# Exhibit A
# STATEMENT OF FINDINGS & FACTS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN SUPPORT OF CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE CENTRAL COAST TRANSFER STATION

## 1. Introduction

In certifying the Final Environmental Impact Report (State Clearinghouse No. 2014012058) for the Central Coast Transfer Station Project, the Board of Supervisors of the County of Mendocino and the City Council of the City of Fort Bragg, acting jointly as the Caspar Joint Powers Authority ("CJPA") pursuant to the Caspar Joint Powers Agreement ("JPA"), make the Findings described below based on the entire record before them, including but not limited to: the January 2014 Notice of Preparation, the February 2015 Draft Environmental Impact Report, and the June 2015 Response to Comments Document. These documents are collectively referred to as the "EIR." The EIR was prepared by the the CJPA's partner agency, the Mendocino Solid Waste Management Authority, in conjunction with the environmental consulting firm GHD Inc., acting pursuant to the California Environmental Quality Act.

## 2. Project Background

The CJPA plans to develop a commercial transfer station to serve the central coast area. A commercial transfer station is a facility that allows all vehicles, including franchise collection trucks, to dump waste, which can then be loaded for direct haul to a destination landfill. The facility will serve self-haul and commercial customers in the wasteshed, which consists of the City of Fort Bragg and the surrounding unincorporated area described as Mendocino County Solid Waste Refuse Collection Area #2.

Solid waste disposal in the central coast region of Mendocino County has been a joint responsibility of the County of Mendocino and City of Fort Bragg for more than 40 years. When the jointly–owned Caspar Landfill closed in 1992, the site was converted to a self-haul transfer station.

Empire Waste Management, the franchised collector for the City of Fort Bragg and the surrounding unincorporated area, introduced its "WMS" or "pod" system for medium-distance waste transfer, which uses specialized collection trucks with detachable pod bodies for compacted waste. The pods are removed from the collection trucks at Empire's Fort Bragg yard and loaded three-at-time on a flatbed semi-trailer to be hauled 37 miles to the Willits Transfer Station, where they are dumped and reloaded for transfer to the Potrero Hills Landfill in Suisun, California.

The inefficiency and expense of this disposal system led to a decision in 2006 to identify a site for construction of a commercial transfer station that would receive the entire wastestream and ship it directly to a destination landfill. A 2007 study evaluated 25 sites. In 2011, staff narrowed those 25 sites down to and evaluated six semi-final sites, which were then further narrowed down to two finalist sites, the Jackson Demonstration State Forest (JDSF) property on State Route 20 (Project site) and the existing Caspar Landfill property. In 2013, the CJPA designated the JDSF property SR 20 as the preferred site.

Based on the current wastestream, the solid waste throughput would average 35 tons per day. To accommodate potential peak periods, future growth and technological changes, the facility would be designed to handle an average of 75 tons per day and daily peak throughput of 120 tons per day.

# 3. Project Summary

The Central Coast Transfer Station project would replace the existing solid waste transfer and disposal system for the Central Coast region of Mendocino County with a new transfer station facility on SR 20. The new transfer station would be publicly owned and operated by a private contractor, and would allow direct haul of all solid waste to a destination landfill.

The proposed project site for the new transfer station is located in unincorporated Mendocino County approximately 3.5 miles southeast of downtown Fort Bragg. The 17-acre site will be removed from Jackson Demonstration State Forest (JDSF) at 30075 State Route 20 (EIR Figure 2-1 - Vicinity Map), and includes a portion of Assessor's Parcel Number (APN) 019-150-05 (EIR Figure 2-2 - Site Plan). The removal of the site from JDSF was authorized by AB 384 (2011).

Following a decision by the City and County to approve the project and a contract for design, construction and operation of the facility, the next step would be for the City and County to exercise their option to take ownership of the site pursuant to AB 384 (2011).

At the request of the County of Mendocino and City of Fort Bragg, AB 384 was enacted in 2011 and added new Section 4659 to the Public Resources Code, which included provisions authorizing a multi-party/multi-property land swap whereby the state would transfer ownership of the 17-acre JDSF site (project site) to the County/City

Under AB 384, the 61-acre Caspar site including the footprint of the closed landfill would be the subject of a conservation easement granted to the California Department of Parks & Recreation (DPR). DPR would also have the option of taking ownership of the 35 westernmost acres of the site. The interest of DPR in the property results from the site's adjacent proximity to Russian Gulch State Park. DPR has stated in the past that operations of the Caspar self-haul transfer station (and prior to 1992, the Caspar Landfill) cause a conflict with the State Park. DPR has not indicated any plans for the 35-acre Caspar property except to keep it vacant.

Further, under the land swap authorized by AB 384, 12.6 acres of redwood forest at the northeastern corner of Russian Gulch State Park, comprising the portion of the Park northeast of County Road 409, would be transferred to Jackson Demonstration State Forest (JDSF). The purpose of this transfer would be to offset the loss of forest resources caused to JDSF at the Central Coast Transfer Station site. These 12.6 acres would become part of JDSF's Caspar Creek Experimental Watershed Study area. The Caspar Creek Experimental Watershed Study area

serves as a research area for evaluating the effects of timber management on streamflow, sedimentation, and erosion. The study area was established in 1961 as a cooperative effort between CalFire and the United States Forest Service Pacific Southwest Research Station (PSW). PSW and CalFire have a 100-year Memorandum of Understanding to continue research at the site at least through 2099. Caspar Creek is one of 11 USFS Experimental Forests and Ranges selected in 2007 to complement the national network of Long Term Ecological Research sites.

The Central Coast Transfer Station facility would include a solid waste transfer building (with loading bay and unloading and waste areas), an outdoor recycling drop-off area, two scales and office (scalehouse), paved driveways, parking areas for the public and transfer trailers, two stormwater detention areas, a groundwater well, a septic tank and leachfield, and perimeter fencing immediately outside the developed project footprint. A single gate on SR 20 would accommodate all vehicle entry and exit. Vehicles would pull up at the scalehouse for inspection, weighing or volume measurement, and to pay applicable charges. The transfer building would be approximately 30,000 square feet and enclosed. Enclosure would reduce or prevent off-site noise, odors, and dust. In addition, the design would be compatible with installation of control measures such as negative-pressure ventilation with biofiltered exhaust, automated roll-up doors, and/or doorway air curtains, should they be necessary to prevent off-site transmission of odor.

Some equipment would operate outdoors in the recycling area, most likely a single loader and occasional roll-off trucks to change-out debris boxes as necessary. These vehicles would use "white-sound" OSHA-approved backup alarms such as the Brigade which replaces the typical loud "ping" with a directional buzzing sound with much less range.

All solid and green waste (leaves, brush, landscape trimmings, and unfinished wood) would be deposited inside the transfer building. These materials would be loaded into transfer trailers using a method to be determined by the operator, such as a grapple crane. When a transfer trailer is fully loaded, it would be driven directly to a destination landfill to be specified under the operator's contract. The facility may utilize high-volume possum belly trailers to transport solid waste. These high-volume trailers can legally haul up to 10 percent more waste than a standard waste hauling trailer. More tons per load equates to less trips. Solid waste would typically be removed within 24 hours; however, it is possible that in some situations, such as weekends/holidays, waste could remain for up to 48 hours. Among the fully-permitted regional landfills that might receive the solid waste are Potrero Hills in Suisun City, Redwood in Novato, Sonoma Central in Petaluma, Anderson in Anderson, Ostrum Road in Wheatland, Lake County in Clearlake, Recology Hay Road in Vacaville, and Keller Canyon in Pittsburg. Green waste would be hauled to Cold Creek Compost in Potter Valley or another fully-permitted compost facility. Transfer vehicles leaving the facility would proceed east on SR 20.

