mat, outside the fence line and within the 100-foot buffer of the proposed Project, shall have ice plant removed, and the area shall be regularly maintained in perpetuity to prevent ice plant from re-establishing in that area. Removal shall be conducted using hand tools and any removed plant material shall be taken off-site and disposed of at proper facility. Removal activities shall be conducted between September 1 and January 31, which is outside nesting bird season, to prevent potential impacts to nesting birds. Additionally, a five-year invasive plant removal effort shall be undertaken inside the WWTF. All invasive plants shall be removed and disposed of offsite, invasive plants to be removed include Himalayan blackberry, ice plant, and pampas grass.

**Mitigation Measure BR2:** Ground disturbance should be initiated and/or completed from August 31 to January 31, outside of the general bird nesting season. If land disturbance activities cannot be completed or initiated during this time, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 7 days prior to the initiation of ground disturbance. The survey should cover the Project Area and surrounding areas within 500 feet. If active bird nests are found during the survey, a qualified biologist should monitor nesting birds during construction to ensure they are not disturbed by the project activities. If the monitor notices behavioral changes in the birds, an appropriate no-disturbance buffer should be established by the qualified biologist. The no-disturbance buffer will remain in place until it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation). If more than 14 days of no work occurs during the nesting season, birds may begin nesting; therefore, if more than 14 days of no work occurs during the nesting season and will need to resume to complete the proposed Project, an additional nesting survey is recommended.

### **Visual Analysis**

The requirements of CLUDC Section 17.50.070 apply to CDPs for proposed development located west of Highway 1. The following findings and development standards apply to the proposed WWTF upgrade project:

#### **17.50.070(D)**

##### **1. The proposed project minimizes the alteration of natural land forms;**

The WWTF upgrade includes minor grading within the footprint of existing development and will not affect natural land forms. The project is consistent with this finding.

##### **2. The proposed project is visually compatible with the character of the surrounding area;**

The site is presently developed with an existing wastewater treatment facility. The existing dewatering building is the tallest structure on the site at 17.6 feet above grade.

- The Biosolids Storage Building will be 20'6" feet above grade, however the grade here is at 46', which is 11 feet lower in elevation than the ground at

the southeast corner of the facility. Therefore, most of the building will not be visible from the public right of way because the change in grade (11') coupled with the 6-foot-high security fence (18' total), would result in only the topmost 4' of the building being visible from the Public Right of Way.

- The proposed Bio-Solids Dryer Building would replace the existing building in the same footprint at the same height of 14' 5" above grade. This building is visible from the public right of way, but the overall visual impact is small and will not change from existing conditions.

The image below shows the WWTF from the nearest public right of way. The new Biosolids Storage Building will be tucked below and behind the fence on the left as illustrated with the solid brown rectangle. The existing Biosolids Dryer Building is noted with an arrow and would be replaced like for like.



Due to the project's location within the footprint of an existing wastewater treatment facility and its similarity to the existing development, the proposed project would be visually compatible with the character of the surrounding area.

**3. The proposed project is sited to protect views to and along the ocean and scenic coastal areas;**

The Fort Bragg Coastal Trail follows the coastline to the north, south, and east of the WWTF.

View from the North



The impacts to the view from north, via the Coastal Trail, are shielded by the security fence and a row of Monterey cypress trees. The trees vary from 25 feet to 40 feet in height and will screen the replacement Bio-Solids Dryer Building which is indicated with an arrow. No other proposed development would be visible from this viewpoint.

View from the East



No components of the proposed project are visible from the Coastal Trail on the southeast corner of the project site due to the earthen berm, existing privacy fence and existing structures.



The existing dewatering building will be replaced and continue to have the same impact on visual resources from the viewing area at the entrance gate to the WWTF. This building does not, of itself, block views to the ocean because the larger Electrical Building is located between the dewatering building and the ocean.

### View from the South



The proposed dewatering replacement building would have the same impact as the existing structure (blue arrow). It would continue to be visible from the Coastal Trail as part of the existing WWTF development. Although the replacement structure would be completely visible, views would be from a distance of 1,000+ feet and it is grouped among existing similar structures. Additionally, the building is back-dropped by cypress trees, which lessens visual impact as the building would not be a silhouette against the sky or bay. Furthermore, the new Biosolids Storage Building would peek above the existing fence by 4 feet as illustrated by the tan line (below the green arrow). The visual impacts are minimized by the building's location at a lower elevation, roof color, and location behind the security fence and earthen berm.

In order to provide additional screening and offset impacts to views from the south, The Planning Commission can require optional **Special Condition 3**, requiring additional vegetation along the southern property border. Screening along this boundary would provide additional protection to views from the southern segment of the Coastal Trail. However, this area is heavily compacted and it is difficult to establish vegetation in berms as they dry out in the summer, so vegetation may be difficult to establish.

**Optional Special Condition 3:** Prior to final of the building permits, the applicant shall install native screening vegetation along the property's southern border and along the soil berm on the outside of the property-line fence. The screening vegetation shall include a mix of drought tolerant trees and bushes, such as shore pine or coyote bush.

#### **4. The proposed project restores and enhances visual quality in visually degraded areas, where feasible.**

**Special Condition 3**, discussed above, would enhance the visual quality of the WWTF, particularly improving views from the south.

### 17.50.070(E)

1. **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.**

See discussion of finding 17.50.070(D)(3) above.

2. **Fences, walls, and landscaping shall minimize blockage of views of scenic areas from roads, parks, beaches and other public viewing areas.**

No fences or walls are proposed with this application. Minimal landscaping is required by Optional **Special Condition 3** to improve the visual quality of the site. The screening vegetation will not block views of the ocean. It will block views of the WWTF.

3. **Development shall minimize the removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.**

The proposed WWTF upgrade does not propose to remove any trees, and all project components will take place over existing development or ruderal vegetation.

4. **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 boundaries of the property.**

The CLUDC includes standards for outdoor lighting in Section 17.30.070. These standards require that light fixtures not exceed 18 feet in height, utilize energy-efficient fixtures and lamps, and be shielded or recessed to reduce light bleed to adjoining properties. The limited lighting proposed in the Project Plans is necessary for safety and operation of the WWTF; however, the Project Plans do not include adequate specifications to ensure consistency with the CLUDC lighting requirements. Staff recommends **Special Condition 4**, requiring the applicant to submit a detailed lighting plan prior to issuance of a building permit for the construction of the WWTF.

**Special Condition 4:** Prior to issuance of a building permit the applicant shall submit a lighting plan consistent with the outdoor lighting policies of CLUDC 17.30.070, subject to review by the Community Development Department.

With the recommended special conditions, the project is consistent with the development standards and findings required for the approval of the CDP.

### DESIGN REVIEW

The CLUDC requires Design Review Permits for most nonresidential projects. CLUDC Section 17.71.050(E) outlines the project review criteria for Design Review Permits:

#### Section 17.71.050(E)

1. **The project complies with the purpose and requirements of this Section.**

The following discussion, in concert with the discussion above relating to the visual resource findings required for the CDP, addresses this policy.

2. **The project provides architectural design, building massing, and scale**

**appropriate to and compatible with the site surroundings and the community.**

See discussion of Section 17.70.070(D)(2) and (3) above.

- 3. The project provides an attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and wells, grading, landscaping, lighting, signs, etc.**

See discussion of Section 17.70.070(D)(3), (E)(2) and (E)(4) above.

- 4. The project provides efficient and safe public access, circulation, and parking.**

The WWTF is not open to the public. The site is only accessed by City staff for facility operations. The existing access, circulation and parking are sufficient to meet needs and, as the project will not result in increased workers on the site, no charges are proposed to the existing access, circulation, or parking.

- 5. The project provides appropriate open space and landscaping, including the use of water-efficient landscaping.**

The proposed improvements are located entirely within the footprint of the existing facility, in an area where open space and landscaping are not appropriate. Furthermore, **Special Condition 3** requires vegetative screening to block views of the WWTF from the south. The recommended condition requires native, drought-tolerant landscaping, which is consistent with this policy.

- 6. The project is consistent with the Coastal General Plan, any applicable specific plan, and the certified Local Coastal Program if located in the Coastal Zone.**

This report analyzes the project's consistency with the Coastal General Plan and the Local Coastal Program. As conditioned, the project is consistent with the LCP.

- 7. The project complies and is consistent with the City's Design Guidelines.**

The Citywide Design Guidelines have standards specific to residential, commercial and industrial zoning districts. The WWTF update is in the Public Facilities zoning district; and the standards applicable to the industrial district apply to this project.

The Citywide Design Guidelines require that industrial buildings avoid use of reflective surfaces and bright, contrasting colors, and utilize materials and colors compatible with the existing buildings on site. Both proposed buildings will utilize muted, earth-tone colors (grey, tan or brown). These materials and colors are consistent with existing onsite development. The project is consistent with the Citywide Design Guidelines.

## **ENVIRONMENTAL DETERMINATION**

A Mitigated Negative Declaration (MND) has been prepared for the project. See **Attachment 3**. The document has been circulated through the State Clearinghouse with the review period ending May 5, 2016. No state agencies submitted comments.

The MND includes the following mitigation measures, and are required by **Special Condition 5**:

**Special Condition 5:** The project shall comply with the following mitigation measures included in the circulated Mitigated Negative Declaration:

**Mitigation Measure BR1:** Areas of Ice Plant Mat, outside the fence line and within the 100-foot buffer of the proposed Project, should have ice plant removed, and the area should be regularly maintained in perpetuity to prevent ice plant from re-establishing in that area. Removal should be

conducted using hand tools and any removed plant material should be taken off-site and disposed of at the proper facility. Removal activities should be conducted between September 1 and January 31, which is outside nesting bird season, to prevent potential impacts to nesting birds.

**Mitigation Measure BR2:** Ground disturbance should be initiated and/or completed from August 31 to January 31, outside of the general bird nesting season. If land disturbance activities cannot be completed or initiated during this time, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 7 days prior to the initiation of ground disturbance. The survey should cover the Project Area and surrounding areas within 500 feet. If active bird nests are found during the survey, a qualified biologist should monitor nesting birds during construction to ensure they are not disturbed by the project activities. If the monitor notices behavioral changes in the birds, an appropriate no-disturbance buffer should be established by the qualified biologist. The no-disturbance buffer will remain in place until it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation). If more than 14 days of no work occurs during the nesting season, birds may begin nesting; therefore, if more than 14 days of no work occurs during the nesting season and will need to resume to complete the proposed Project, an additional nesting survey is recommended.

**Mitigation Measure CR1:** Tribal Monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative, Valerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction for scheduling.

**Mitigation Measure CR2:** If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.

**Mitigation Measure CR3:** If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County Coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

**Mitigation Measure HM1:** The Stormwater Pollution and Prevention Plan (SWPPP) required as a standard condition of approval for the required Coastal Development Permit, shall prescribe hazardous-materials handling procedures for reducing the potential for a spill during construction and shall include an emergency response program to ensure



quick and safe cleanup of accidental spills. The plan shall identify areas where refueling and vehicle maintenance activities and storage of hazardous materials, if any, shall be permitted.

**Mitigation Measure HM2:** Emergency spill supplies and equipment shall be kept adjacent to all areas of work and in staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Materials Management Plan, as required by the Mendocino County Department of Environmental Health.

**Mitigation Measure WQ1:** The City shall prepare a project Stormwater Pollution Prevention Plan (SWPPP) to include the application of BMPs minimizing the discharge of pollutants during construction. The City of Fort Bragg shall prepare a SWPPP before approving a grading permit for the site.

### **PLANNING COMMISSION ACTION**

1. Hold a hearing on Coastal Development Permit 9-24 (CDP 9-24) and Design Review Permit 12-24 (DR 12-24 ), close the hearing, deliberate, and consider adopting:
  - Resolution of the Fort Bragg Planning Commission for the Adoption of the Mitigated Negative Declaration and the Adoption of the Mitigation and Monitoring and Reporting Plan for the Wastewater Treatment Facility Bio-Solid Storage and Dryer Buildings & PV Project
  - Resolution of the Fort Bragg Planning Commission Approving Design Review 12-24 (DR 12-24) and Coastal Development Permit 9-24 (CDP 9-24) to Construct: a New 960 SF Bio-Solids Dryer Building in the Same Footprint as the Existing Bio-Solids Dryer Building; a New 5,000 SF Bio-Solids Storage Building; and Solar PV System in Two Modules of 6,250 and 10,850 SF Each.

### **ALTERNATIVE ACTION**

1. Hold a hearing, close the hearing, deliberate without a decision, provide direction to staff and revisit the application at the next scheduled meeting for a decision and the addition of any new findings.
2. Deny the application.

### **RECOMMENDATION**

Staff recommends adoption of the Mitigated Negative Declaration and approval of Coastal Development Permit 9-24 (CDP 9-24) and Design Review Permit 12-24 (DR 12-24) for the project based on the analysis of this staff report and subject to Approval Findings, Approval Conditions and Mitigation Measures.

## **ATTACHMENTS**

1. Resolution of the Fort Bragg Planning Commission for the Adoption of the Mitigated Negative Declaration and the Adoption of the Mitigation and Monitoring and Reporting Plan for the Wastewater Treatment Facility Bio-Solid Storage and Dryer Buildings & PV Project
2. Resolution of the Fort Bragg Planning Commission Approving Design Review 12-24 (DR 12-24) and Coastal Development Permit 9-24 (CDP 9-24) to Construct: a New 960 SF Bio-Solids Dryer Building in the Same Footprint as the Existing Bio-Solids Dryer Building; a New 5,000 SF Bio-Solids Storage Building; and Solar PV System in Two Modules of 6,250 and 10,850 SF Each.
3. Mitigated Negative Declaration: Wastewater Treatment Facility Bio-Solid Storage and Dryer Buildings & PV Project
4. Mitigation Monitoring and Reporting Plan: Wastewater Treatment Facility Bio-Solid Storage and Dryer Buildings & PV Project
5. Project Plans
6. Comments from Sherwood Valley Band of Pomo Indians
7. Notice of Availability of Initial Study and Mitigated Negative Declaration and Notice of Public Hearing

## RESOLUTION NO. PC XX-2024

### RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION FOR THE ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND THE ADOPTION OF THE MITIGATION AND MONITORING AND REPORTING PLAN FOR THE WASTEWATER TREATMENT FACILITY BIO-SOLID STORAGE AND DRYER BUILDINGS & PV PROJECT

**WHEREAS**, City of Fort Bragg Municipal Improvement District #1 (“Applicant”) submitted an applicant for: Design Review (DR 12-24); Coastal Development Permit (CDP 9-24); to construct: a new 960 sf bio-solids dryer building; a new 5,000 sf bio-solids storage building; and a solar PV system in two modules of 6,250 and 10,850 sf each at 281 Jere Melo/101 West Cypress Street; and

**WHEREAS**, 281 Jere Melo/101 West Cypress Street, Fort Bragg, California (Assessor Parcel Number: 008-161-12) is in the Public Facilities (PF) zone, Coastal Zone and no changes to the site’s current zoning designation are proposed under the Project; and

**WHEREAS**, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

**WHEREAS**, the Planning Commission held a public meeting on December 11, 2024, to consider the Project, accept public testimony and consider making a recommendation to City Council; and

**WHEREAS**, the California Environmental Quality Act (CEQA), together with State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

**WHEREAS**, the City prepared an MND, pursuant to Section 15074 of the CEQA Guidelines, for the proposed WWTF projects Assessor Parcel Number: 008-020-07 contained in Attachment 3 to the Staff Report; and

**WHEREAS**, a Mitigation and Monitoring Program, as required by CEQA, is contained in the attachment 4 to the Staff Report; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of December 11, 2024 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg does hereby make the following findings and determinations:

1. For the purposes of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) was prepared for the project, circulated for public review, and presented to the public and Planning Commission prior to taking action

on the WWTF project located at 281 Jere Melo (101 West Cypress Street) in Fort Bragg. The conclusion of the Mitigated Negative Declaration is there are all potentially significant impacts can be mitigated.