The recycling drop-off area would duplicate and replace the drop-off services presently provided at the Caspar self-haul transfer station. Cans, bottles, cardboard, paper and mixed plastics would be collected together in debris boxes. Scrap metal, appliances and concrete

rubble would be received in paved bunkers or debris boxes. Used motor oil and used antifreeze would be collected in secure tanks with secondary containment. The motor oil recycling tank, antifreeze recycling tank, appliance recycling drop-off area, and electronics drop-off area will be roofed and graded to prevent rainwater infiltration. The facility use permit will require daily clean-up of any spills or staining.

Other recyclable household hazardous waste items, including electronics, fluorescent lights, and batteries, would be collected in secure containment areas. All other hazardous wastes would be prohibited at the facility and customers would be referred to the periodic HazMobile household and small business hazardous waste mobile collection system.

A total of 4.72 acres is assumed to be disturbed by the project-- approximately 3.76 acres within the project footprint, and 0.96 acre for a 10-foot buffer (construction/temporary).

The site is heavily forested and as much of the original vegetation as possible would be preserved. No new landscaping is planned.

After obtaining the required permits, the company that was awarded the design-construction-operations contract would build the facility within the parameters set forth in the adopted EIR. As described in the EIR, the construction would entail land clearing, road improvements to SR 20, building and paving, and on-site utilities.

Site preparation would take approximately two weeks, followed by grading/excavation which would take approximately one month. Trenching would take approximately three weeks. Construction of the buildings would take approximately four months, and paving approximately two weeks. Construction equipment for site preparation and grading/excavation would include: excavator, rubber tired dozer, backhoe, dump truck, water truck, and vibratory roller. Building construction and paving would include the following additional equipment: crane, forklift, generator sets, welders, flatbed truck, mini bobcat, and cement and mortar mixers.

Soil hauling volume is estimated at 5,000 cubic yards of export and 6,000 cubic yards of import, for a net import of 1,000 cubic yards. Asphalt has been estimated at approximately 1,200 cubic yards.

## 4. Project Objectives

The proposed project has the following objectives:

- To provide cost-effective and environmentally-sound waste management services to the citizens of Fort Bragg and Mendocino County.
- To construct and operate a commercial transfer station able to accommodate waste from the wasteshed, peak periods and technological changes.
- To allow the Central Coast region's solid waste to be loaded for direct haul to a destination landfill, rather than being dumped and reloaded at the Willits Transfer Station.

- To increase the efficiency of solid waste transfer from the Central Coast region in order to minimize energy use, greenhouse gas emissions, truck trips, and costs.
- To achieve public ownership of the transfer station facility to ensure long-term protection of the public interest, while accommodating private operation by a qualified solid waste entity under a contract that ensures compliance with all federal, state and local regulations and requirements.
- To isolate the transfer station, as much as possible, from potentially conflicting land uses.
- To control the rising costs of managing solid waste and recyclables for the City of Fort Bragg and Mendocino County.

# 5. Environmental Review

The CJPA, as lead agency under CEQA, determined that preparation of an EIR was necessary for the project because there was "substantial evidence that the project may have a significant effect on the environment" in twelve topic areas.

On January 27, 2014, the CJPA sent the Notice of Preparation to governmental agencies, organizations and persons interested in the project and to the State Clearinghouse for distribution to State agencies to solicit input and to identify any concerns or issues that should be included in the EIR. A scoping meeting was held on February 19, 2014 in Fort Bragg.

On February 4, 2015, the CJPA released for public review the Draft EIR (State Clearinghouse No. 2014012058). A 45-day public review and comment period on the Draft EIR began on February 9, 2015, and closed on March 26, 2015, and included a public hearing on March 19, 2015. During and following the end of the public review period, comments were received on the Draft EIR. The CJPA reviewed those comments to identify specific environmental concerns and to determine whether any additional environmental analysis would be required to respond to issues raised in the comments. The CJPA determined that the comments raised no new significant issues, and responses to all substantive comments received on the Draft EIR were prepared and included in a Response to Comments Document, which was made available on June 30, 2015 to all public agencies and citizens who commented on the Draft EIR.

The *CEQA Guidelines* (14 CA Code of Regs. § 15132) requires a Final EIR to include:

(a) The Draft EIR or a revision of that draft;

(b) Comments and recommendations received on the Draft EIR either verbatim or in a summary;

(c) A list of persons, organizations, and public agencies commenting on the Draft EIR;

(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and

(e) Any other information added by the Lead Agency.

The CJPA has reviewed the Final EIR prepared for this project and has determined that it contains each of the items required by CEQA Guidelines § 15132. Therefore, the CJPA certifiesthat the Final EIR has been completed in compliance with CEQA.

The documents and other materials that constitute the record of the proceedings on which the CJPA's decision is based are located at the Mendocino Solid Waste Management Authority, 3200 Taylor Drive, Ukiah CA 95482. The custodian for these documents and materials is Michael Sweeney, General Manager, Mendocino Solid Waste Management Authority. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and CEQA Guidelines §15091(e).

# 6. Findings Required Under CEQA

These findings have been prepared in accordance with CEQA and the CEQA Guidelines. Public Resources Code § 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]"

The principles in Public Resources Code §21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. Pursuant to CEQA Guidelines §15091, the approving agency must issue a written finding reaching one or more of three permissible conclusions for each significant environmental effect identified in an EIR for a project:

1. Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment; OR
2. Those changes or alterations are within the responsibility and jurisdiction of another agency and have been, or can and should be, adopted by that other agency; OR
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers make infeasible the mitigation measures or alternatives identified in the EIR.

The CJPA's findings with respect to the Project's potentially significant adverse effects and mitigation measures are set forth below. The discussion below does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the discussion summarizes each potentially significant impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the CJPA, and states the C JPA's findings on the significance of each impact after imposition of the adopted mitigation measures. In making these findings, the CJPA ratifies, adopts, and incorporates into these findings the analysis and explanation in the EIR and the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings. The facts, analysis and rationale provided in the EIR are incorporated by reference into these findings.

## 6.1 Findings of Potentially Significant Impacts That Cannot Be Mitigated to a Less Than Significant Level

The EIR did not identify any potentially significant impacts that cannot be mitigated to a less than significant level.

## 6.2 Findings of Potentially Significant Impacts That Can Be Mitigated to a Less Than Significant Level

This section includes findings for Project impacts which are potentially significant, but can be mitigated to a less than significant level with the implementation of mitigation measures. The CJPA finds, pursuant to CEQA Section 21081, that all potentially significant impacts of this project listed below can and will be mitigated and reduced to levels of insignificance or avoided by implementation of mitigation measures. Specific findings of the CJPA for each category of such impacts are set forth below in this section 6.2.

**Impact AQ-1: Violate Any Air Quality Standard or Result in Cumulatively Considerable Net Increase of Any Criteria Pollutant for which the Project Region is in Nonattainment**.

By its very nature, air pollution is largely a cumulative impact, in that individual projects are rarely sufficient in size to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, Bay Area Air Quality Management District (BAAQMD) considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air

quality impacts to the region's existing air quality conditions (BAAQMD 2011). Mendocino County is considered non-attainment for $PM_{10}$.

Most of the construction would occur over a 6-month period, or about 132 days. Table 3.3-4 in the EIR presents the Project's construction period emissions, based on the CalEEMod model results. Construction period emissions would not exceed significance thresholds. During grading and construction activities, dust would be generated. The amount of dust generated would be highly variable and is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions. Unless controlled, fugitive dust emissions during construction of the proposed project would be a significant impact. In addition to measuring the construction-related emissions against specified thresholds, the BAAQMD recommends that all proposed projects implement "basic construction mitigation measures" whether or not construction-related emissions exceed applicable thresholds. Incorporation of these measures also meets the construction-related threshold for fugitive dust identified in Table 3.3-3, which is to use best management practices during construction of a project. Therefore, without inclusion of the basic construction mitigation measures as defined by the BAAQMD, the impact during construction would be significant.

**Mitigation Measure AQ-1: Air Quality Control Measures during Construction.**

The contractor shall implement the following Best Management Practices:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Finding: Implementation of Mitigation Measure AQ-1 would prevent the violation of any Air Quality Standard or significant impact in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment. Implementing this Mitigation Measure for air quality during construction is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact AQ-1 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure AQ-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Most of the construction would occur over a 6-month period, or about 132 days. EIR Table 3.3-4 presents the project's construction period emissions, based on the CalEEMod model results. Construction period emissions would not exceed significance thresholds. During grading and construction activities, dust would be generated. The amount of dust generated would be highly variable and is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions. In addition to measuring the construction-related emissions against specified thresholds, the Air Quality Management District recommends that all proposed projects implement "basic construction mitigation measures" whether or not construction-related emissions exceed applicable thresholds. Incorporation of these measures also meets the construction-related threshold for fugitive dust identified in EIR Table 3.3-3, which is to use best management practices during construction of a project. Operation of the project would have less-than-significant impacts on air quality.

**Impact AQ-2: Expose Sensitive Receptors to Substantial Pollutant Concentrations**

Construction of the project would result in emissions of diesel particulate matter, a toxic air contaminant that may cause cancer. Emissions of diesel particulate matter and fugitive $PM_{2.5}$ were predicted. These emissions were input to a dispersion model to predict the exposure at sensitive receptors near the project. Cancer risk computations were performed (refer to EIR Appendix B for the outputs).

**Mitigation Measure AQ-2: Select Equipment during Construction to Minimize Emissions.**

The Contractor shall follow the following standard: All diesel-powered off-road equipment larger than 50 horsepower and operating at the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent.

**Finding: Mitigation Measure AQ-2 would reduce to insignificance the exposure of sensitive receptors to substantial pollutant concentrations. Implementing this mitigation measure for air quality during construction is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact AQ-2 will be mitigated to a less-than-**

**significant level by the implementation of Mitigation Measure AQ-2. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Modeling shows that requiring compliance with U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent reduces the impact to insignificance. The modeling results with this mitigation in place would have a child cancer risk of 5.87 in one million with the adult incremental cancer risk of 0.3 in one million, which is below the significance threshold of 10 in one million. Therefore, implementation of Mitigation Measure AQ-2 would reduce the impact to less than significant.

**Impact AQ-3: Create Objectionable Odors Affecting a Substantial Number of People**

The handling of waste material has the potential to cause odors. Potential odor issues would be a function of the strength of the odors emanating from the project, combined with the distance to the receptors (i.e., residences) and meteorological conditions.

**Mitigation Measure AQ-3: Implement Odor Reduction Measures.**

The County and City shall require as an enforceable provision of the operations contract for the facility that no odors are detectable beyond the site boundaries. When approving the final building design, the County and City will ensure that it is compatible with installation of any necessary odor control systems. The operations contract will require:

Design & Construction

1. Design of facility to ensure all transfer, handling and storage of solid waste material occurs within the fully enclosed building.

   The County Environmental Health Division, Local Enforcement Agent (LEA) for CalRecycle, has jurisdiction over odor impacts of a solid waste facility and conducts periodic inspections and responses to complaints. If the LEA confirms off-site odor at any time, the operator will be required to implement any or all of the following controls:

   A. Air curtains at doorways

   B. Overhead misting system

   C. Negative pressure ventilation with exhaust air directed through biofilters

Operation

1. Close all doors when facility is not operating.
2. Ensure material is not stored on site for more than 48 hours.
3. Develop and implement best management practices to clean the facility on a daily basis, including removing all odor-producing food waste from facility floors and equipment.

4. Provide neighbors with a contact name and phone number to report odor or dust complaints. Such complaints shall be documented. The source or cause of any odor will be identified and actions taken to mitigate the odors shall also be documented.

The County and City shall designate a staff member to receive, document, and follow-up on odor complaints. A record shall be kept of each complaint for a minimum of five years from the date the complaint is received.

**Finding: Mitigation Measure AQ-3 would reduce to insignificance the creation of objectionable odors affecting a substantial number of people. Implementing this mitigation measure for air quality is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact AQ-3 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure AQ-3. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** The handling and transfer of solid waste would occur inside of a fully enclosed building. The nearest residence is about 600 feet west of the project facility building where material transfer would occur. Odor problems from solid waste transfer stations are well understood because of the experience of thousands of such facilities throughout the United States. Municipal solid waste creates significant amounts of objectionable odor only when it degrades over time. Therefore, the primary means of odor avoidance is to transfer waste out of the facility quickly, with regular cleaning to ensure that residual waste doesn't build up. If transfer cannot be carried out rapidly enough to control odor, a variety of measures are available. The most important measure is to fully enclose the transfer building, with minimal door openings, so that spread of odor by dispersion or wind is reduced. Additional measures, in approximate order of cost and impact, include:

- Roll-up doors which can be automated to open only when a vehicle approaches.
- Air curtains on doorways. These help confine odors to the inside of the transfer station building.
- Deodorizing misting spray. Overhead sprays can neutralize odorous material.
- Negative pressure ventilation with biofiltered exhaust.

Biofilters are typically a large container filled with wood chips or compost that will scrub noxious odors out of exhaust air. An example is CR&R's Perris Transfer Station in Perris, California, which receives up to 3,000 tons per day and has reportedly eliminated odor problems after installation of a biofilter.

Typically, solid waste would be removed from the facility within 24 hours and would not remain at the site for more than 48 hours. Mitigation Measure AQ-3 implements basic, proven odor minimization measures to be integrated into the project design and operation, with further measures that require "pre-plumbing" for additional odor-

control systems, so that if complaints approach the established threshold, these additional measures would be implemented. Implementation of Mitigation Measure AQ-3 would reduce the impact to less than significant.

**Impact BIO-1: Substantial Adverse Effect on Special-Status Species.**

The project would permanently impact five individual Coast Lily (CRPR List 1B) plants within the project footprint. In addition, a 0.003 acre area where this plant is mapped would be temporarily impacted, either directly or indirectly, during construction. A portion of the 0.003 acres is within the construction buffer, with the remaining habitat close to the construction area and therefore threatened indirectly. The 0.003 acre potential impact area is estimated to include an additional five individual plants based on percent of the subpopulation polygon being impacted, with individual plant counts for the entire property provided by field biologist during seasonally-appropriate plant surveys. Temporary and permanent impacts to Coast lily would be significant.

The project would permanently impact approximately 0.58 acre of Mendocino cypress and Bolander's pine (both CRPR List 1B) (within areas categorized as cypress forest-tall and cypress forest-intermediate). Additionally, there are scattered cypress and Bolander's pine within the Bishop pine map unit. Impact to these individual trees is based on tree counts conducted within plots, and not based on acreage due to the scattered nature and low percent cover of these two species within the Bishop pine map unit. In total, approximately 229 Mendocino cypress and approximately 38 Bolander's pine are estimated to be impacted within the Bishop pine forest, cypress forest-tall, and cypress forest-intermediate based on estimates from tree counts conducted within plots at the property (WRA 2013). Impacts to Bolander's pine and Mendocino cypress would be significant.