Environmental review for the proposed project included preparation of an Initial Study and Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000 - 21189) and Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 -15387). The IS/MND was circulated from November 1, 2024, to December 1, 2024, to relevant resource agencies and at the State Clearinghouse. The Initial Study and Mitigated Negative Declaration included mitigation measures which have been incorporated into a Mitigation Monitoring and Reporting Plan, which is being adopted as a part of the project.

2. The following impacts have been found to be less than significant and mitigation is not required to reduce project-related impacts: Agriculture and Forestry, Air Quality, Aesthetics, Energy, Greenhouse Gas Emissions, geology and Soils, Land Use Planning, Noise, Mineral Resources, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, Transportation, Utilities/Service Systems and Utilities and Services, and Wildfire.

There is no evidence of an impact on any of the above referenced potential impact areas based on the project as proposed at this location. Initial Study/Mitigated Negative Declaration dated October 2024 and circulated for public review from November 1, 2024, to December 1, 2024.

3. The Initial Study identified potentially significant impacts to Biological Resources, Cultural Resources, Hydrology and Water Quality which could result from the project as originally submitted. Mitigation Measures are included to ensure potential impacts are reduced to a less than significant level. These Mitigation Measures are incorporated by reference in the project ISMND, the Mitigation Monitoring and Reporting Program and the Coastal Development Permit for the project.
4. Agency and public comments have been received about the project and the Mitigated Negative Declaration. These comments were considered and biological mitigations were revised based of CDFW comments prior to public circulation of the Mitigated Negative Declaration.

***NOW, THEREFORE, BE IT RESOLVED***, the MND adequately describes the Project, impacts, and mitigation measures, and hereby makes the following environmental determinations regarding the WWTF Project considered on December 11, 2024:

1. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
2. Mitigation measures have been made a condition of the approval of the project.
3. A mitigation reporting and monitoring plan was prepared for this project.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Fort Bragg Planning Commission adopts the MND as set forth in **Attachment 3 of the Staff Report** and adopts the Mitigation and Monitoring and Report Plan for the proposed Wastewater

Treatment Facility Bio-Solid Storage & Dryer Buildings & PV Project located at 281 Jere Melo/101 Cypress Street, subject to the mitigations included herein as outlined in the MND and the MMRP.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the Resolution shall become effective immediately upon its passage and adoption.

**The above and foregoing Resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 11th day of December 2024 by the following vote:**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

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**Scott Deitz, Chair**

**ATTEST:**

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**Maria Flynn**  
**Administrative Assisant**

## RESOLUTION NO. PC XX-2024

**RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION APPROVING DESIGN REVIEW 12-24 (DR 12-24) AND A COASTAL DEVELOPMENT PERMIT 9-24 (CDP 9-24) TO CONSTRUCT: 1) A NEW 960 SF BIO-SOLIDS DRYER BUILDING IN THE SAME FOOTPRINT AS THE EXISTING BIO-SOLIDS DRYER BUILDING; 2) A NEW 5,000 SF BIO-SOLIDS STORAGE BUILDING; AND 3) SOLAR PV SYSTEM IN TWO MODULES OF 6,250 AND 10,850 SF EACH.**

**WHEREAS**, City of Fort Bragg Municipal Improvement District #1 (“Applicant”) submitted an applicant for Design Review (DR 12-24) and a Coastal Development Permit (CDP 9-24) to construct: a new 960 sf bio-solids dryer building; a new 5,000 sf bio-solids storage building; and a solar PV system in two modules of 6,250 and 10,850 sf each at 281 Jere Melo/101 West Cypress Street.

**WHEREAS**, 281 Jere Melo/101 West Cypress Street, Fort Bragg, California (Assessor Parcel Number: 008-161-12) is in the Public Facilities (PF) zone, Coastal Zone and no changes to the site’s current zoning designation are proposed under the Project; and

**WHEREAS**, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

**WHEREAS**, the Planning Commission held a public meeting on December 11, 2024 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) pursuant to CEQA a Mitigated Negative Declaration has been prepared and circulated for 30 days and adopted by the Planning Commission by resolution on December 11, 2024; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of December 11, 2024 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg hereby finds as follows, *per the analysis incorporated herein by reference to the project staff report, dated December 11, 2024*:

### A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
3. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC), and the Fort Bragg Municipal

Code in general.

**NOW, THEREFORE, BE IT RESOLVED** that the Fort Bragg Planning Commission makes the following required findings and determinations for Coastal Development Permit 9-24 to allow for the construction of a new 960 sf bio-solids dryer building; a new 5,000 sf bio-solids storage building; and a solar PV system in two modules of 6,250 and 10,850 sf each at 281 Jere Melo/101 West Cypress Street *per analysis incorporated herein by reference to the project staff report, dated December 11, 2024.*

1. The proposed development as described in the application and accompanying materials, as modified by the conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. As the project is located between the first public road and the sea, the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.
4. The proposed use is consistent with the purposes of the zone in which the site is located.
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.
6. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
7. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.
8. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons;
9. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping or other conditions; and
10. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.
11. Public access would be inappropriate because it would be inconsistent with public safety and adequate public access exists within 500 feet of the site.
12. The proposed project minimizes the alteration of natural land forms;
13. The proposed project is visually compatible with the character of the surrounding area;
14. The proposed project is sited and designed to protect views to and along the ocean and scenic coastal areas; and
15. The proposed project restores and enhances visual degraded areas, where feasible.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Fort Bragg Planning Commission makes the following required findings and determinations for the Design Review Permit 12-24, *per the project analysis incorporated herein by reference to the project staff report, dated December 11, 2024:*

1. The project complies with the purpose and requirements of Section 17.71.050
2. Complies with the purpose and requirements of this Section (Design Review in the CLUDC)
3. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.
4. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.
5. Provides efficient and safe public access, circulation and parking.
6. Provides appropriate open space and landscaping, including the use of water efficient landscaping.
7. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program.
8. Complies and is consistent with the City's Design Guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Fort Bragg Planning Commission does hereby approve Design Review 12-24 (DR 12-24); Coastal Development Permit (CDP 9-24); to allow the construction of a new 960 sf bio-solids dryer building; a new 5,000 sf bio-solids storage building; and a solar PV system in two modules of 6,250 and 10,850 sf each at 281 Jere Melo/101 West Cypress Street subject to the following standard and special conditions:

#### **SPECIAL CONDITIONS**

1. During construction, the applicant shall install signage to the north and south on the Coastal Trail which includes the following language "Caution, Slow Down, Truck Traffic ahead."
2. If bluff erosion reduces the setback from the solar panels to the bluff edge to less than 20 feet, the solar panels shall be relocated at least 30 feet from the bluff edge.
3. Prior to final of the building permits, the applicant shall install native screening vegetation along the property's southern border and along the soil berm on the outside of the property-line fence. The screening vegetation shall include a mix of drought tolerant trees and bushes, such as shore pine or coyote bush.
4. Prior to issuance of a building permit the applicant shall submit a lighting plan consistent with the outdoor lighting policies of CLUDC 17.30.070, subject to review by the Community Development Department.
5. Special Condition 5: The project shall comply with the following mitigation measures included in the circulated Mitigated Negative Declaration:
  - Mitigation Measure BR1: Areas of Ice Plant Mat, outside the fence line and within the 100-foot buffer of the proposed Project, should have ice plant removed, and the area should be regularly maintained in perpetuity to prevent



ice plant from re-establishing in that area. Removal should be conducted using hand tools and any removed plant material should be taken off-site and disposed of at proper facility. Removal activities should be conducted between September 1 and January 31, which is outside nesting bird season, to prevent potential impacts to nesting birds.

- Mitigation Measure BR2: Ground disturbance should be initiated and/or completed from August 31 to January 31, outside of the general bird nesting season. If land disturbance activities cannot be completed or initiated during this time, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 7 days prior to the initiation of ground disturbance. The survey should cover the Project Area and surrounding areas within 500 feet. If active bird nests are found during the survey, a qualified biologist should monitor nesting birds during construction to ensure they are not disturbed by the project activities. If the monitor notices behavioral changes in the birds, an appropriate no-disturbance buffer should be established by the qualified biologist. The no-disturbance buffer will remain in place until it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation). If more than 14 days of no work occurs during the nesting season, birds may begin nesting; therefore, if more than 14 days of no work occurs during the nesting season and will need to resume to complete the proposed Project, an additional nesting survey is recommended.
- Mitigation Measure CR1: Tribal Monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative, Valerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction for scheduling.
- Mitigation Measure CR2: If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.
- Mitigation Measure CR3: If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County Coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).
- Mitigation Measure HM1: The Stormwater Pollution and Prevention Plan (SWPPP) required as a standard condition of approval for the required Coastal Development Permit, shall prescribe hazardous-materials handling procedures for reducing the potential for a spill during construction and shall

include an emergency response program to ensure quick and safe cleanup of accidental spills. The plan shall identify areas where refueling and vehicle maintenance activities and storage of hazardous materials, if any, shall be permitted.

- Mitigation Measure HM2: Emergency spill supplies and equipment shall be kept adjacent to all areas of work and in staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Materials Management Plan, as required by the Mendocino County Department of Environmental Health.
- Mitigation Measure WQ1: The City shall prepare a project Stormwater Pollution Prevention Plan (SWPPP) to include the application of BMPs minimizing the discharge of pollutants during construction. The City of Fort Bragg shall prepare a SWPPP before approving a grading permit for the site.

## **STANDARD CONDITIONS**

1. This action shall become final on the 11th working day following the Coastal Commission's receipt of the Notice of Final Action unless an appeal to the Coastal Commission is filed pursuant to Chapter 17.61.063 and 17.92.040. This action is appealable to the California Coastal Commission pursuant to Chapter 17.92.040.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. That such permit was obtained or extended by fraud.
  - b. That one or more of the conditions upon which such permit was granted have been violated.
  - c. That the use for which the permit was granted is so conducted as to be

detrimental to the public health, welfare or safety, or as to be a nuisance.

d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.

8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 11<sup>th</sup> day of December 2024 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSE:**

\_\_\_\_\_  
**Scott Deitz, Chair**

**ATTEST:**

\_\_\_\_\_  
**Maria Flynn**  
**Administrative Assistant**



## CITY OF FORT BRAGG

*Incorporated August 5, 1889*  
416 North Franklin Street  
Fort Bragg, California 95437  
tel. 707.961.2823  
fax. 707.961.2802  
www.fortbragg.com

<b>PROJECT TITLE:</b>	<b>Wastewater Treatment Facility Bio-Solid Storage and Dryer Buildings &amp; PV Project</b>
<b>APPLICATIONS:</b>	Coastal Development Permit (CDP 9-24); Design Review Permit (DR 12-24)
<b>LEAD AGENCY:</b>	City of Fort Bragg 416 North Franklin Street Fort Bragg, CA 95437
<b>CONTACT:</b>	Marie Jones Marie Jones Consulting (707) 357-6480
<b>LOCATION:</b>	The ±6.1-acre parcel is located in the City of Fort Bragg, ±2,400 feet west of Maple Street's intersection with Highway 1 at 281 Jere Melo St./101 West Cypress St. (APN 008-020-07).
<b>OWNER/APPLICANT:</b>	Fort Bragg Municipal Services District #1.
<b>GENERAL PLAN DESIGNATION:</b>	Public Facilities and Services (PF), Coastal Zone (CZ)
<b>ZONING:</b>	Public Facilities Zoning District (PF), Coastal Zone (CZ)

### Wastewater Treatment Facility Bio-Solid Storage & Dryer Buildings & PV Project

#### PROJECT LOCATION

The project site is located in Fort Bragg, the largest community on the Mendocino Coast, midway between San Francisco and Eureka. The project site is located within the existing Wastewater Treatment Facility (WWTF) on a 5.8-acre City-owned parcel. The parcel address is 281 Jere Melo St (also known as 101 West Cypress St), the Assessor's Parcel Number (APN) is 008-020-07, and the site is located within the California Coastal Zone.

The project site is located in the northern half of Section 12, Township 18-north, Range 18-west, and the project coordinates are approximately 39° 26' 20" (39.4388°) north latitude and 123° 48' 53" (123.8146°) west longitude.<sup>1</sup>

<sup>1</sup> U.S. Geological Survey. Fort Bragg quadrangle, California [map]. 1:24,000. 7.5 Minute Series. United States Department of the Interior, USGS, 2015.

The project parcel is surrounded by 104-acre Noyo Headland Park to the South North and West. Beyond the park the former GP Mill Site, an approximately 319-acre currently vacant industrial property, extends along the western portion of Fort Bragg. The property is surrounded by a six-foot view-obscuring cyclone security fence.



Figure 1: Wastewater Treatment Plant Aerial Image<sup>2</sup>

## PROJECT HISTORY

Constructed in 1970, the City of Fort Bragg's Wastewater Treatment Facility (WWTF) is an aging facility. Over the facility's 40-year life span, the operation has undergone various expansions and upgrades. In 2018 the City installed an activated sludge treatment system, a new dewatering building, new sludge holding area, splitter box and pump station, conversion of the existing primary and secondary clarifiers to emergency/surge storage basins, and new and renovated interior site access-ways and modified catchment basins.

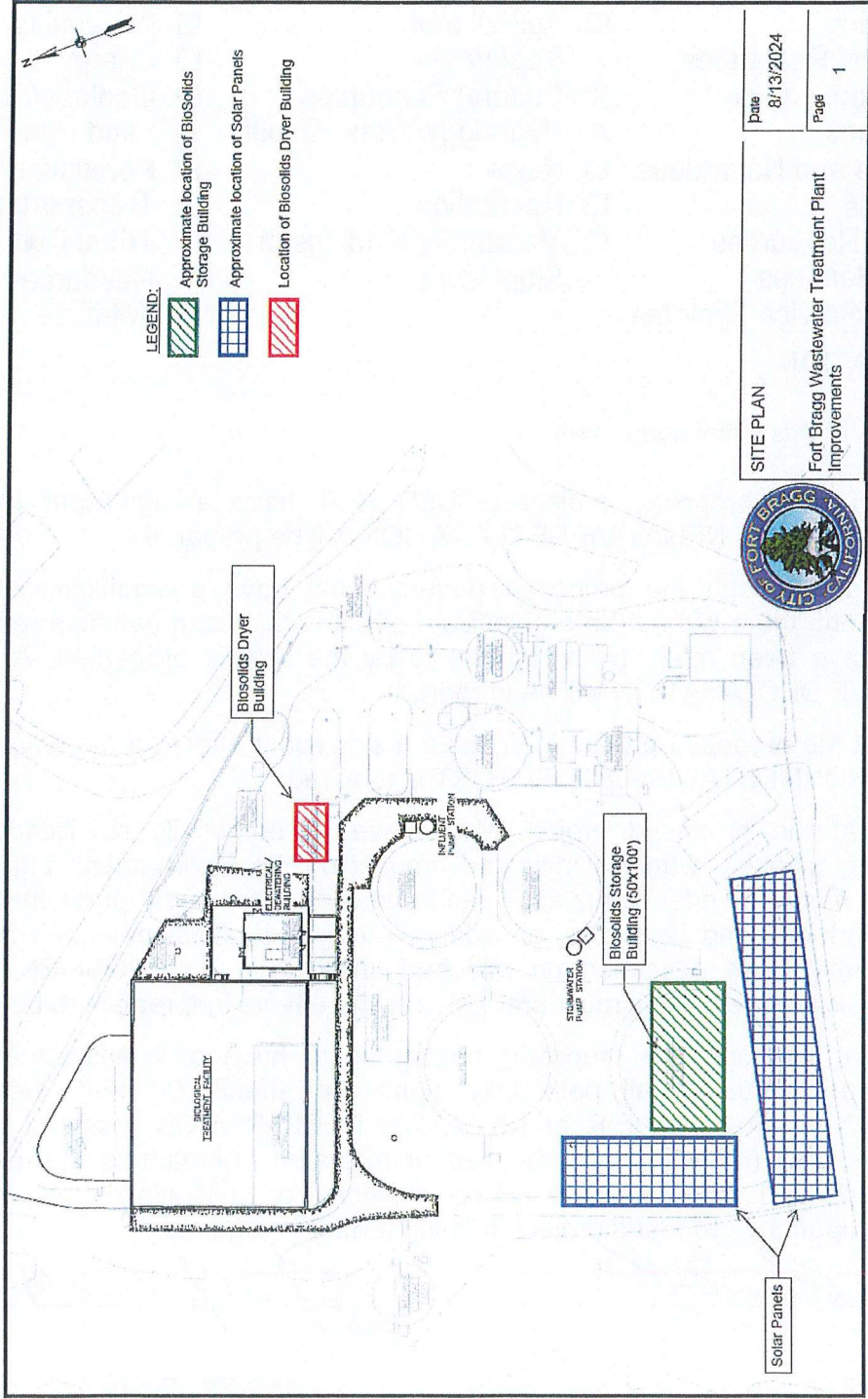
## PROPOSED PROJECT

The proposed project includes construction of: 1) a new 800 SF Bio-Solids Dryer Building which would be constructed in the same footprint as the existing Bio-Solids Dryer Building; 2) a new 5,000 SF Bio-Solids Storage Building, which would be constructed on the concrete pad of the now decommissioned secondary biofilters; and 3) and installation of a solar PV system which would consist of two modules of 6,250 and 10,850 SF each.

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<sup>2</sup> "Aerial Photographs of the California Coastline." California Coastal Records Project. Accessed February 02, 2016. <http://www.californiacoastline.org/>.

Figure 1: Proposed Improvements



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

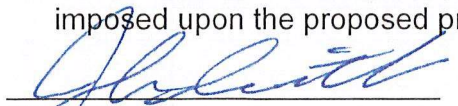
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages:

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

**DETERMINATION**

On the basis of this initial evaluation:

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

  
 \_\_\_\_\_  
 Signature  
 John Smith  
 \_\_\_\_\_  
 Printed Name

10/31/2024  
 \_\_\_\_\_  
 Date  
 City of Fort Bragg  
 \_\_\_\_\_  
 Agency

I. Aesthetics

<i>Would the project:</i>	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?			✓	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				✓
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

a. *Would the project have a substantial adverse effect on a scenic vista?*

The proposed project is not located in a mapped scenic view area as defined by the City of Fort Bragg Coastal General Plan.<sup>3</sup> Map CD-1, included as **Figure 2**, locates the project in an area where “the protection and enhancement of scenic views on the former Mill Site will be addressed in a Specific Plan.” To date, the City has not adopted a final Mill Site Specific Plan. Additionally, the City’s WWTF is not part of the Mill Site.

The Fort Bragg Coastal Trail traverses the eastern edge of the WWTF. Public views from the Coastal Trail through the WWTF property to the ocean are extremely limited due to view obscuring trees, an earthen berm, fence and existing buildings. The proposed Project will occur within the boundaries of the existing facility. A six-foot tall view-obscuring fence surrounds the parcel accommodating the existing and proposed development, partially shielding the view of the existing WWTF and the proposed project. The proposed project will not further obstruct or alter existing scenic vistas. The existing scenic vistas from public places (i.e. the Coastal Trail) would remain high in quality post-construction. The proposed WWTF Project will have a less than significant impact on scenic vistas to and along the coast.

b. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

<sup>3</sup> “Scenic Views in the Coastal Zone.” *Coastal General Plan*. City of Fort Bragg, 2008. 6-4.



The project is not visible from any State Scenic Highway, as Highway 1 is not a designated State Scenic Highway.<sup>4</sup> The existing WWTF is sparsely visible from few locations along Highway 1, and the proposed Project will not produce greater impacts to scenic resources. Additionally, the project will not obstruct views to trees, rock outcroppings or historic buildings.

c. *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The proposed project site is located within the development envelope of the existing WWTF. The existing site contains myriad structures and features associated with the treatment of wastewater. The proposed project would not substantially degrade the existing visual character and quality of the site.

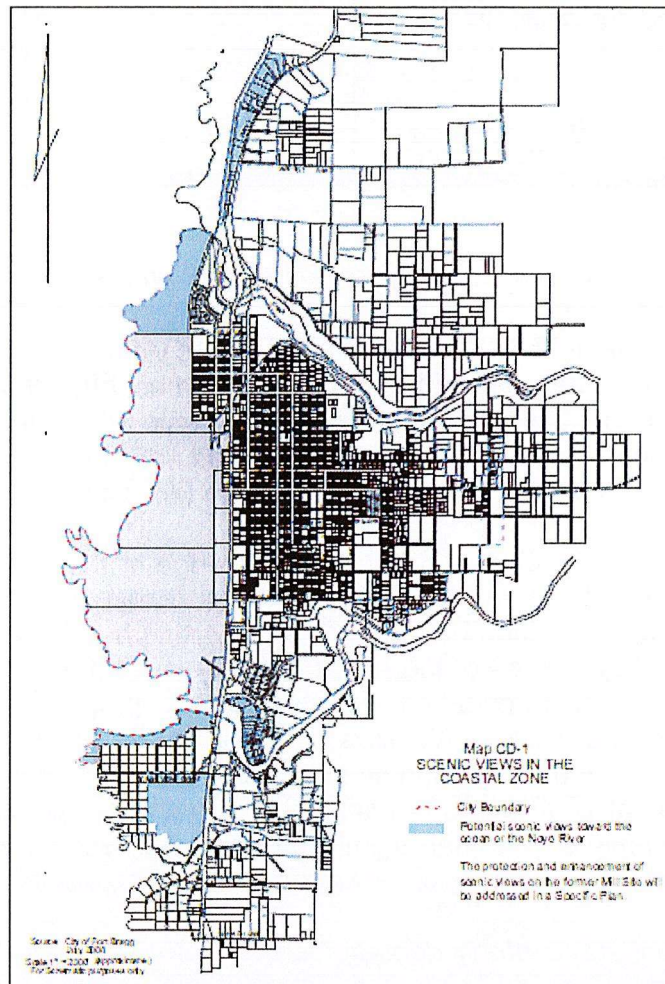


Figure 2: Fort Bragg Coastal General Plan Map CD-1

d. *Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

<sup>4</sup> "List of Officially Designated State Scenic Highways." California Department of Transportation. 16 Mar. 2016.

The limited lighting associated with the proposed project is necessary for safety and operation of the WWTF. Coastal Land Use and Development Code (CLUDC) Section 17.30.070 requires light fixtures be shielded or recessed to ensure that the light source is not visible beyond the property, and confines glare and reflections within the boundaries of the site to the maximum extent feasible. The CLUDC also requires light fixtures be directed downward and away from adjoining properties. Compliance with these regulations will ensure that the project impacts as a result of light or glare would be less than significant.

## II. Agricultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
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?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
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?				✓

- a. *Would the project 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?*

The proposed project would be located on a parcel designated as Public Facilities and Services (PF) in the Fort Bragg Coastal General Plan and zoned as Public Facilities and Services (PF). The project area is within the boundaries of an existing WWTF. While crop production, horticulture, orchards, and vineyards are permitted within the PF zoning district, the parcel has not been used for and is not considered prime farmland, unique farmland, or farmland of statewide importance per the Farmland Mapping and Monitoring

Program.<sup>5</sup> As implementation of the project will not result in the conversion of any farmland to non-agricultural uses, the project would have no impact to farmland.

b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The proposed project is located on a parcel zoned Public Facilities and Services (PF). No agricultural uses currently exist or are planned on the site. The project would not infringe upon any lands with Williamson Act contracts. Therefore, the project would have no impact with agricultural zoning or Williamson Act contracts.

c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?*

The project parcel is zoned Public Facilities and Services (PF). No forest uses currently exist or are planned on the site. The project would have no impact on parcels zoned for forest uses.

d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

No forestlands or forest uses are present or planned on the project parcel. The proposed project would not result in the loss of forest land or the conversion of forest land to non-forest uses.

e. *Would the project 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?*

The surrounding land is composed of a vacant former Mill Site and the Fort Bragg Coastal Trail, neither of which is presently used for agriculture or forestry.

### III. Air Quality

<i>Would the project:</i>	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?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	

<sup>5</sup> California Department of Conservation. *California Important Farmland Finder*. Accessed March 28, 2016. <http://maps.conservation.ca.gov/ciff/ciff.html>.

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
d. Expose sensitive receptors to substantial pollutant concentrations?			✓	
e. Create objectionable odors affecting a substantial number of people?			✓	

- a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*
- c. *Would the project 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?*

The Clean Air Act, as amended in 1990, is the federal law governing air quality. Its counterpart in California is the California Clean Air Act of 1988. These laws set standards for the quantity of pollutants permitted in the air. At the federal level, these are National Ambient Air Quality Standards (NAAQS). Standards have been established for six criteria pollutants linked to potential health concerns; the criteria pollutants are: carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter (PM), lead (Pb), and sulfur dioxide (SO<sub>2</sub>).

Under the 1990 Clean Air Act Amendments, the U.S. Department of Transportation cannot fund, authorize, or approve Federal actions to support programs or projects that are not first found to conform to the State Implementation Plan for achieving the goals of the Clean Air Act requirements. Conformity with the Clean Air Act takes place on two levels, beginning at the regional level and then at the project level. The proposed project must conform at both levels for permit approval.

The proposed project is located in Mendocino County within the North Coast Air Basin (NCAB). The project site is under the jurisdiction of the Mendocino County Air Quality Management District (MCAQMD). The MCAQMD reviews CEQA documents and has established quantitative thresholds of significance for environmental documentation. These thresholds are consistent with those developed by the Bay Area Air Quality Management District.

Mendocino County is non-attainment for the State PM-10 standard (particulate matter less than 10 microns in size).<sup>6</sup> The primary manmade sources of PM-10 pollution in the area are wood combustion (woodstoves, fireplaces, and outdoor burning), fugitive dust, automobile traffic, and industry. The MCAQMD maintains full-time monitoring equipment in the City of Fort Bragg. Development within Mendocino County must comply with all

<sup>6</sup> Mendocino Coast Air Quality Management District of the California North Coast Air Basin. *Particulate Matter Attainment Plan*. 2005.

applicable provisions of the Particulate Matter Attainment Plan adopted by the Mendocino County Air Quality Management District on March 15, 2005.

Temporary construction impacts are subject to Air Quality Management District Regulation 1, Rule 430, requiring dust control during construction activities. Section 18.30.080(D) of the CLUDC outlines municipal standards for dust management and prevention, which ensure compliance with applicable air quality standards. The proposed project would be consistent with these requirements.

Since the proposed project must comply with the existing standards for air quality contained in the CLUDC and the MCAQMD Particulate Matter Containment Plan, the WWTF Project would not conflict with, nor would it obstruct the implementation of any air quality plan, nor would it violate any air quality standard. Additionally, the project would not contribute substantially to an existing or projected air quality violation. Finally, the WWTF Project would not result in a cumulatively considerable net increase of PM-10 pollution (the only criteria pollutant for which the region is in non-attainment), provided the standards of the CLUDC and the MCAQMD Particulate Matter Containment Plan are met or exceeded.

- d. *Would the project expose sensitive receptors to substantial pollutant concentrations?*
- e. *Create objectionable odors affecting a substantial number of people?*

Users of the southern portion of the Fort Bragg Coastal Trail are currently exposed to some odors. The proposed Project will not increase the intensity or range of the existing odors.

#### IV. Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modification, 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 or US Fish and Wildlife Service?		✓		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓

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?		✓		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
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?				✓

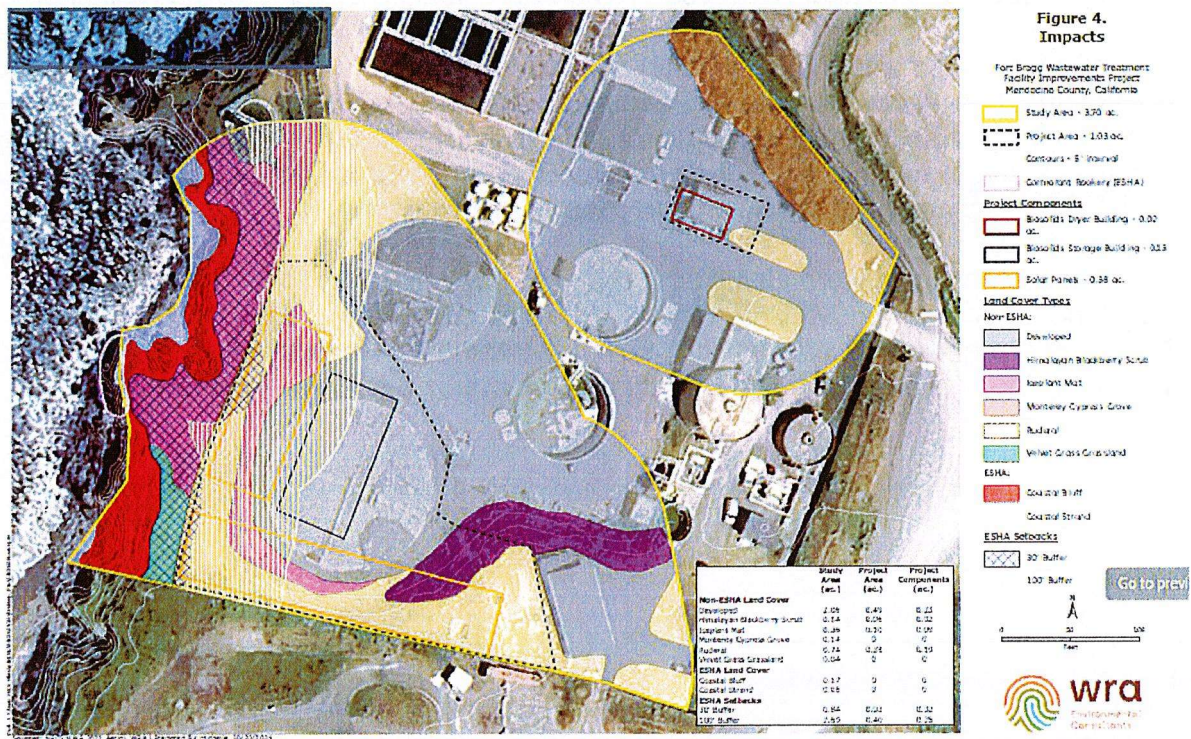
a. *Would the project have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

WRA prepared a Biological Resources Report and biological survey of the project property for special status species, wetlands and special status species. For the survey a botanist with 40-hour Corps wetland delineation training traversed the entire Study Area on foot to document: (1) land cover types (e.g., terrestrial communities, aquatic resources), (2) if and what type of aquatic natural communities (e.g., wetlands) are present, (3) existing conditions and to determine if such provide suitable habitat for any special-status plant or wildlife species, and (4) if special-status species are present .