The biological evaluation for the project site (WRA 2013) stated that the Sonoma tree vole, a State species of special concern, could be present at the site since conifer habitat is present and the site is within the known species range, and if present could be impacted during construction due to tree removal. Impacts to the Sonoma tree vole would be significant.

The biological evaluation for the project site (WRA 2013) determined the following special-status bird species could be present at the site, and could be impacted during construction due to tree removal: Vaux's swift, Olive-sided fly catcher, purple martin, Allen's hummingbird, all of which are State Species of Special Concern. These are summer resident avian species. There is also the potential for passerine migratory bird species to fly over or stop at the site. Nesting habitat for such species is not high quality, yet seasonal or occasional presence and/or nesting cannot be ruled out at this point in time. Impacts to special-status bird species and birds protected under the Migratory Bird Act would be significant. Project construction occurring during the March 15 through August 15 breeding season may have an adverse impact on breeding success for special-status bird species. Impacts to special-status birds would be significant.

The biological evaluation for the project site (WRA 2013) determined that the site has moderate potential to support roosting locations for some bat species listed as having "moderate to high priority for survey" per Western Bat Working Group (WBWG), and could be impacted through tree removal if present at the site. Several special-status bat species, including the Townsend's big-eared bat, silver-haired bat, hoary bat, little brown bat, and fringed myotis, have the

potential to occur on the project site. No bats were observed during site evaluations, and none of the bat species are expected to occur in substantial numbers at the project site. Breeding and foraging habitat for these species on the project site and in adjacent areas is generally marginal because rock outcrops, decadent trees, and caves with suitable bat habitat are sparse to non-existent for these bat species. However, they still could forage over the project site and roost under bark or in cavities of trees. Project construction occurring during the March 1 through August 31 bat breeding season may have an adverse impact on breeding success for special-status bat species. Impacts to special-status bats could be significant.

**Mitigation Measure BIO-1a: Mitigate Impacts to Coast Lily**

The County and City shall implement the following measures to mitigate the temporary and permanent impacts to Coast lily plants during construction and operation of the project:

<u>During Construction (0.003 acre subpopulation polygon)</u>

The building contractor shall install construction avoidance fencing at the interface of project footprint and the edge of the 0.003 acre coast lily subpopulation present on the south edge of the project site (refer to Figure 3.4-1 of the Draft EIR). The fencing will be at a minimum 100 linear feet in length to provide a barrier between the construction footprint and adjacent coast lily subpopulation. The construction fencing will be placed so that there is no "construction buffer" in this area, so as to avoid direct impacts to coast lily individuals. The construction avoidance fencing shall be installed by a qualified biologist and inspected weekly for the duration of construction to ensure that the fencing remains installed properly.

<u>During Operation (0.003 acre subpopulation polygon)</u>

Permanent fencing shall be installed prior to operation of the project. The fencing shall be approximately 100 feet in length and placed between the driveway leading to the scalehouse and the subpopulation polygon so as to create a permanent barrier from project operation. Perimeter fencing installed around the perimeter of the transfer station facility may suffice as protection of the subpopulation polygon from operational activities.

<u>Five Individual Coast Lily Plants</u>

The five individual coast lily plants, as identified within the project footprint on Figure 3.4-1 of the Draft EIR, shall be relocated, if possible, to the south subpopulation area. If relocation is not possible a nursery will be contracted to provide locally sourced plant stock and the five plants will be replaced at a 2:1 ratio. The plant stock or plantings shall be placed in an area adjacent to the south subpopulation. The plant replacement (whether through relocation and/or replanting) shall require annual monitoring for two years, with 100% success. To ensure meeting the 100% success criteria it is recommended that supplemental planting occur at a minimum of 20% (i.e.: 1 additional plant for relocation or two additional plants for nursery-provided plant stock).

**Finding: Mitigation Measure BIO-1a would mitigate the impact to Coast Lily to insignificance through a combination of avoidance, minimization, and replacement or relocation of individual plants and is consistent with County General Plan RM-28.**

**Implementing this mitigation measure is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-1 regarding Coast Lily plants will be mitigated to a less-than-significant level by the implementation of Mitigation Measure BIO-1a. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** The botanical survey mapped all Coast Lily plants in the vicinity of the project footprint. The majority of the plants can be fully protected by permanent fencing to protect them during both construction and operation. The remaining 5 plants can be relocated to a safe and suitable area or replaced.

**Mitigation Measure BIO-1b: Mitigate Impact to CRPR Listed Tree Species: Mendocino Cypress and Bolander's Pine**

The impacts to individual CRPR-listed tree species associated with pygmy cypress forest (cypress intermediate and tall morphotypes) and Bolander's pine shall be mitigated through preservation at an offsite location. To mitigate for the removal of individual CRPR listed Mendocino pygmy cypress trees (approximately 229 individuals of intermediate and tall morphotypes) and Bolander's pine (approximately 38 individuals), present within 0.58 acre impact area mapped as Pygmy cypress Alliance (tall and intermediate morphotypes), as well as where individual CRPR listed trees are scattered within the Bishop Pine Alliance proposed for removal, the County will create the Caspar Pygmy Forest Preserve encompassing a 28.3 acre parcel. The County-owned parcel off Prairie Way in Caspar (APN 118-500-45) is undeveloped, is zoned Rural Residential with the potential for development of a single-family house. The site has a variety of habitats present, mostly consisting of Cypress forest pygmy/forested wetland, Bishop Pine Forest Alliance, and pygmy forest morphotypes (intermediate and tall cypress trees). Vegetation communities mapping conducted at the site documented 12.3 acres of intermediate and tall morphotypes (the former of which includes Bolander's pine subdominant), as well as 7.1 acres of high quality pygmy cypress (short morphotype) mixed with Bolanders pine (WRA 2015). Therefore, a total of 19.4 acres of pygmy cypress forest will be preserved. A separate evaluation concluded that the proposed Caspar Pygmy Forest Preserve is composed largely of undisturbed pygmy cypress woodland (Heise 2015). The County will execute appropriate legal documents to guarantee that the Caspar Pygmy Forest Preserve will remain undeveloped in perpetuity and only accessible for botanical research and other activities consistent with undiminished protection of the habitat. The preservation may be accomplished by transferring title or an easement to an established conservation organization subject to a preservation covenant, or, if no such organization is found, by the County recording a covenant creating a conservation easement on behalf of the public. In that instance, the County will secure all access points to the property and post warning signs. Quarterly inspection of the Caspar Pygmy Forest Preserve will be made by County personnel along with their routine mandatory inspections of the cover of the nearby closed Caspar

Landfill. The inspections of the Preserve will be to ensure gate and signage are in place, and that no vandalism occurs, trash dumping, etc., and propose remedial activities if necessary to maintain current condition of the Preserve.