Eight land cover types were identified in the report as present in the Study Area: developed, non-native grassland, Himalayan blackberry scrub, ice plant mat, ruderal, Monterey cypress grove, coastal bluff, coastal strand. WRA mapped all land cover types within the Study Area (Figure below) and are summarized in Table 1 (below).

Table 1. Vegetation Communities and Other Land Cover Types

COMMUNITY / LAND COVERS	SENSITIVE STATUS	RARITY RANKING	ACRES WITHIN STUDY AREA
<b>TERRESTRIAL / COMMUNITY LAND COVER</b>			
Developed	Non-ESHA	n/a	2.06
Monterey Cypress Grove	Non-ESHA	GNA SNA	0.14
Non-native Grassland	Non-ESHA	GNA SNA	0.04
Ice plant Mat	Non-ESHA	GNA SNA	0.36
Himalayan Blackberry Scrub	Non-ESHA	GNA SNA	0.14
Ruderal	Non-ESHA	n/a	0.74
Coastal Bluff	ESHA	n/a	0.17
<b>AQUATIC RESOURCES</b>			
Coastal strand (Pacific Ocean)	ESHA	n/a	0.05



WRA reports that Mendocino Paintbrush, a special-status species, that could be present on the parcel on the western side of the site fence on the bluff top. Additionally, WRA reports the presence of coastal Bluff Scrub in this same location although it is heavily impacted by invasive ice plant. Both of these populations are located within the 100-foot buffer but not within the area of the project. WRA completed a reduced buffer analysis and recommends **Mitigation Measures BR1** and **BR2** to reduce project impacts to a less than significant level.

**Mitigation Measure BR1:** Areas of Ice Plant Mat, outside the fence line and within the 100-foot buffer of the proposed Project, should have ice plant removed, and the area should be regularly maintained in perpetuity to prevent ice plant from re-establishing in that area. Removal should be conducted using hand tools and any removed plant material should be taken off-site and disposed of at proper facility. Removal activities should be conducted between September 1 and January 31, which is outside nesting bird season, to prevent potential impacts to nesting birds.

**Mitigation Measure BR2:** Ground disturbance should be initiated and/or completed from August 31 to January 31, outside of the general bird nesting season. If land disturbance activities cannot be completed or initiated during this time, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 7 days prior to the initiation of ground disturbance. The survey should cover the Project Area and surrounding areas within 500 feet. If active bird nests are found during the survey, a qualified biologist should monitor nesting birds during construction to ensure they are not disturbed by the project activities. If the monitor notices behavioral changes in the birds, an appropriate no-disturbance buffer should be established by the qualified biologist. The no-disturbance buffer will remain in place until it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation). If more than 14 days of no work occurs during the nesting season, birds may begin nesting; therefore, if more than 14 days of no work occurs during the nesting season and will need to resume to complete the proposed Project, an additional nesting survey is recommended.

- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*
- c. *Would the project have a substantial effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?*

The project biologist also surveyed the property for wetlands and riparian areas. There are no wetlands on site. The proposed project would not result in temporary or permanent impacts to wetlands, as no wetland will be disturbed by the construction project.

- d. *Would the project 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 corridors, or impede the use of native wildlife nursery sites?*

The project is proposed within the footprint of an existing Wastewater Treatment Plant. The project biologist did not identify native resident or migratory fish or wildlife on the site. However, recommended **Mitigation Measure BR2** prescribes remedies to offset any



potential impacts. Compliance with this mitigation measure will ensure that project impacts to native resident or migratory wildlife will be less than significant.

e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

There are no trees proposed for removal as a result of the Project; therefore, the project would not conflict with a tree preservation policy or ordinance.

f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*

There are no habitat conservation plans or natural community conservation plans associated with this property or habitats or communities located on this property. The project would not conflict with any habitat conservation plans or natural community conservation plans.

#### V. Cultural Resources

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				✓
c. Disturb any human remains, including those interred outside of formal cemeteries?				✓

- a. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*
- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*
- c. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

ALTA Archaeological Consulting performed an archaeological survey report for the project dated February 2016.<sup>7</sup> The survey included a records check by the Northwest Information Center on January 13, 2016, which indicated that numerous cultural resource studies have

<sup>7</sup> DeGeorgey, Alex, M.A., RPA. *Archaeological Survey Report: Fort Bragg Municipal Wastewater Treatment Plant Upgrade Project*. 2016.

been conducted within the one-half mile records search area. Previous studies evaluated the historical significance of standing structures associated with the Mill Site property, and a manuscript documenting the history of the Mill Site. The review found that no cultural resources are known within the WWTF project area.

On January 21, 2016, the archaeologist surveyed the project area for cultural resources. Following the records search and the field survey, the archaeologist determined that no cultural, historic, or archaeological resources are present within the project area, and no mitigation measures are recommended. It is a standard condition of approval for Coastal Development Permits that if previously unidentified cultural materials are unearthed during construction, work would be halted in that area until a qualified archaeologist can assess the significance of the find. As a result, any impacts to cultural resources would be less than significant.

Through the consultation process the Sherwood Valley Band of Pomo requested the following mitigation measures:

**Mitigation Measure CR 1:** Tribal Monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative, Vallerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction for scheduling.

**Mitigation Measure CR2:** If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.

**Mitigation Measure CR3:** If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County Coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

## VI. Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	
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a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The project is a green energy project (PV) which would reduce energy use on the site and implements a local plan for renewable energy. The project will not have a significant impact on energy.

### VI. Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
c. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			✓	
i. Rupture of 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?			✓	
ii. Strong seismic ground shaking?			✓	
iii. Seismic-related ground failure, including liquefaction?			✓	
iv. Landslides?			✓	
d. Result in substantial soil erosion or the loss of topsoil?				✓
e. 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?			✓	
f. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code creating substantial risks to life or property?				✓
g. 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.				✓

- a.i. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of 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?*
- a.ii. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*
- a.iii. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*
- a.iv. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

The City of Fort Bragg is located along the central Mendocino coast, an area that is known for seismic activity. Based on published fault maps, there are no active or potentially active faults known to traverse the City and no documented landslide or liquefaction zones.<sup>8</sup> There are four active or potentially active faults located within a 60 mile radius of the City. These include: the San Andreas Fault approximately six miles offshore of Fort Bragg which is the most likely source of earthshaking; the Maacama Fault zone approximately 21 miles to the east of the City, which has the potential to generate strong shaking in Fort Bragg; the Mendocino Fault zone approximately 60 miles to the northwest, which is an extremely active structure; and the Pacific Star Fault, which is located between the towns of Fort Bragg and Westport and is currently under study. There are no faults known to traverse the project site, and no significant impacts involving the rupture of known earthquake faults.

As the City of Fort Bragg is in an area known for seismic activity, the project could be subject to strong seismic ground shaking. The proposed project would include construction of smaller structures which would have to conform with seismic standards in the UBC.

- b. *Would the project result in substantial soil erosion or the loss of topsoil?*

The proposed project site is level with a minimal erosion risk. No topsoil will be removed as a result of the project.

- c. *Would the project 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?*

The proposed buildings and solar panels are relatively light weight and the structural engineer for the project will require an specific engineering relative to soil conditions as part of the building permit process.

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<sup>8</sup> California Department of Conservation. *Alquist-Priolo Fault Zone and Seismic Hazard Zone Maps*. <http://www.conservation.ca.gov/cgs/rghm/ap>. Accessed March 11, 2016.

d. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

The *Geotechnical Investigation Report* characterizes site soils as sands or silty sands (HDR, 10). There are little to no clays present, which are the soil constituents normally associated with expansive soils. Additionally, the City of Fort Bragg's Coastal General Plan does not identify any expansive soils in this area,<sup>9</sup> consistent with the *Geotechnical Investigation Report* characterization. There would be no environmental impacts resulting from the project due to expansive soils.

e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?*

The project is a Wastewater Treatment Facility. It does not include the use of septic tanks or alternative water disposal systems.

### VII. Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

- a. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The City of Fort Bragg adopted a Climate Action Plan in 2012. The plan sets greenhouse gas reduction goals including a thirty-percent reduction in greenhouse gasses for the municipality by 2020, and a seven-percent reduction goal for the community by 2020.

In 2012 water and wastewater operations provide the largest contribution of GHG emissions to the City's carbon footprint, accounting for about 515 MTCO<sub>2</sub>E of GHG emissions in the baseline year of 2005. This represents approximately 45% of total City generated GHG emissions. More than half (56% or 326 MTCO<sub>2</sub>E) of those GHG emissions originate from operations at the WWTF. However, the 1997 WWTF upgrade project eliminated two key sources of GHG emissions: namely the propane combustion to heat the digesters and the methane emitted by the digesters and sludge.

<sup>9</sup> "Geologic Hazards." *Coastal General Plan*. City of Fort Bragg, 2008. 7-3.

The proposed project would eliminate the last major source of GHG emissions, namely purchased electricity. The PV panels will offset the WWTF's purchase of electricity further reducing and potentially eliminating GHG from this source.

The only remaining source of significant GHG emissions is hauling dried sludge to Novato. The proposed project would have a net decrease in GHG emissions compared to the existing operation and would not conflict with any applicable climate change plan, policy or regulation.

### VIII. Hazards and Hazardous Materials

	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?		✓		
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?			✓	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
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?				✓
e. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Construction of the proposed Project would involve the use of materials generally regarded as hazardous, including gasoline and other fuels, hydraulic fluids and other similar materials. The risks to the community associated with the routine transport, use, and storage of these materials during construction are anticipated to be less than significant. With appropriate handling and disposal practices, there is relatively little potential for an accidental release of hazardous materials during construction. Storage and handling of materials during construction should incorporate Best Management Practices (BMPs), and would be subject to the provisions of a Stormwater Pollution and Prevention Plan (SWPPP). BMPs would include provisions for safely refueling equipment, and spill response and containment procedures. The potential impacts due to routine transport, use, or disposal of hazardous materials during construction activities would be less than significant.

The WWTF would continue to use sodium hypochlorite, sodium bisulfite and alum (aluminum sulfate) as part of the treatment process, which are classified hazardous substances.<sup>10</sup> Small amounts of fuels and other similar materials may also be used and stored on site. Access to chemicals would continue to be controlled to ensure safety. To ensure environmental impacts due to potential hazards would remain less than significant and operation of the facility would not subject the public, including sensitive receptors, to undue risks due to exposure of hazardous materials, **Mitigation Measure HM1** is recommended, requiring preparation and implementation of a Hazardous Materials Management Plan.

**Mitigation Measure HM1:** Emergency spill supplies and equipment shall be kept adjacent to all areas of work and in staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Materials Management Plan, as required by the Mendocino County Department of Environmental Health.

The treatment process would also use sodium bicarbonate, citric acid and a carbon compound called MicroC, but these materials are not considered to be hazardous substances according to the California Occupational Safety and Health Regulations.

- b. *Would the project 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?*

The existing hypochlorite tanks have built-in secondary containment which is double-walled with leak detection systems. The WWTF also includes existing concrete containment surrounding the hypochlorite tanks. The existing sodium bisulfite tank is single-walled surrounded by an existing concrete containment area. The proposed Project

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<sup>10</sup> California Occupational Safety and Health Regulations (CAL/OSHA) Chapter 3.2, Subchapter 1. Regulations of the Director of Industrial Relations, Article 5. Hazardous Substances Information and Training, Section 339.

would not alter the existing measures for mitigating public hazards due to the release of hazardous materials into the environment, reducing impacts to a less than significant level.

c. *Would the project omit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The project site is not located within one-quarter mile of any existing or proposed school, and no impacts are anticipated.

d. *Would the project 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?*

The State Water Resources Control Board (SWRCB) has not identified hazardous materials sites on the project parcel.<sup>11</sup> The nearest data points shown on the SWRCB website are field monitoring points associated with the adjacent former Mill Site. No construction or development activities are proposed beyond the boundaries of the WWTF property where data points are present, and no impacts are anticipated.

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, would the project result in a safety hazard for people residing or working in the project area?*

The project is not located within an airport land use plan or within two miles of a public airport.

f. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

There are no private airstrips in the project vicinity. There is an abandoned air strip immediately to the south of the site, but this strip is clearly marked with large yellow Xs to indicate its abandoned nature. There is a private airstrip located approximately 2.5 miles to the northeast, and a private helipad located approximately 0.9 miles southeast of the project parcel. The project proposes the construction of a limited number of structures not exceeding thirteen feet in height within the footprint of the existing WWTF. The project would have no impact on nearby private airstrips.

g. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project as proposed would not block any evacuation paths. The existing evacuation and emergency plans in place at the WWTF would remain in effect, and the proposed Project would have no impact on the existing plans.

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<sup>11</sup> State Water Resources Control Board. 2016, February 17. GeoTracker. <http://geotracker.swrcb.ca.gov>.



*h. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

All project construction and operation of the proposed Project would be in compliance with the goals and policies of the City's Coastal General Plan Safety Element. All construction would be subject to approval of a building permit, which will ensure compliance with California's Wildland-Urban Interface code. Compliance with the Coastal General Plan Safety Element and the California Wildland-Urban Interface code would reduce impacts to a less than significant level.

**IX. Hydrology and Water Quality**

<i>Would the project</i>	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?		✓		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g. the production rate of a pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				✓
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				✓
f. Otherwise substantially degrade water quality?				✓

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j. Inundation by seiche, tsunami, or mudflow?			✓	

a. *Would the project violate any water quality standards or waste discharge requirements?*

Proposed construction activities include excavation and grading that would result in exposure of soil to runoff. If not managed properly, the runoff could cause increased sedimentation resulting in the blockage of water flows, potentially increasing localized ponding or flooding.

Chemical release potential is present at most construction sites. Once released, substances such as fuels, oils, paints and solvents could be transported to nearby surface waterways or into the sea.

The project would require a Coastal Development Permit and building permits prior to initiation. These permits require the development of a Stormwater Pollution Prevention Plan (SWPPP), which would cover runoff from the construction. The preparation and implementation of a SWPPP, as required by **Mitigation measure WQ1**, would ensure that impacts to water quality are less than significant.

**Mitigation Measure WQ1:** The City shall prepare a project Stormwater Pollution Prevention Plan (SWPPP) to include the application of BMPs minimizing the discharge of pollutants during construction. The City of Fort Bragg shall prepare a SWPPP before approving a grading permit for the site.