**Finding: Mitigation Measure BIO-1b would reduce the project's impact on Mendocino pygmy cypress and Bolander's pine to insignificance and is consistent with Mendocino General Plan Policy RM-28. Implementing this Mitigation Measure for botanical impact is feasible and enforceable Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-1 regarding Mendocino Cypress and Bolander's Pine will be mitigated to a less-than-significant level by the implementation of Mitigation Measure BIO-1b. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale**: Mitigation Measure BIO-1b would preserve pygmy cypress (short, intermediate, and tall morphotypes) mixed with Bolander's pine at an approximate 30:1 ratio based on acreage, to compensate for impacts to Mendocino pygmy cypress intermediate and tall morphotypes, and scattered individual Mendocino pygmy cypress and Bolander's pine within the Bishop Pine Forest map unit. Mitigation Measure BIO-1b is consistent with the intent of Mendocino County General Plan Policy RM-28 which calls for implementation of site-specific or project-specific effective mitigation strategies including preservation. Preservation will provide an immediate and permanent protection of an existing habitat similar or higher quality to that being impacted, at an appropriate mitigation ratio to compensate for the use of offsite location and the proposed activity of preservation. The impact to Mendocino pygmy cypress and Bolander's pine is less than significant with mitigation.

**Mitigation Measure BIO-1c: Minimize and Avoid Impacts to Sonoma Tree Vole.**

The County and City shall consult with CDFW to minimize and avoid potential impacts to Sonoma tree vole during tree removal and project construction activities. Trees shall be removed during the non-breeding season (October to January). If seasonal avoidance of breeding time (February through September) cannot be implemented for tree removal activities, pre-construction surveys shall be conducted by a qualified biologist, in a manner such as follows (to be refined if necessary in consultation with CDFW):

1. No more than two weeks before tree removal activities begin, a biologist will assess what portions, if any, of the tree removal area and areas within 50 feet of tree removal, is potential tree vole habitat, based on species composition and discussion with CDFW.
2. If tree vole habitat is located on portions of the property within 50 feet of tree removal areas, a qualified biologist shall conduct a survey for presence of the species on the property in areas within 50 feet of tree removal and construction footprint.

3. A standard survey methodology shall include at least two trained observers conducting visual searches for tree vole nests while walking along transects spaced 25 meters apart. When either fecal pellets, resin ducts, or potential nests are observed, vole nests must be confirmed by climbing trees and examining all potential nests to see if they contain evidence of occupancy by tree voles (fecal pellets, resin ducts, and conifer branch cuttings).
4. If occupied habitat is identified during pre-construction surveys, the biologist shall consult with CDFW to determine how to avoid disruption to breeding activity or if individual relocation is possible.

**Finding: Mitigation Measure BIO-1c will avoid impacts to the Sonoma Tree Vole and reduce any impacts to insignificance. Implementing this Mitigation Measure for biological impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-1 regarding Sonoma Tree Vole will be mitigated to a less-than-significant level by the implementation of Mitigation Measure BIO-1c. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation Measure BIO-1c identifies avoidance measures, and if avoidance is not possible outlines the process for identifying occupied habitat, and then requiring, in accordance with General Plan Policy RM-28, consultation with CDFW to determine appropriate avoidance measures if occupied habitat is found. The proposed mitigation outlines the procedure for avoidance and is consistent with the Mendocino County General Plan, therefore the impact is less than significant after mitigation.

**Mitigation Measure BIO-1d: Conduct pre-construction Avian Surveys for Nesting Passerine Birds and Avian Species of Special Concern.**

The building contractor shall conduct vegetation clearing activities if possible during the fall and/or winter months from August 16 to March 14, outside of the active nesting season for migratory bird species (i.e., March 15 to August 15). If vegetation cannot be removed during the non-breeding season, the applicant shall have a qualified biologist conduct preconstruction surveys within impact area from ground disturbance and tree removal, to check for nesting activity of migratory and special-status bird species. The biologist shall conduct the preconstruction surveys within the 14-day period prior to vegetation removal and ground-disturbing activities (on a minimum of three separate days within that 14-day period). If ground disturbance and tree removal work lapses for 15 days or longer during the breeding season, a qualified biologist shall conduct supplemental avian preconstruction survey before project work may be reinitiated.

If nesting activity is detected within the project footprint or within 300 feet of construction activities, the applicant shall have trees flagged that are supporting breeding, and will not

remove those trees until the nests have fledged. Construction activities shall avoid nest sites until the biologist determines that the young have fledged or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within 300 feet of the construction area, buffers will be implemented if deemed appropriate in coordination with CDFW.

**Finding: Mitigation Measure BIO-1d will reduce to insignificance any potential impacts on nesting passerine birds and avian species of special concern. Implementing this Mitigation Measure for biological impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-1 regarding Nesting Passerine Birds and Avian Species of Special Concern will be mitigated to a less-than-significant level by the implementation of Mitigation Measure BIO-1d. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Implementation of Mitigation Measure BIO-1d provides protection measures during construction for special-status birds and would mitigate potential impacts on special-status and migratory birds to less-than-significant levels by requiring pre-construction surveys by a qualified biologist to determine whether special-status or migratory bird nests are present at or near the project site and ensuring protection of nests and young until they have fledged.

**Mitigation Measure BIO-1e: Avoid Impacts to Special-Status Bat Species.**

The County and City shall conduct tree removal activities outside of the bat breeding period of March 1 through August 31 if possible, so ideally tree removal would occur from September 1 to February 28. If trees cannot be removed during this time, the following measures shall be implemented:

1. A qualified biologist shall be retained to conduct a habitat assessment at least 30 days and no more than 90 days prior to construction activities (i.e., ground-clearing and grading, including removal or trimming of trees) of all trees on the site that are proposed for removal. The assessment shall be designed to identify trees containing suitable roosting habitat for bats and to identify mitigation measures needed to protect roosting bats.
2. If the habitat assessment identifies suitable special-status bat habitat and/or habitat trees, the biologist shall identify and evaluate the type of habitat present at the project site and specify methods for habitat and/or habitat tree removal in coordination with CDFW based on site-specific conditions. If bat habitat is present, removal of trees or areas that have been identified as habitat shall occur in two phases over two days under the supervision of a qualified biologist. In the afternoon on day one, limbs and branches of habitat trees without cavities, crevices and deep bark fissures would be removed by chainsaw. On day two, the entire tree can be removed. If trees with cavities, crevices

and deep bark fissures are proposed for removal, CDFW shall be consulted for removal methods.

**Finding: Mitigation Measure BIO-1e will reduce to insignificance any potential impacts on special-status bat species. Implementing this mitigation measure for biological impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-1 regarding Special-Status Bat Species will be mitigated to a less-than-significant level by the implementation of Mitigation Measure BIO-1e. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Implementation of Mitigation BIO-1e provides protection measures for special-status bats during tree removal and would reduce the impacts to special-status bats. Removing the tree the next day prevents re-habituation and reoccupation of the altered tree, thereby reducing impacts to roosting bats to less-than-significant levels.

**Finding: Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-1 will be mitigated to a less-than- significant level by the implementation of Mitigation Measures BIO-1a through BIO-1e. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Impact BIO-2: Substantial Adverse Effect on Sensitive Natural Community.**

The proposed project has the potential to permanently impact habitats considered sensitive natural communities by CDFW with State Rank 1 (critically imperiled) or 2 (imperiled) communities. While not considered imperiled, there are also impacts anticipated to Bishop pine forest, a State Rank 3 (vulnerable) habitat.

The County and City have minimized the project footprint, and eliminated impact to the cypress forest—pygmy morpho-type, where Bolander's pine and Mendocino/pygmy cypress are growing in a unique ecosystem connection with restrictive soil conditions. This effort to minimize impact to cypress pygmy forest was conducted during the project planning and layout phase. The project layout has also minimized fragmentation to the more sensitive habitats at the property (State Rank S1 and S2) by placing the project site centered within Bishop pine forest area (State Rank S3). Impacts to State Rank S1 and S2 habitats are located along the fringe of these habitats and do not dissect or fragment these areas.