Continued operation and maintenance of the WWTF, post project, will result in improvements to stormwater water quality. Post construction, all stormwater runoff within the WWTF will either be infiltrated on site, or captured and conveyed to the headworks of the WWTF for treatment. The proposed project would be consistent with existing water quality standards and waste discharge requirements.

b. *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g. the production rate of a pre-existing*

*nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

The proposed Project would not require an increase in water usage beyond that of the existing operation, and would not substantially affect groundwater supplies. There would be no significant impacts to nearby wells or the surrounding groundwater table.

- c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*
- d. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- e. *Would the project 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?*
- f. *Would the project otherwise substantially degrade water quality?*

The project would not alter the course of a stream, river or erosional forces on site, nor would the project result in flooding on or off site. The project would improve stormwater infiltration and treatment as a result of **Mitigation Measure WQ1**.

- g. *Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

The proposed project does not include a housing component, and will have no impacts on housing within flood areas.<sup>12</sup>

- h. *Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

The proposed project does not place any structures within a FEMA 100-year flood hazard area, and will have no impacts to flood flows.

- i. *Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

The proposed project will not affect any levee or dam, and will have no impacts on people or structures due to flooding.

- j. *Would the project expose people or structures to a significant risk or loss, injury or death involving inundation by seiche, tsunami, or mudflow?*

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<sup>12</sup> Federal Emergency Management Association. *Flood Insurance Rate Map*. No. 06045C1010F. 2011.

The proposed project is not located within a mapped tsunami hazard area and will have no impacts due to inundation by seiche, tsunami or mudflow. The proposed project is located on a blufftop at an elevation of approximately 60 feet. In a severe earthquake (magnitude 8.0 or higher), a wave of this scale could be formed from the San Andreas Fault; however the proposed facility improvements are at no more risk from tsunami inundation than the existing WWTF. The risk is less than significant.

### X. Land Use and Planning

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

*a. Would the project physically divide an established community?*

The proposed project is located at the western edge of the City of Fort Bragg on a coastal bluff. The approximately 5.8-acre parcel is owned by the City of Fort Bragg. The project parcel is fronted on the east by the former Georgia-Pacific Mill Site, an approximately 319-acre undeveloped oceanfront property that is currently undergoing environmental remediation. The City of Fort Bragg's Coastal Trail traverses 104-acres extending along the coastline both north and south of the project. The project parcel is presently developed with an existing Wastewater Treatment Plant. The update would take place within the parcel boundaries of the existing development. The project would not divide an established community.

*b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The project would implement the following Coastal General Plan policies:

Policy PF-2.5 Wastewater Capacity: Review wastewater capacity and expansion plans as needed when regulations change and as the treatment and disposal facility near 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.

Policy PF-2.7 Public Buildings: Ensure that public buildings in the City are adequate to provide services for the community.

Policy S-2.2 Alternative Energy: Encourage the development and use of alternative sources of energy such as wind, solar, and biomass to meet Fort Bragg's energy needs.

Policy S-2.5 Use of Local and Renewable Energy: Buildings and infrastructure that create and/or use locally and renewably generated energy are encouraged. Photovoltaic and wind energy systems are encouraged. The installation of solar panels or other clean energy power generation sources over parking areas is preferred.

No goals, policies or programs were identified that would conflict with the proposed project. The project is consistent with General Plan goals, policies and programs, specifically those relating to the continued maintenance and operation of the existing WWTF.

The project site is located within the Public Facility (PF) zoning district. According to the Coastal Land Use and Development Code (CLUDC), the project is consistent with the definition of a Utility Facility and is principally permitted in the PF zoning district. Since the property currently contains an existing Wastewater Treatment Plant, the use is established. The project proposes to update the existing use. The project is subject to the applicable development standards outlined in Article 3 of the CLUDC, including parking, fencing, screening, and performance standards. The project is also subject to grading permit requirements and procedures outlined in Chapter 17.60 of the CLUDC. The project is subject to Design Review requirements because the new facilities would be visible from public view areas.

Site Development Regulations, including grading permit requirements and procedures, grading, erosion, and sediment control standards, and urban runoff pollution control, as outlined in Article 6 of the CLUDC, are addressed in Section VI, Geology and Soils, and Section IX, Hydrology and Water Quality, of this report.

Finally, the project requires a Coastal Development Permit. In order to obtain a Coastal Development Permit, the project must be found in compliance with the findings for approval outlined in Section 17.71.045(l)(2), including that "the proposed development...is in conformity with the City of Fort Bragg's certified Local Coastal Program..." and that "the proposed development is in conformance with the City of Fort Bragg's Coastal General Plan."

In order to obtain the necessary permits (Coastal Development Permit, Design Review, etc.), the project will have to be found in compliance with all local ordinances, policies and

plans, and would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

*c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

There are no habitat conservation plans or natural community conservation plans associated with this property or habitats or communities located on this property. The project would not conflict with any habitat conservation plans or natural community conservation plans.

#### XI. Mineral Resources

<i>Would the project</i>	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?				✓
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?				✓

- 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?*
- 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?*

The site does not contain any known mineral resources and construction of the project would not result in the loss of any locally important mineral resources delineated in the Fort Bragg Coastal General Plan or any other land use document.

#### XII. Noise

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			✓	

- a. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?*
- b. *Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*
- c. *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*
- d. *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*
- e. *For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

The proposed Project will not increase operational sound levels beyond existing conditions. The existing WWTF operates within the requirements of the City's noise standards prescribed in the General Plan and Coastal Land Use and Development Code. Any environmental impacts due to noise produced by the facility would be equal to the existing conditions, remain consistent with applicable noise policies and regulations, and would remain at a less than significant level.

### XIII. Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project</i>				

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

a. *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed project would not upgrade the existing capacity of the WWTF. The project would not directly or indirectly induce substantial population growth in the area.

b. *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

c. *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The project area is presently developed with an existing Wastewater Treatment Plant which does not offer any housing.

**XIV. Public Services**

<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 any of the public services:</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Fire protection?				✓
b. Police protection?				✓
c. Schools?				✓
d. Parks?				✓
e. Other public facilities?				✓

The proposed project would have no impact on public services, including fire and police protection, schools, parks or other public facilities. The Project does not change the existing use—that of a Wastewater Treatment Plant. No new impacts to public services will result from the update of the existing facility.



### XV. Recreation

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The WWTF does not allow public access due to safety and security concerns. The project would not result in an increase in use of existing parks or other recreational facilities and would continue to operate without impact to the Fort Bragg Coastal Trail.

### XVI. Transportation/Traffic

<i>Would the project</i>	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?				✓
b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?				✓
c. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓

d. Result in inadequate emergency access?				✓
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- a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?
- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d. Result in inadequate emergency access?

The proposed project would not alter the existing public facility use on the property—a Wastewater Treatment Plant. The update to the facility would not result in any substantial increase in relation to the existing traffic load capacity of the street system. Presently, employees and operators regularly access the existing WWTF, which would continue unchanged following the proposed update. No impacts are anticipated.

- a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The WWTF is not and would not be open to the public. Staff drive to the site to operate the facility and the proposed project would not result in any increased staffing level.

- b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

The proposed project will not result in a change to the total Vehicle Miles Traveled (VMT) associated with the operation of the WWTF. A small insignificant increase in VMT will result from the construction project for the delivery of materials and VMT associated with worker transportation. The project will not have a significant impact on VMT.

- c. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The updated WWTF will be surrounded by the existing six-foot tall chain link fence for safety and security, and will be adequately separated from the public to prevent the possibility of any design feature interfering with traffic or causing traffic hazards.

- d. Would the project result in inadequate emergency access?

The project will not alter the existing conditions for emergency access. Presently, access to the WWTF is via two secure gates. Access codes for the gates are provided to emergency responders for emergency access.

**XVIII. Tribal Cultural Resources**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project</i>				
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:				✓
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 section 5020.1(k), or				✓
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 Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				✓

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:*

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 section 5020.1(k), or*

The project is not listed on any register as a historic resource.

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 Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The proposed project site does not qualify as a cultural resource under subdivision (c) of Public Resources Code § 5024.1

### XIX. Utilities and Service Systems

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

*a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

- b. *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The project will comply with the wastewater treatment requirements of the Regional Water Quality Control Board, and by proper permitting and compliance with CEQA, would not cause significant environmental impacts.

- c. *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The project would not result in an increase of impervious surfaces and will not necessitate expansion or construction of new stormwater drainage facilities. All stormwater from the property has been rerouted to the headworks and treated on-site. No impacts are anticipated.

- d. *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

The proposed Project would not require an increase in water usage beyond existing conditions.

- e. *Would the project 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?*

The project would not result in any increase in demand on wastewater treatment facilities.

- f. *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

The project would not create or contribute to an increase in solid waste. Existing solid waste produced at the facility is delivered to Redwood Landfill in Novato, which is operated by Waste Management. The proposed project would not alter the existing disposal of solid waste and would have no new impact on solid waste capacities.

- g. *Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

The project would comply with federal, state and local statutes and regulations related to solid waste. No increases to solid waste would result in the Project.

**XX. Wildfire**

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				✓
<ul style="list-style-type: none"> <li>a. Substantially impair an adopted emergency response plan or emergency evacuation plan?</li> <li>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?</li> <li>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?</li> <li>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 changes?</li> </ul>				✓

- a. *Substantially impair an adopted emergency response plan or emergency evacuation plan?*
- 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?*
- 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?*
- 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 changes?*

The proposed project is not located in a state responsibility area and so there is no impact related to wildfire.

## XXI. Mandatory Findings of Significance

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
f. 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)?				✓
g. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

With incorporation of the following mitigation measures into the project, all potential impacts would be reduced to a level of less than significant:

**Mitigation Measure BR1:** Areas of Ice Plant Mat, outside the fence line and within the 100-foot buffer of the proposed Project, should have ice plant removed, and the area should be regularly maintained in perpetuity to prevent ice plant from re-establishing in that area. Removal should be conducted using hand tools and any removed plant material should be taken off-site and disposed of at proper facility. Removal activities should be conducted between September 1 and January 31, which is outside nesting bird season, to prevent potential impacts to nesting birds.

**Mitigation Measure BR2:** Ground disturbance should be initiated and/or completed from August 31 to January 31, outside of the general bird nesting season. If land disturbance activities cannot be completed or initiated during this time, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 7 days prior to the initiation of ground disturbance. The survey should cover the Project Area and surrounding areas within 500 feet. If active bird nests are found during the survey, a qualified biologist should monitor nesting birds during construction to ensure they are not disturbed by the project

activities. If the monitor notices behavioral changes in the birds, an appropriate no-disturbance buffer should be established by the qualified biologist. The no-disturbance buffer will remain in place until it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation). If more than 14 days of no work occurs during the nesting season, birds may begin nesting; therefore, if more than 14 days of no work occurs during the nesting season and will need to resume to complete the proposed Project, an additional nesting survey is recommended.

**Mitigation Measure CR1:** Tribal Monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative, Vallerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction for scheduling.

**Mitigation Measure CR2:** If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.

**Mitigation Measure CR3:** If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County Coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

**Mitigation Measure HM1:** The Stormwater Pollution and Prevention Plan (SWPPP) required as a standard condition of approval for the required Coastal Development Permit, shall prescribe hazardous-materials handling procedures for reducing the potential for a spill during construction and shall include an emergency response program to ensure quick and safe cleanup of accidental spills. The plan shall identify areas where refueling and vehicle maintenance activities and storage of hazardous materials, if any, shall be permitted.

**Mitigation Measure HM2:** Emergency spill supplies and equipment shall be kept adjacent to all areas of work and in staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Materials Management Plan, as required by the Mendocino County Department of Environmental Health.

**Mitigation Measure WQ1:** The City shall prepare a project Stormwater Pollution Prevention Plan (SWPPP) to include the application of BMPs minimizing the discharge of pollutants during construction. The City of Fort Bragg shall prepare a SWPPP before approving a grading permit for the site.





# WWTF

## MITIGATION AND MONITORING REPORTING PROGRAM

### MMRP Statements:

1. **MMRP runs with the Land.** The adopted WWTF MND and MMRP shall run with the real property and successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program;
2. **MMRP Disclosure.** Prior to any lease, sale, transfer, or conveyance of any portion of the property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made;
3. **Applicant Responsibilities.** The Municipal Services District 1 is responsible for ensuring the attached MMRP is implemented and that reports are submitted to the Community Development Department describing compliance and work towards compliance with all mitigation measures.
4. **Professional Expertise.** The following professional expertise is required for completion or evaluation of any part of the program: Biologist.
5. **Payments.** No additional costs are required of the applicant.
6. **Civil Remedies and Criminal Penalties.** The following civil remedies and criminal penalties are permitted by Title 18.04.050 of CEQA for noncompliance with this adopted mitigation monitoring and reporting program.

### 18.04.120 Civil and administrative remedies.

In addition to the penalties set forth in subsection [18.04.100](#), the city may carry out or seek other remedies as permitted by law, including, but not limited to the following:

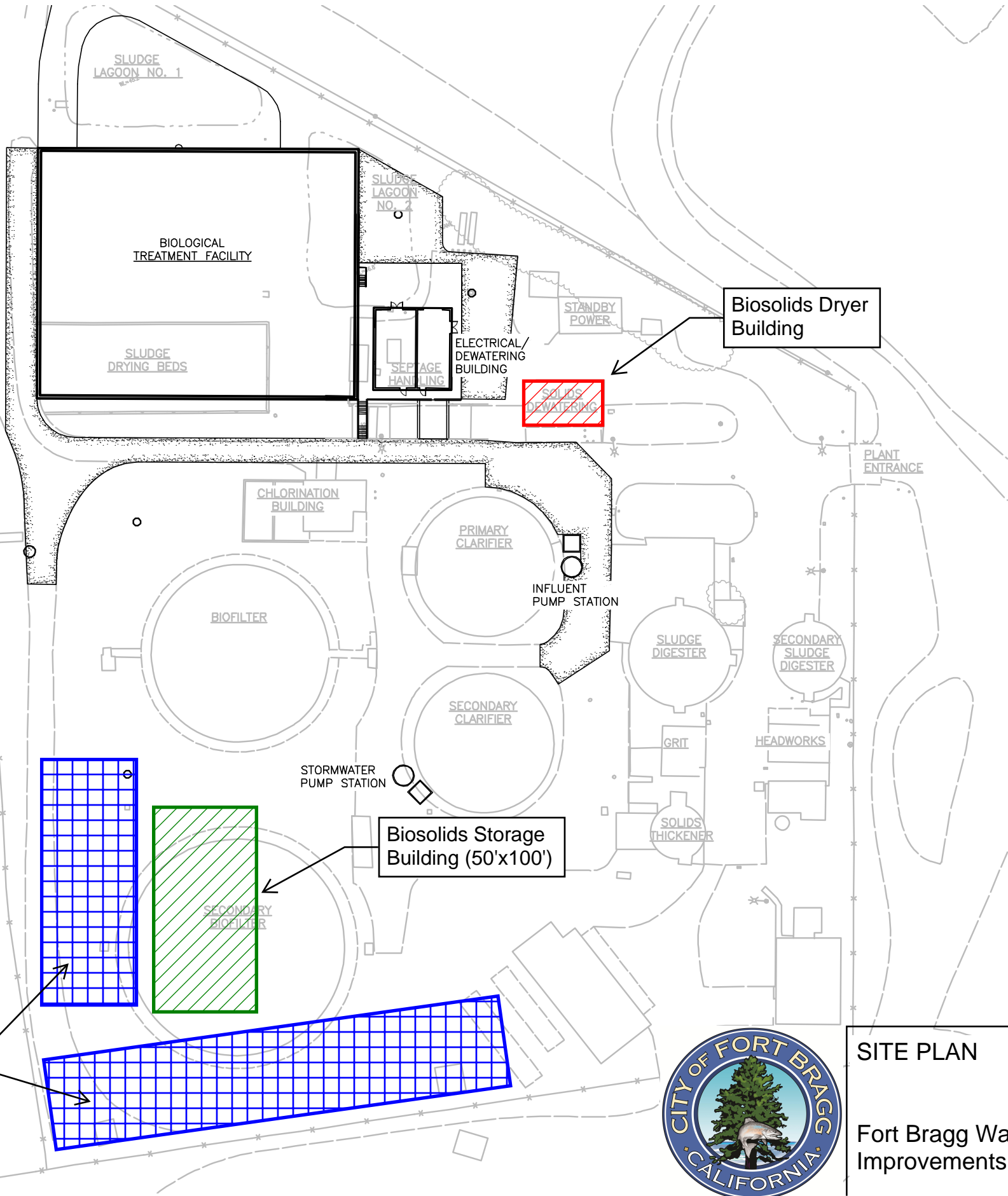
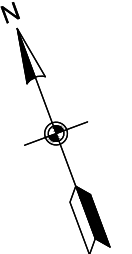
- A. Injunctive relief;
- B. A stop order subject to the following:
  1. Whenever the environmental coordinator finds that there is noncompliance with an adopted program and that this noncompliance presents a serious and immediate threat to the public health, safety and welfare, the environmental coordinator shall issue a stop work order which shall prohibit further work on the project that is the subject of the adopted program.
  2. In the event the environmental coordinator issues a stop work order, notice of this order shall be served on the applicant and/or project supervisor and/or contractor and posted on site. The notice shall contain the following:
    - a. The findings justifying the stop work order;
    - b. The time and date when the stop work order commence;
    - c. The time, date, and place at which the applicant may appear to respond to the findings in the notice, which shall not be later than twenty-four (24) hours following the time and date when the stop work order commences.
  3. Authority to recommence work on the project that is the subject of an adopted program after issuance of a stop work order may be granted by the environmental coordinator upon the establishment of such terms, conditions and requirements as are reasonably necessary to protect the public health, safety, and welfare and as are consistent with the terms, conditions, and requirements of the adopted program. (Ord. 97-03 § 2 (part): prior code § 8-1.6015(L))

# Mitigation Monitoring and Reporting Program


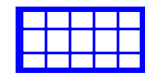

Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
<b>BIOLOGY</b>					
<p><b>Mitigation Measure BR1:</b> Areas of Ice Plant Mat, outside the fence line and within the 100-foot buffer of the proposed Project, should have ice plant removed, and the area should be regularly maintained in perpetuity to prevent ice plant from re-establishing in that area. Removal should be conducted using hand tools and any removed plant material should be taken off-site and disposed of at proper facility. Removal activities should be conducted between September 1 and January 31, which is outside nesting bird season, to prevent potential impacts to nesting birds.</p>	Prior to Construction	Operator Contractor  Qualified Biologist	Remove Ice plant.		
<p><b>Mitigation Measure BR2:</b> Ground disturbance should be initiated and/or completed from August 31 to January 31, outside of the general bird nesting season. If land disturbance activities cannot be completed or initiated during this time, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 7 days prior to the initiation of ground disturbance. The survey should cover the Project Area and surrounding areas within 500 feet. If active bird nests are found during the survey, a qualified biologist should monitor nesting birds during construction to ensure they are not disturbed by the project activities. If the monitor notices behavioral changes in the birds, an appropriate no-disturbance buffer should be established by the qualified biologist. The no-disturbance buffer will remain in place until it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation). If more than 14 days of no work occurs during the nesting season, birds may begin nesting; therefore, if more than 14 days of no work occurs during the nesting season and will need to resume to complete the proposed Project, an additional nesting survey is recommended.</p>	Construction  Prior to Construction	Public Works Dept. Contractor	Start project after August 31st.  If construction is started prior to August 31 <sup>st</sup> complete a bird nesting survey and follow biologist's recommendation.		

CULTURAL RESOURCES					
<p><b>Mitigation Measure CR1:</b> Tribal Monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative, Valerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction for scheduling.</p>	<p>Prior to &amp; During Construction</p>	<p>Public Works.</p>	<p>Call Valerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least ten days prior to construction to schedule tribal monitors.</p>		
<p><b>Mitigation Measure CR2:</b> If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.</p>	<p>During Construction</p>	<p>Public Works.</p>	<p>Halt construction if unidentified resources are found. Implement Mitigation Measure.</p>		
<p><b>Mitigation Measure CR3:</b> If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County Coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).</p>	<p>During Construction</p>	<p>Public Works</p>	<p>Halt construction is human remains are found, follow mitigation measure.</p>		

Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
<b>HYDROLOGY &amp; WATER QUALITY</b>					
<b>Mitigation Measure HM1:</b> The Stormwater Pollution and Prevention Plan (SWPPP) required as a standard condition of approval for the required Coastal Development Permit, shall prescribe hazardous-materials handling procedures for reducing the potential for a spill during construction and shall include an emergency response program to ensure quick and safe cleanup of accidental spills. The plan shall identify areas where refueling and vehicle maintenance activities and storage of hazardous materials, if any, shall be permitted.	Prior to Construction	Public Works.	Prepare SWIPP.		
<b>Mitigation Measure HM2:</b> Emergency spill supplies and equipment shall be kept adjacent to all areas of work and in staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Materials Management Plan, as required by the Mendocino County Department of Environmental Health.	During construction	Contractor	Have spill response materials on hand.		
<b>Mitigation Measure WQ1:</b> The City shall prepare a project Stormwater Pollution Prevention Plan (SWPPP) to include the application of BMPs minimizing the discharge of pollutants during construction. The City of Fort Bragg shall prepare a SWPPP before approving a grading permit for the site.	Prior to Construction	Public Works.	Prepare SWIPP.		



**LEGEND:**

-  Approximate location of BioSolids Storage Building
-  Approximate location of Solar Panels
-  Location of Biosolids Dryer Building

Solar Panels

Biosolids Storage Building (50'x100')

Biosolids Dryer Building



**SITE PLAN**

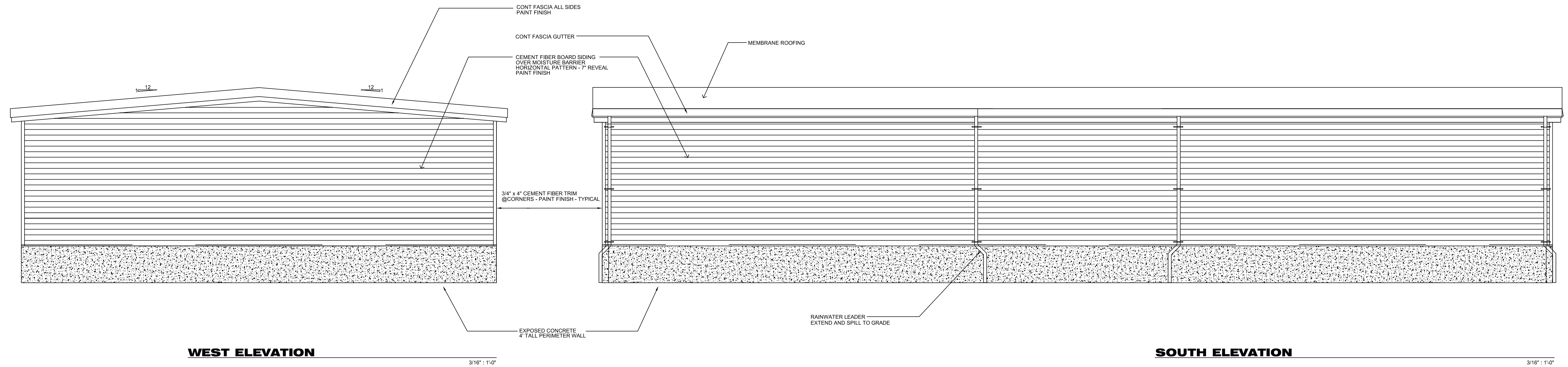
Fort Bragg Wastewater Treatment Plant Improvements

Date  
8/13/2024

Page  
1



ALFREDO HUERTA      EXT. 138  
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 416 N. FRANKLIN STREET  
 FORT BRAGG, CALIFORNIA 95437  
 TEL. 707.7961-2823  
 .....  
 CONSULTANTS



*Project*  
**Bio Solids Storage Building**

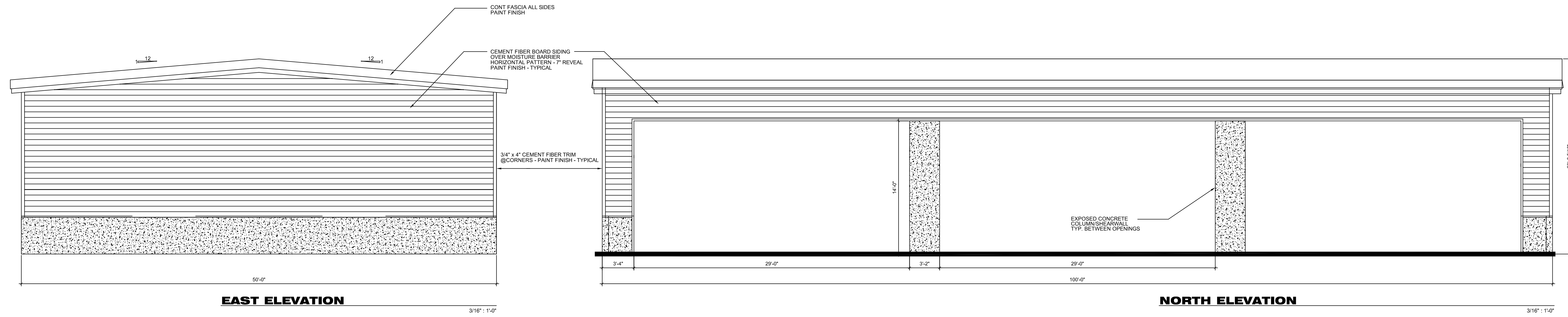
Fort Bragg  
 Wastewater Treatment Plant

281 Jere Melo Street  
 Fort Bragg, California 95437

*The contractor shall verify and be responsible for all dimensions and conditions on the job and this office must be notified in writing of any variation from the dimensions and conditions shown by these drawings.*

*This drawing is not final or to be used for construction until signed by the architect and owner.*

*All drawings and written material appearing herein constitute the original and unpublished work of the Engineer and the same may not be duplicated, used or disclosed without written consent of the Engineer.*



Architect  
 Drawn By **A. HUERTA**  
 Revisions

NO.	DATE	DESCRIPTION

Job No. WWP-00024  
 Date  
 Drawing No.

**A1**  
 OF SHEETS

*Project*

# Bio Solids Dryer Building Improvements

Fort Bragg  
Wastewater Treatment Plant

Noyo Point Road  
Fort Bragg, California 95437

.....  
 The undersigned architect does not represent that these plans or the specifications in connection therewith are suitable, whether or not modified for any other site than the one for which they were specifically prepared. The architect disclaims responsibility for these plans and specifications if they are used in whole or in part at any other site.

The contractor shall verify and be responsible for all dimensions and conditions on the job and this office must be notified in writing of any variation from the dimensions and conditions shown by these drawings.

This drawing is not final or to be used for construction until signed by the architect and owner.

All drawings and written material appearing herein constitute the original and unpublished work of the Architect and the same may not be duplicated, used or disclosed without written consent of the Architect.