The project footprint and construction buffer will permanently impact a total of up to 0.6 acres of cypress forest (State Rank S2) consisting of two morpho-types (cypress forest—tall, and cypress forest—intermediate). The impact to cypress forest—intermediate is 0.3 acre.

Additionally, the intermediate tree height indicates the area is not limited in tree growth pattern from restrictive soil conditions, and it is therefore assumed that some of the restrictive soil conditions typical of true pygmy forest ecosystem may not be present within this map unit at the property. Still, due to species composition as well as with the State Rank (S2) of imperiled for the habitat type, and for the purposes of this analysis in regards to requirements of County General Plan and priority for minimization of impacts to pygmy forest, as well as project significance thresholds for S1 or S2 ranked habitats set at impact above zero (0), impacts to this area are considered potentially significant. The impact to cypress forest (tall) is 0.3 acre. The cypress forest (tall) map unit, with dense shrub and herbaceous understory, and with the low coverage of Bolander's pine (a component of the pygmy forest ecosystem), does not show signs of restrictive soil conditions that are a part of the unique ecosystem relationship between vegetation and soils within the true pygmy forest. This area is considered to lack some of the soil and vegetation components typical of the pygmy forest ecosystem. Still, for the purposes of this analysis and given the State Rank (S2) of imperiled for this habitat type based on dominant species of tree, as well as project significance thresholds for S1 or S2 ranked habitats set at impact above zero (0), impacts to this area are also considered potentially significant.

While not considered imperiled, there also will be impacts to approximately 4.0 acres of Bishop pine forest, a State Rank S3 (vulnerable) habitat. This Bishop pine forest is evaluated as to whether the area is considered high priority natural community based on the following three CDFW criteria (CDFW 2014):

1) Lack of invasive species: Although the site has not specifically been evaluated from an invasive species perspective, multiple site visits did not document extensive coverage of invasive species listed as high-priority by CalIPC (Invasive Plant Council) within the Bishop pine forest, although there are likely non-native species present in varying coverages depending on proximity to roads and modified areas. The Bishop pine forest is likely to be of moderate to high priority based on this criterion.

2) No evidence of human caused disturbance such as roads or excessive livestock grazing, or high-grade logging: There are roads on the perimeter of the property, evidence of historic logging and site access, and an almost barren helicopter pad to the west of the Bishop pine forest. The Bishop pine forest is determined to be of moderate priority based on this criterion.

3) Evidence of reproduction present (sprouts, seedlings, adult individuals of reproductive age), and no significant insect or disease damage, etc: Evidence of reproduction within the Bishop pine forest was not specifically evaluated, yet the area is a relatively even-age stand and sprouts and seedlings were not noted. The area does not appear to have insect or disease damage. The Bishop pine forest is determined to be of moderate priority based on this criterion.

The Bishop pine forest (State Rank S3) on the property is therefore potentially moderate to high priority per the above CDFW criteria. The CEQA Checklist and CEQA Guidelines Section 15065, however, do not restrict impact analysis to "high priority" or "vulnerable" natural communities. The *CEQA Guidelines Section 15382* sets forth the following definition for significant effect, and as further addressed in the project significance thresholds developed by the lead agency and described in the EIR's Significance Criteria section: "Significant effect on the environment" means a substantial, or potentially

substantial, adverse change in any of the physical conditions within the area affected by the project, including … flora, fauna..", etc. The *CEQA Guidelines Section 15064(b)* indicates that a strict definition of significant effect is not always possible because the significance of an activity may vary with the setting. According to *Public Resources Code Section 21083 an*d *CEQA Guidelines Section 15065* a project is considered to have a significant effect on the environment if: "The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife population, cause a fish or wildlife species to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or significantly reduce the number or restrict the range of an endangered, rare, or threatened species." With this regional context in mind, the impacts to Bishop pine forest are evaluated under project-specific significance thresholds provided in EIR Section 3.4.3. As provided in EIR Table 3.4-8 at the beginning of the Impact BIO-2 discussion, it is estimated that in relation to regional extent and quantity of Bishop pine mapped as occurring in Mendocino County (CDF 2005), the project impacts of 4.0 acres constitute approximately 0.03% of areas regionally mapped as Bishop pine forest. Per the thresholds (loss of more than 1 acre of high quality habitat and loss of more than 1% of regional high quality habitat), the loss of less than 1% of regional potentially sensitive Bishop pine habitat is determined to be less than significant.

**Mitigation Measure BIO-2: Mitigate Impacts to Sensitive Listed Habitats with State Rank S2 Status (Cypress forest - tall and Cypress forest – intermediate).**

The impacts to State Rank S2 status habitats shall be mitigated through preservation at an offsite location. The applicant shall place a conservation easement over this location to permanently preserve an area to compensate for areas of impacted sensitive habitat at the proposed Central Coast Transfer Station site (Cypress forest-tall and Cypress forest – intermediate). At a minimum 3:1 ratio, the conservation easement shall include a minimum 1.8 acres and may consist of a mixture of the three cypress morphotypes; pygmy, intermediate, and/or tall cypress and Bolander's pine forest. The acreage is not in addition to the area being preserved for impacts to sensitive-listed individual tree species within the cypress forest--tall and intermediate--map units, and shall be coincident to the area placed under conservation easement per Mitigation Measure BIO-1b. To mitigate for the removal of 0.58 acre of Mendocino pygmy cypress (tall and intermediate morphotypes) [12.6% of onsite map units] the County will designate the Caspar Pygmy Forest Preserve encompassing a 28.3 acre County-owned parcel off Prairie Way in Caspar (APN 118-500-45). The proposed preservation site has a variety of habitats present, including pygmy cypress forest (short morphotype), Bishop Pine Forest Alliance, and pygmy cypress intermediate and tall morphotypes. Vegetation communities mapping conducted at the site documented 12.3 acres of intermediate and tall morphotypes, as well as 7.1 acres of high quality pygmy cypress (short morphotype) [WRA 2015]. Therefore, a total of 19.4 acres of pygmy cypress forest will be preserved. This mitigation in the form of preservation would result in an approximate 30:1 mitigation ratio for impacts. The County will execute appropriate legal documents to guarantee that the Caspar Pygmy Forest Preserve will remain undeveloped in perpetuity and accessible for botanical research and other activities consistent with undiminished protection of the habitat. This may be accomplished by transferring title or an easement to an established conservation organization subject to a preservation covenant, or, if no such organization is found, by the County recording a covenant creating a conservation

easement on behalf of the public. In that instance, the County will secure all access points to the property and post warning signs. Periodic inspection of the Caspar Pygmy Forest Preserve will be made by County personnel at the same times as the mandatory inspections are made of the cover of the nearby closed Caspar Landfill.

**Finding: Mitigation Measure BIO-2 will reduce to insignificance any impacts on sensitive listed habitats with State Rank S2 Status (Cypress forest - tall and Cypress forest – intermediate). Implementing this mitigation measure for biological impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact BIO-2 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure BIO-2. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** The preservation site is identified as APN 118-50-045, and is adjacent and to the north of the current Caspar facility. The preservation site has similar, if not more pygmy-forest oriented species composition, compared to the area of impact, with a mixture of true pygmy forest (stunted with both cypress and Bolander's pine present) as well as intermediate cypress and Bolander's pine areas, and some Bishop pine (per GHD May 2014 site visit). Unless preserved, portions of this site could be threatened by future development and/or encroachment from adjacent uses. For potential impacts to habitats with State Rank S1 or S2, preservation is deemed an appropriate mitigative activity for these areas since attempts for direct replacement of the habitats would be linked to a unique ecosystem relationship, which in this case includes slow growing species within a setting of restrictive soil conditions. Preservation will provide an immediate and permanent protection of an existing habitat similar to that being impacted, at an appropriate mitigation ratio to compensate for the use of offsite location and the proposed activity of preservation. It provides compensation for the use of an offsite location (versus onsite) as well as the use of preservation as opposed to other mitigation strategies such as replacement. A temporal loss is not anticipated. The mitigation approach is consistent with County General Plan RM-28 which allows for preservation as a mitigative approach for impacts to special-status species habitat, and RM-74 that prioritizes minimization and avoidance prior to employing replacement, protection, or enhancement measures. In conjunction with the avoidance and minimization activities conducted during project planning, and after proposed preservation/protection activities, the impact is determined to be less than significant.

**Impact CR-1: Cause Substantial Change in the Significance of a Historic or Archaeological Resource.**

Based on previous research and the results of ASC's cultural resources study, no cultural resources, including archaeological, tribal or historical resources, were identified within or immediately adjacent to the project site. However, ground visibility was poor throughout most

of the project area due to dense brush, heavy duff, and pine needle cover, therefore, it is possible that significant (as defined by CEQA) historical or unique archaeological resources that could not be observed during the course of the field survey may be buried on the project site. The disturbance of these resources during site excavation activities would be a significant impact.

**Mitigation Measure CR-1: Disturbance of Undiscovered Archaeological Resources.**

During the course of ground-disturbing activities associated with project construction activities, if any cultural resources are discovered, work shall be halted immediately within 50 feet of the discovery, and the Mendocino County Planning Department shall be immediately notified. At that time, the County will coordinate any necessary investigation and evaluation of the discovery with a qualified archaeologist. If the archaeological resources are Native American, representatives of the appropriate culturally affiliated tribe shall also be enlisted to help evaluate the find and suggest appropriate treatment.

The County shall consult with the archaeologist and agree upon implementation of treatment of the resources that is deemed appropriate and feasible. Such treatment may include avoidance, curation, documentation, excavation, preservation in place, or other appropriate measures.

**Finding: Mitigation Measure CR-1 will prevent any significant impact from disturbance of undiscovered archaeological resources. Implementing this Mitigation Measure for cultural resources impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact CR-1 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure CR-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation measures CR-1 would reduce potentially significant impacts on undiscovered archaeological resources to a less-than-significant level by providing a process for evaluation of any unknown resources encountered during construction, and avoidance or data recovery of resources that meet the CEQA definition of historical or unique archaeological resources. This mitigation measure is in accordance with Mendocino County General Plan Policy DE-115.

**Impact CR-2: Potential Impacts to Unknown Paleontological Resources.**

There are no known unique paleontological resources or geologic features in the project area, however, there is the possibility of unanticipated discovery of paleontological resources during ground-disturbing activities associated with construction of the project. Therefore, implementation of the project could impact significant paleontological resources. Impacts to unknown paleontological resources would be a significant impact.

**Mitigation Measure CR-2: Potential Disturbance of Undiscovered Paleontological Resources.**

During the course of ground-disturbing activities associated with project construction activities, if any paleontological resources are discovered, work shall be halted immediately within 50 feet of the discovery, and the Mendocino County Planning Department shall be immediately notified. At that time, the County will coordinate any necessary investigation of the discovery with a qualified paleontologist.

The County shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries of paleontological resources. The County shall consult with the paleontologist and agree upon implementation of a measure(s) that are deemed appropriate and feasible. Such mitigation measures may include avoidance, curation, documentation, excavation, preservation in place, or other appropriate measures.

**Finding: Mitigation Measure CR-2 will prevent any significant impact from disturbance of undiscovered paleontological resources. Implementing this mitigation measure for cultural resources impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact CR-2 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure CR-2. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation measures CR-2 would reduce potentially significant impacts on undiscovered paleontological resources to a less-than-significant level by providing a process for evaluation of any unknown resources encountered during construction, and avoidance or data recovery of resources that meet the CEQA definition of unique paleontological resources.

**Impact CR-3: Potential Disturbance of Human Remains.**

While no evidence exists for the presence of historic or prehistoric burials at the project site, this does not preclude the existence of buried subsurface human remains. If any human remains were unearthed during project construction, particularly those that were determined to be Native American, a potentially significant disturbance of human remains would occur.

**Mitigation Measure CR-3: Potential to Uncover Human Remains.**

If construction activities result in the discovery of human remains during ground disturbing construction activities, in accordance with California Health and Safety Code Section 7050.5, no further disturbance shall occur until the Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Coroner shall be notified of the find immediately and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Coroner makes the required determinations regarding the remains. If the human remains are determined to be prehistoric,

the Coroner shall notify the NAHC, which shall determine and notify a Most Likely Descendant. The Most Likely Descendant shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials.

**Finding: Mitigation Measure CR-3 will prevent any significant impact from disturbance of undiscovered human remains. Implementing this Mitigation Measure for cultural resources impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact CR-3 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure CR-3. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation measures CR-3 would reduce potentially significant impacts on uncovering human remains to a less-than-significant level by providing direction on who to notify in the event human remains are found.

**Impact GEO-1: Expose People or Structures to Potential Substantial Adverse Effects Involving Strong Seismic Ground Shaking or Seismic-related Ground Failure, including Liquefaction.**

Past seismic history suggests that the project area is susceptible to moderate to strong seismic ground shaking (LACO 2012). The project includes reinforced structures that would be at risk of collapse from ground shaking and a groundwater well, sewage treatment system, and road improvements that would be susceptible to damage during strong seismic ground shaking. The soils encountered during test borings at the project site are not considered to be liquefiable (LACO 2012). However, it is possible that some isolated, thin lenses of loose, saturated sands near the ground may liquefy during severe ground shaking, based on the relatively thin lenses of loose sand encountered, which could damage structures, foundations, concrete slabs, asphalt pavement, and utilities (LACO 2012). The impact from liquefaction is considered significant.

Because a design-level geotechnical study has not yet been prepared for the project, the impact related to strong seismic ground shaking or seismic-related ground failure including liquefaction is potentially significant.

**Mitigation Measure GEO-1: Conduct a Geotechnical Study and Implement Recommendations.**

The County and City shall require a California registered Geotechnical Engineer to conduct a design-level geotechnical study for the project. The geotechnical study shall address all areas of ground disturbance, evaluate seismic hazards, and provide recommendations to mitigate the effects of: strong ground shaking, liquefiable soils, lateral spreading, and subsidence in adherence with applicable design standards, including applicable CBC and Mendocino County Building Code standards for earthquake resistant construction. The seismic criteria shall take into account the active faults that will affect the project site, and ground motions and shaking related to the faults.

The geotechnical study shall also include evaluation of unstable soils in the project area, including areas susceptible to liquefaction or subsidence, and areas containing expansive soils. The study shall provide measures to repair, stabilize, or avoid such soils, and include grading, drainage, paving, and foundation design recommendations such that adherence with current applicable standards for earthquake resistant construction would be achieved. This may include, but would not be limited to, one or more of the following measures (or equivalent measures) to meet the performance standards:

- Maintain wet optimum moisture content of clay soils where the soils will support foundations, concrete slabs, and asphalt concrete pavements, until covered with permanent construction and install moisture barriers.
- Remove organic topsoil from planned structure areas prior to construction.