**Architect**

**Drawn By**

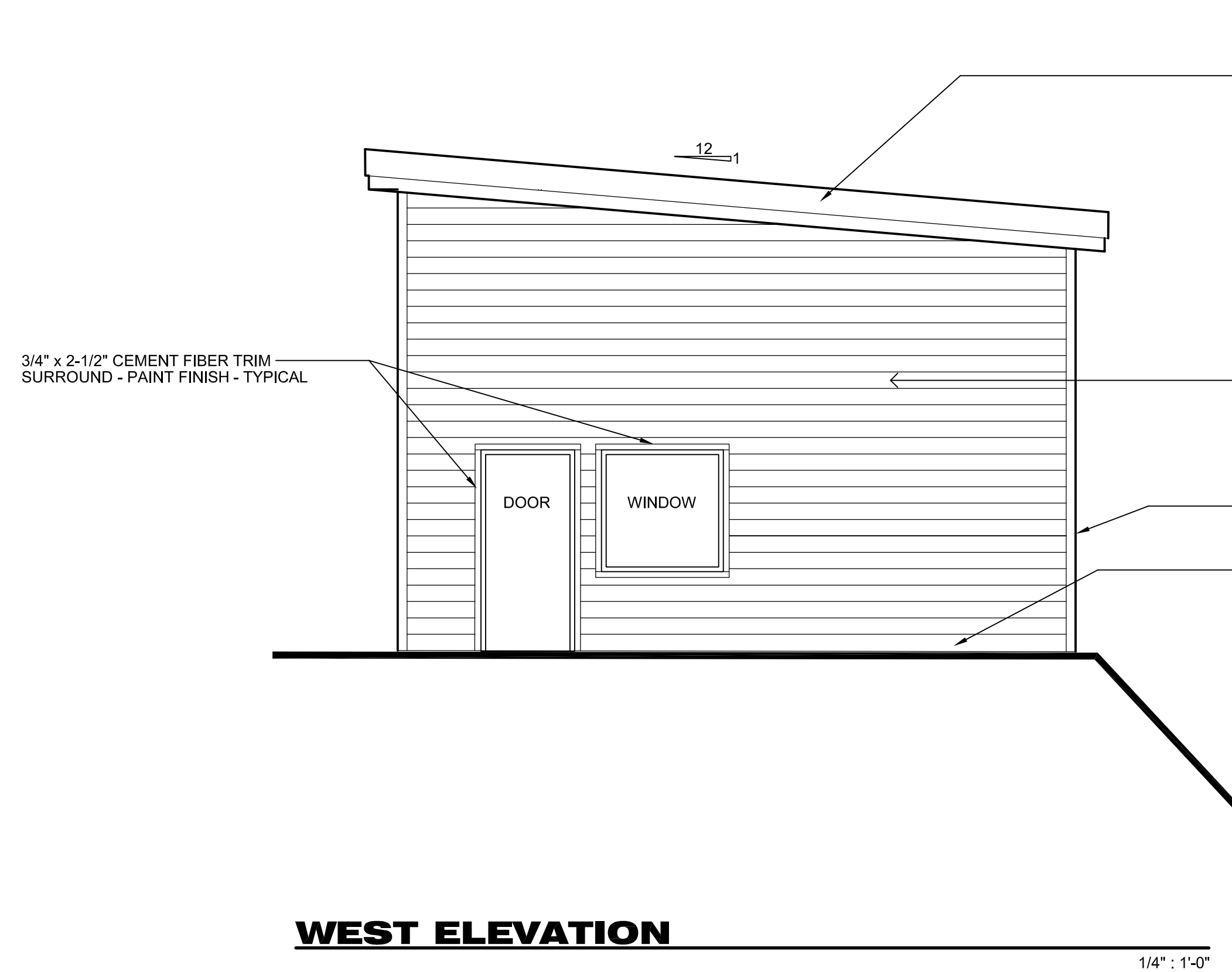
**Revisions**

NO.	DATE	DESCRIPTION

**Job No.** C23032.00  
**Date**

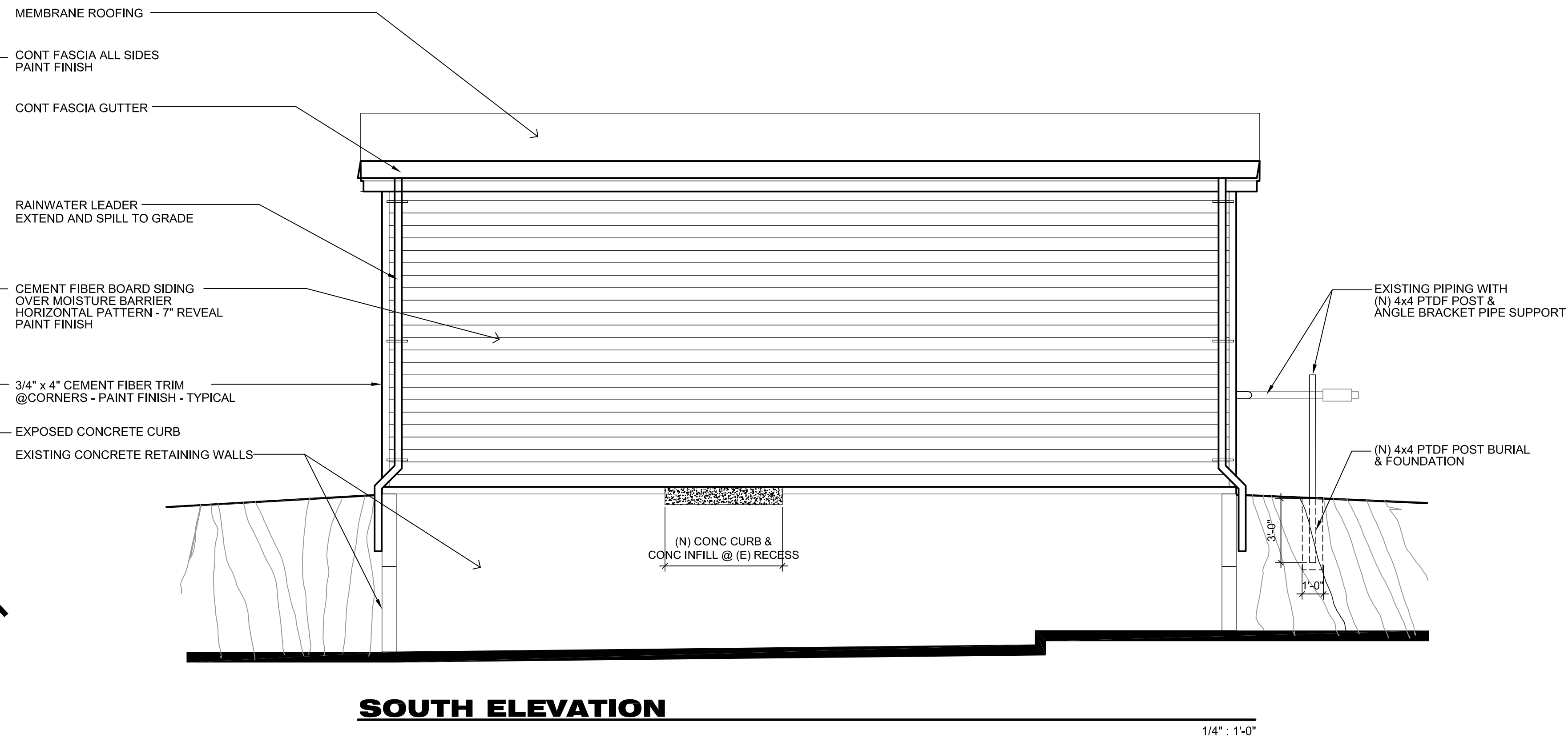
Drawing No.

# A3-1



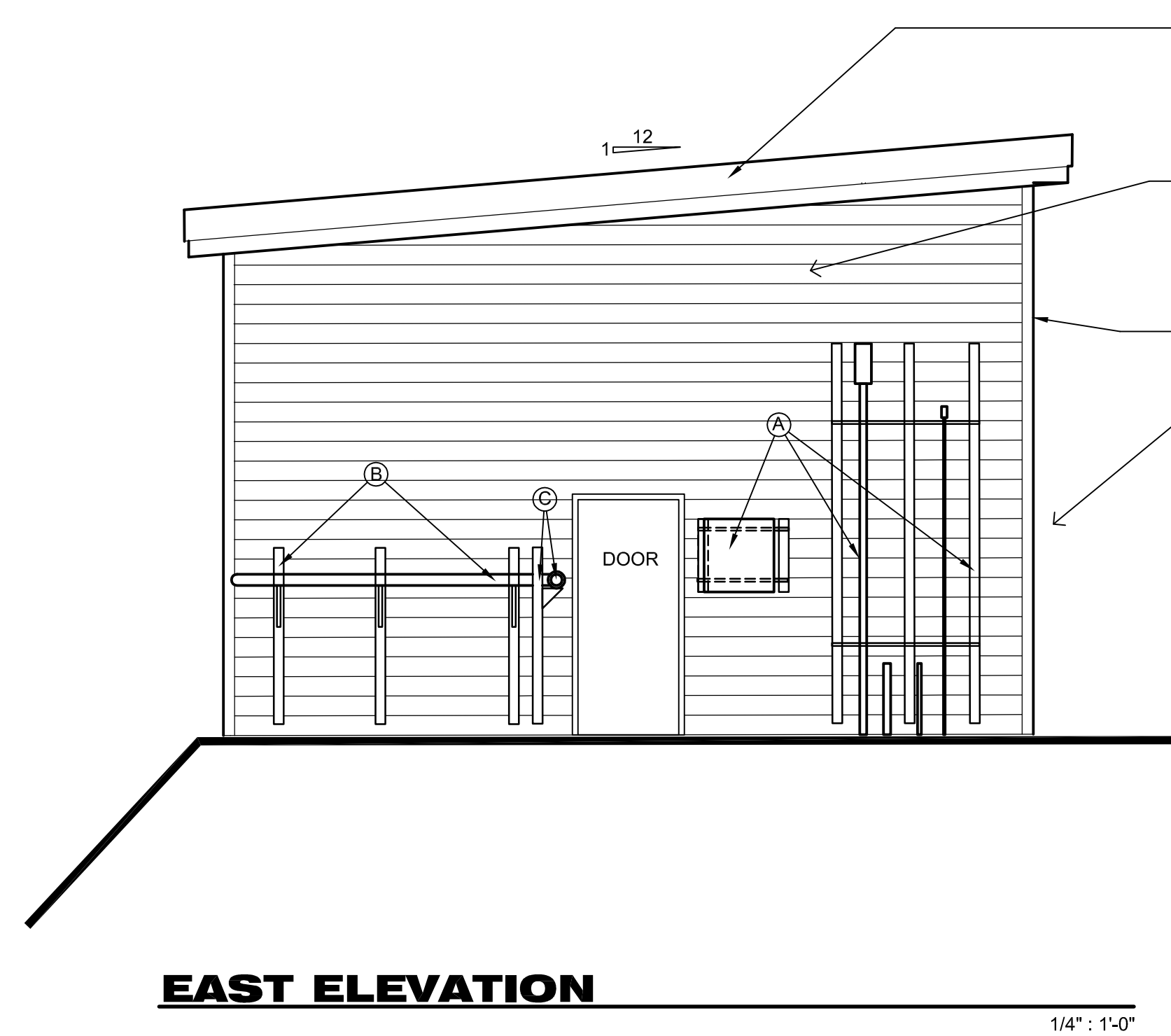
**WEST ELEVATION**

1/4" : 1'-0"



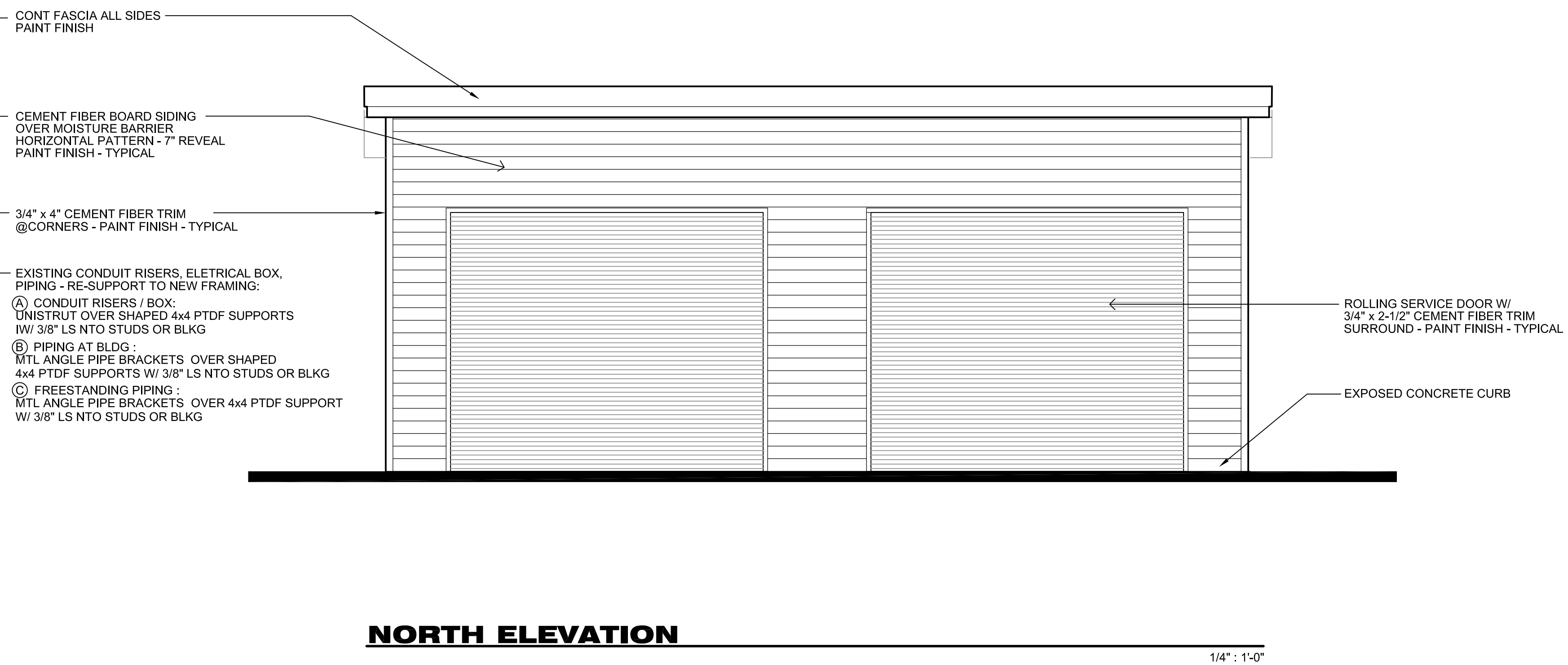
**SOUTH ELEVATION**

1/4" : 1'-0"



**EAST ELEVATION**

1/4" : 1'-0"



**NORTH ELEVATION**

1/4" : 1'-0"



*Project*

## Bio Solids Dryer Building Improvements

Fort Bragg  
 Wastewater Treatment Plant

Noyo Point Road  
 Fort Bragg, California 95437

.....  
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**Architect**

**Drawn By**

**Revisions**

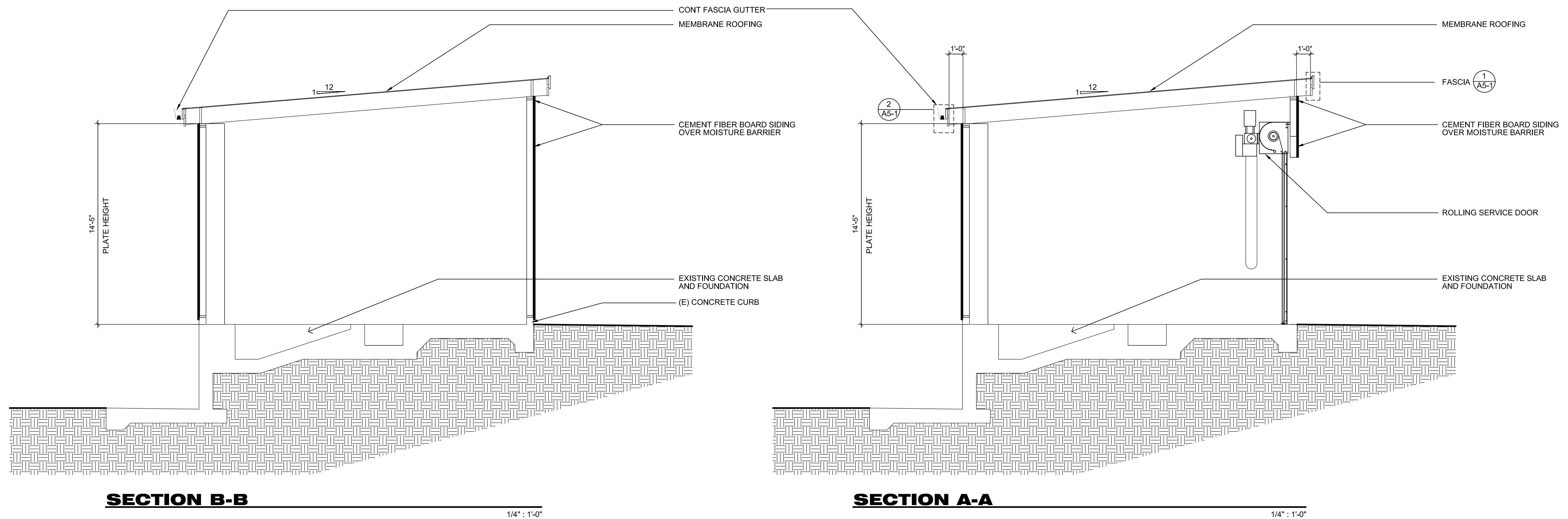
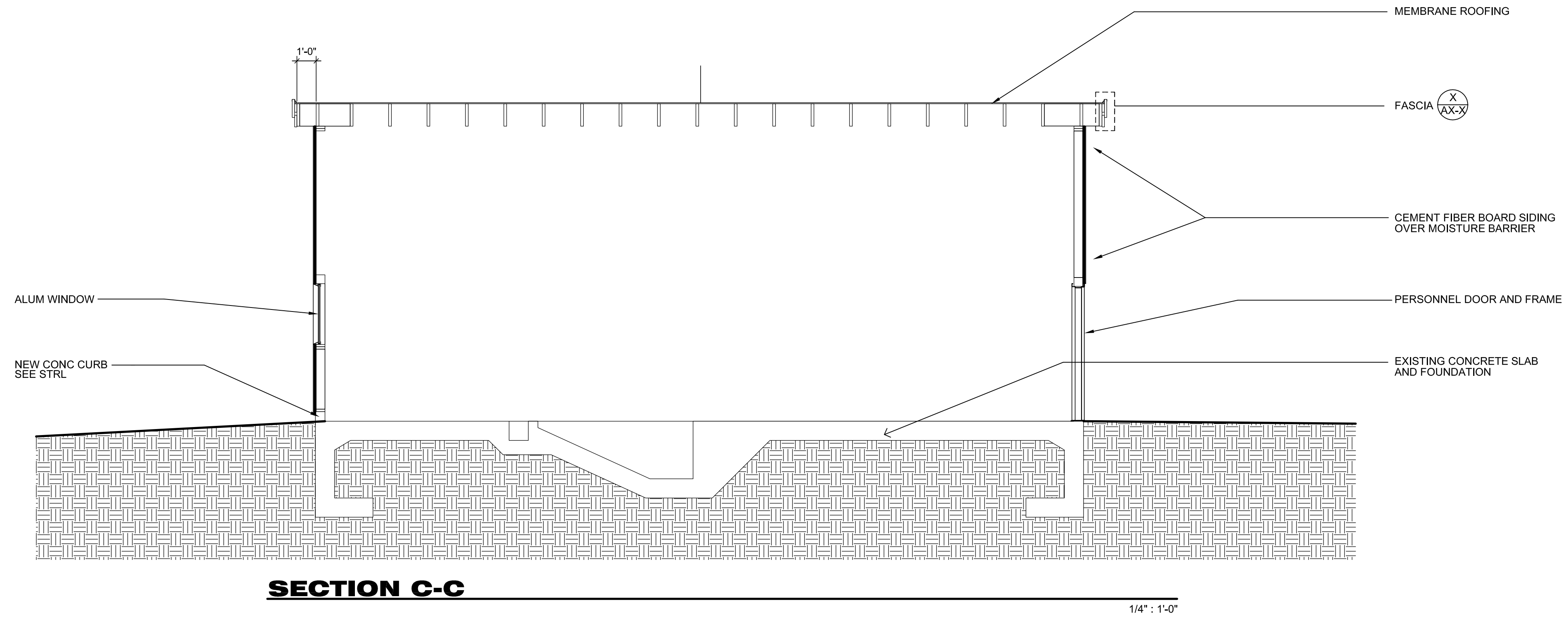
NO.	DATE	DESCRIPTION

**Job No.:** C23032.00

**Date:**

**Drawing No.:**

# A4-1





# SHERWOOD VALLEY BAND OF POMO INDIANS

Friday, November 22, 2024

Marie Jones, Consultant  
City of Fort Bragg  
416 N. Franklin Street  
Fort Bragg, CA 95437

**RE: Bio-Solid Storage and Dryer Buildings**

Dear Ms. Jones:

This correspondence is from the Sherwood Valley Tribe regarding the Notice of Availability. Initial Study & Mitigated Negative Declaration

The Tribe is in agreement of the protection measures noted in Section V. cultural resources. Mitigation measures CR 1, CR2, and CR3.

The Sherwood Valley Tribe being one of the MLD's of area. The tribal contact is Valerie Stanley, THPO, [svrthpo@sherwoodband.com](mailto:svrthpo@sherwoodband.com). Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Valerie Stanley". The signature is written in a cursive, flowing style.

Valerie Stanley, THPO  
Sherwood Valley Rancheria

190 Sherwood Hill Drive Willits, California 95490  
(707)459-9690



# CITY OF FORT BRAGG

*Incorporated August 5, 1889*

416 N. Franklin Street, Fort Bragg, CA 95437  
Phone: (707) 961-2827 Fax: (707) 961-2802  
www.FortBragg.com

## **NOTICE OF AVAILABILITY** **INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION** **AND** **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the City of Fort Bragg has a Draft Initial Study (IS) and Mitigated Negative Declaration (MND), which is being distributed for public review, pursuant to the California Public Resources Code and the California Environmental Quality Act Guidelines (CEQA Guidelines). Additionally, **NOTICE IS HEREBY GIVEN** that the Fort Bragg Planning Commission will conduct a public hearing on the project under review in the ISMND at a regularly scheduled meeting on Wednesday, December 11, 2024 at 6:00 PM or as soon thereafter as the matter may be heard at Town Hall, at the corner of Main and Laurel Streets (363 North Main St.), Fort Bragg, California. The public hearing and IS/MND will concern the following item:

- APPLICATION:** Coastal Development Permit 9-24 (CDP 9-24); Design Review Permit 12-24 (DR 12-24)
- APPLICANT:** Fort Bragg Municipal Improvement District No. 1
- PROJECT DESCRIPTION:** Coastal Development Permit and Design Review Permit for the construction of: 1) a new 800 SF Bio-Solids Dryer Building which would be constructed in the same footprint as the existing Bio-Solids Dryer Building; 2) a new 5,000 SF Bio-Solids Storage Building, which would be constructed on the concrete pad of the now decommissioned secondary biofilters; and 3) and installation of a solar PV system which would consist of two modules of 6,250 and 10,850 SF each.
- LOCATION:** 101 West Cypress St., Fort Bragg
- APN:** 008-020-07
- LOT SIZE:** 6.1 Acres
- ZONING:** Public Facilities (PF), Coastal Zone
- ISMND PROJECT TITLE:** Wastewater Treatment Facility Bio-Solid Storage and Dryer Buildings & PV Project
- MND REVIEW PERIOD:** October 31, 2024 to December 1, 2024
- DOCUMENT LOCATIONS:** The IS/MND for the above Project is available for public review on the City's website ([www.city.fortbragg.com](http://www.city.fortbragg.com)). A printed copy is available at Community Development Department, City Hall, 416 N Franklin St., Fort Bragg and the Fort Bragg Public Library, 499 E Laurel St.

The IS/MND for the above project is available for public review on the City's website, City Hall, and the Fort Bragg Public Library.

All interested persons are invited to provide written comments during the public review period. Written comments should be delivered to the City, no later than 5:00PM on December 1, 2024 in any of the following ways (1) Emailed to the Community Development Department, at

cdd@fortbragg.com (2) Written comments delivered in person or via mail to City Hall, 416 N. Franklin St.

The public hearing on December 11, 2024 will be opened for public participation. All interested persons are invited to appear at that time to present their comments. The public comment period runs from the date this notice is published until the date of the hearing to allow sufficient time for submission of comments by mail. Public Comment regarding this Public Hearing may be made in any of the following ways: (1) Emailed to the Community Development Department, at cdd@fortbragg.com (2) Written comments delivered in person or via mail to City Hall, 416 N. Franklin St. before 12:00 PM on the day of the meeting; or (3) Verbal comments made during the meeting, either in person at Town Hall or virtually using Zoom if a Zoom link is provided at the time of agenda publication.

Staff reports and other documents that will be considered by Planning Commissioners will be made available for review on the City's website: <https://cityfortbragg.legistar.com/Calendar.aspx>, at least 72 hours prior to the Planning Commission meeting, and are also available for review and/or copying during normal office hours at Fort Bragg City Hall, 416 N. Franklin St. To obtain application materials or for more information, email the Community Development Department at cdd@fortbragg.com. At the conclusion of the public hearing, the Planning Commission will consider a decision on the above matter.

Appeal process and fee schedule: Decisions of the Planning Commission shall be final unless appealed to the City Council in writing within ten (10) days thereafter with a filing fee of \$1,000 to be filed with the City Clerk. If you challenge the above case in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

*Maria Flynn*  
Maria Flynn, Administrative Assistant

POSTING/MAILING ON OR BEFORE: October 31, 2024  
PUBLICATION DATE: October 31, 2024

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF MENDOCINO )

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg in the Community Development Department; and that I caused this notice to be posted in the City Hall Notice case on or before October 31, 2024.

*Maria Flynn*  
Maria Flynn, Administrative Assistant  
cc: Property Owners within 300' radius  
Planning Commission  
Owner/Applicant/Agent  
State Clearinghouse  
Caltrans District 1  
Fish and Wildlife Region 1  
Sherwood Valley Band of Pomo  
'Notify Me' Subscriber List



## **CIUDAD DE FORT BRAGG**

*Incorporado August 5, 1889*

416 N. Franklin Street, Fort Bragg, CA 95437  
Teléfono: (707) 961-2827 Fax: (707) 961-2802  
www.FortBragg.com

### **AVISO DE DISPONIBILIDAD** **ESTUDIO INICIAL Y DECLARACIÓN NEGATIVA MITIGADA** **Y** **AVISO DE AUDIENCIA PÚBLICA**

**POR LA PRESENTE SE NOTIFICA** que la Ciudad de Fort Bragg tiene un Borrador del Estudio Inicial (IS) y la Declaración Negativa Mitigada (MND), que se está distribuyendo para revisión pública, de conformidad con el Código de Recursos Públicos de California y las Pautas de la Ley de Calidad Ambiental de California (Pautas de la CEQA). Además, **POR LA PRESENTE SE NOTIFICA** que la Comisión de Planificación de Fort Bragg llevará a cabo una audiencia pública sobre el proyecto bajo revisión en el ISMND en una reunión programada regularmente el miércoles 11 de diciembre de 2024 a las 6:00 p. m. o tan pronto como se pueda escuchar el asunto en el Ayuntamiento, en la esquina de las calles Main y Laurel (363 North Main St.), Fort Bragg, California. La audiencia pública y el IS/MND se referirán al siguiente tema:

**SOLICITUD:** Permiso de desarrollo costero 9-24 (CDP 9-24); Permiso de revisión de diseño 12-24 (DR 12-24)

**SOLICITANTE:** Distrito de Mejora Municipal N.º 1 de Fort Bragg

**PROYECTO DESCRIPCIÓN:** Permiso de Desarrollo Costero y Permiso de Revisión de Diseño para la construcción de: 1) un nuevo edificio de secado de biosólidos de 800 pies cuadrados que se construiría en el mismo espacio que el edificio de secado de biosólidos existente; 2) un nuevo edificio de almacenamiento de biosólidos de 5000 pies cuadrados, que se construiría sobre la base de concreto de los biofiltros secundarios ahora fuera de servicio; y 3) una instalación de un sistema solar fotovoltaico que constaría de dos módulos de 6250 y 10 850 pies cuadrados cada uno.

**UBICACIÓN:** 101 West Cypress St., Fort Bragg

**NÚMERO DE IDENTIFICACIÓN PERSONAL:** 008-020-07

**TAMAÑO DEL LOTE :** 6,1 acres

**ZONIFICACIÓN:** Instalaciones Públicas (PF), Zona Costera

**TÍTULO DEL PROYECTO ISMND:** Planta de tratamiento de aguas residuales, almacenamiento de biosólidos, edificios de secado y proyecto fotovoltaico

**PERIODO DE REVISIÓN DE LA MND:** 31 de octubre de 2024 al 1 de diciembre de 2024

**UBICACIÓN DE LOS DOCUMENTOS:** El IS/MND del Proyecto mencionado anteriormente está disponible para revisión pública en el sitio web de la Ciudad ([www.city.fortbragg.com](http://www.city.fortbragg.com)). Hay una copia impresa disponible en el Departamento de Desarrollo Comunitario, Ayuntamiento, 416 N Franklin St., Fort Bragg y en la Biblioteca Pública de Fort Bragg, 499 E Laurel St.

El IS/MND para el proyecto mencionado anteriormente está disponible para revisión pública en el sitio web de la Ciudad, el Ayuntamiento y la Biblioteca Pública de Fort Bragg.

Se invita a todas las personas interesadas a proporcionar comentarios por escrito durante el periodo de revisión pública. Los comentarios por escrito deben entregarse a la Ciudad, a más tardar a las 5:00 p. m. del 1 de diciembre de 2024, de cualquiera de las siguientes maneras (1) Enviados por correo electrónico al Departamento de Desarrollo Comunitario, a [cdd@fortbragg.com](mailto:cdd@fortbragg.com) (2) Los comentarios por escrito se entregan en persona o por correo postal al Ayuntamiento, 416 N. Franklin St.

La audiencia pública del 11 de diciembre de 2024 estará abierta a la participación del público. Se invita a todas las personas interesadas a presentarse en ese momento para presentar sus comentarios. El periodo de comentarios públicos se extiende desde la fecha de publicación de este aviso hasta la fecha de la audiencia para permitir tiempo suficiente para la presentación de comentarios por correo. Los comentarios públicos con respecto a esta audiencia pública se pueden realizar de cualquiera de las siguientes maneras: (1) por correo electrónico al Departamento de Desarrollo Comunitario, a [cdd@fortbragg.com](mailto:cdd@fortbragg.com) (2) comentarios escritos entregados en persona o por correo al Ayuntamiento, 416 N. Franklin St. antes de las 12:00 p. m. del día de la reunión; o (3) comentarios verbales realizados durante la reunión, ya sea en persona en el Ayuntamiento o virtualmente usando Zoom si se proporciona un enlace de Zoom en el momento de la publicación de la agenda.

Los informes del personal y otros documentos que serán considerados por los Comisionados de Planificación estarán disponibles para su revisión en el sitio web de la Ciudad: <https://cityfortbragg.legistar.com/Calendar.aspx>, al menos 72 horas antes de la reunión de la Comisión de Planificación, y también están disponibles para su revisión y/o copia durante el horario de oficina normal en el Ayuntamiento de Fort Bragg, 416 N. Franklin St. Para obtener los materiales de la solicitud o para obtener más información, envíe un correo electrónico al Departamento de Desarrollo Comunitario a [cdd@fortbragg.com](mailto:cdd@fortbragg.com). Al finalizar la audiencia pública, la Comisión de Planificación considerará una decisión sobre el asunto mencionado anteriormente.

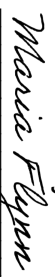
Proceso de apelación y escala de tarifas: Las decisiones de la Comisión de Planificación serán definitivas a menos que se apele por escrito ante el Ayuntamiento dentro de los diez (10) días posteriores a la misma, con una tarifa de presentación de \$1,000 que deberá presentarse ante el Secretario de la Ciudad. Si impugna el caso anterior ante el tribunal, es posible que se limite a plantear solo los asuntos que usted u otra persona hayan planteado en la audiencia pública descrita en este aviso o en la correspondencia escrita entregada al Departamento de Desarrollo Comunitario en la audiencia pública o antes de ella.

  
Maria Flynn, Asistente Administrativa

PUBLICACIÓN/ENVÍO POR CORREO EL 31 DE OCTUBRE DE 2024 O ANTES  
FECHA DE PUBLICACIÓN: 31 de octubre de 2024

ESTADO DE CALIFORNIA )  
) artículos.  
CONDADO DE MENDOCINO )

Declaro, bajo pena de perjurio, que soy empleado de la Ciudad de Fort Bragg en el Departamento de Desarrollo Comunitario; y que hice que este aviso se publicara en la caja de Avisos del Ayuntamiento el 31 de octubre de 2024 o antes.

  
Maria Flynn, Asistente Administrativa

cc: Propietarios de propiedades en un radio de 300'  
Comisión de Planificación  
Propietario/Solicitante/Agente  
Cámara de compensación estatal  
Distrito 1 de Caltrans  
Región 1 de Pesca y Vida Silvestre  
Banda Pomo del Valle de Sherwood  
' Notificarme'