The project shall be designed and constructed in conformance with the specific recommendations contained in the design-level geotechnical study, including recommendations for grading, ground improvement, foundations, concrete slabs and asphalt concrete pavements. The recommendations made in the geotechnical study shall be incorporated into the final plans and specifications and implemented during construction. Professional inspection of foundation and excavation, earthwork and other geotechnical aspects of site development shall be performed during construction in accordance with the current version of the CBC.

**Finding: Mitigation Measure GEO-1 will reduce impacts to insignificance from exposure of people or structures to potential substantial adverse effects involving strong seismic ground shaking or seismic-related ground failure, including liquefaction. Implementing this mitigation measure for geology and soils impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact GEO-1 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure GEO-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Project design would be required to conform to the Mendocino County Building Code, California Building Code, and the State Earthquake Protection Law, which set design criteria for seismic resistant structures and construction in areas with liquefiable soils. Mitigation Measure GEO-1 would reduce impacts to a less than significant level by requiring a site specific geotechnical study and design and construction in conformance with applicable design standards that would reduce the risk to life or property during a seismic event.

**Impact GEO-2: Result in Substantial Soil Erosion or Loss of Topsoil.**

The project site is within a mostly undeveloped, forested parcel in the Jackson Demonstration State Forest (JDSF), and is covered with an approximately 12-inch layer of organic laden topsoil.

The project site is relatively flat to gently sloping. The natural erosion rate of the soils present at the project site is slight to moderate (USDA 2006). Grading, earthwork, and stockpiling during construction could result in increased potential for erosion or loss of topsoil on and off-site, which would be a potentially significant impact.

**Mitigation Measure HWQ-1a: Manage Construction Storm Water.**

The County and City shall obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, as amended by Order No. 2012-0006. In compliance with the NPDES requirements, a Notice of Intent (NOI) shall be prepared and submitted to the North Coast Regional Water Quality Control Board (NCRWQCB) providing notification and intent to comply with the State of California General Permit. In addition, a Construction Storm Water Pollution Prevention Plan (SWPPP) will be prepared for pollution prevention and control prior to initiating site construction activities. The Construction SWPPP shall identify and specify the use of erosion sediment control BMPs for control of pollutants in stormwater runoff during construction related activities, and will be designed to address water erosion control, sediment control, off-site tracking control, wind erosion control, non-stormwater management control, and waste management and materials pollution control. A sampling and monitoring program shall be included in the Construction SWPPP that meets the requirements of the NCRWQCB to ensure the BMPs are effective. A Qualified Storm Water Pollution Prevention Plan Practitioner shall oversee implementation of the Plan, including visual inspections, sampling and analysis, and ensuring overall compliance.

[Note: Mitigation Measure HWQ-1a is referred to as "HYD-1" on pages 1.0-8 and 3.6-9 of the draft EIR.]

**Finding: Mitigation Measure HWQ-1a would reduce potential Substantial Soil Erosion or Loss of Topsoil to insignificance. Implementing this mitigation measure for geology and soils impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact GEO-2 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure HWQ-1a. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation Measure HWQ-1a would reduce construction-related impacts to a less than significant level by requiring a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the project. The SWPPP would include erosion and sediment control measures, such as the use of temporary sediment basins, filter screens, and gravel bags, which would prevent substantial soil erosion during construction.

Following construction, stormwater runoff would be managed onsite. As described in EIR Section 3.09, Hydrology and Water Quality, project stormwater conveyance capabilities and capacities would not substantially exceed pre-development conditions. The site is

relatively flat and trucks and other vehicles and equipment would utilize designated paved access roads and loading/unloading areas at the proposed Transfer Station site. The potential for erosion or loss of topsoil to occur during operation would be minimal. Therefore, the operational impact from soil erosion would be less than significant.

**Impact GEO-3: Be Located on Geologic Unit or Soil that is Unstable, or would become Unstable as a Result of the Project, and Potentially Result in Liquefaction, Lateral Spreading, Subsidence, or Collapse.**

The soils encountered during test borings at the project site are generally not considered to be liquefiable, but it is possible that some isolated, thin lenses of loose, saturated sands near the ground may liquefy during severe ground shaking, based on the relatively thin lenses of loose sand encountered (LACO 2012). Because of the potential for liquefaction and the 2 percent to 9 percent slopes present on site, the project site is potentially susceptible to lateral spreading from liquefaction. Subsidence from liquefaction also could occur. Structures could be susceptible to damage or collapse, and other project improvements such as the roadway widening, utilities, or sewage treatment systems could be damaged. Because a design-level geotechnical study has not yet been prepared for the project, the impact would be potentially significant.

**Mitigation Measure GEO-1: Conduct a Geotechnical Study and Implement Recommendations.**

The County and City shall require a California registered Geotechnical Engineer to conduct a design-level geotechnical study for the project. The geotechnical study shall address all areas of ground disturbance, evaluate seismic hazards, and provide recommendations to mitigate the effects of: strong ground shaking, liquefiable soils, lateral spreading, and subsidence in adherence with applicable design standards, including applicable CBC and Mendocino County Building Code standards for earthquake resistant construction. The seismic criteria shall take into account the active faults that will affect the project site, and ground motions and shaking related to the faults.

The geotechnical study shall also include evaluation of unstable soils in the project area, including areas susceptible to liquefaction or subsidence, and areas containing expansive soils. The study shall provide measures to repair, stabilize, or avoid such soils, and include grading, drainage, paving, and foundation design recommendations such that adherence with current applicable standards for earthquake resistant construction would be achieved. This may include, but would not be limited to, one or more of the following measures (or equivalent measures) to meet the performance standards:

- Maintain wet optimum moisture content of clay soils where the soils will support foundations, concrete slabs, and asphalt concrete pavements, until covered with permanent construction and install moisture barriers.
- Remove organic topsoil from planned structure areas prior to construction.

The project shall be designed and constructed in conformance with the specific recommendations contained in the design-level geotechnical study, including recommendations for grading, ground improvement, foundations, concrete slabs and

asphalt concrete pavements. The recommendations made in the geotechnical study shall be incorporated into the final plans and specifications and implemented during construction. Professional inspection of foundation and excavation, earthwork and other geotechnical aspects of site development shall be performed during construction in accordance with the current version of the CBC.

**Finding: Mitigation Measure GEO-1 would prevent significant impact from location on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in liquefaction, lateral spreading, subsidence, or collapse. Implementing this mitigation measure for geology and soils impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact GEO-3 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure GEO-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation Measure GEO-1 would reduce impacts to a less than significant level by requiring a site-specific geotechnical study for project design and construction to be in conformance with applicable design standards that would reduce the risk to life or property due to unstable soils.

**Impact GEO-4: Be Located on Expansive Soil, as Defined in Table 18-1-B of Uniform Building Code (1994), Creating Substantial Risks to Life or Property.**

Sandy clay/sandy silt soils encountered in boring SE-3 have a high to very high expansion potential (LACO 2012). Expansive soils can damage structures, foundations and buried utilities. Because only a preliminary geotechnical study was prepared for the project site, the extent of expansive soils present onsite is not known, therefore, the impact from expansive soils would be potentially significant.

**Mitigation Measure GEO-1: Conduct a Geotechnical Study and Implement Recommendations.**

The County and City shall require a California registered Geotechnical Engineer to conduct a design-level geotechnical study for the project. The geotechnical study shall address all areas of ground disturbance, evaluate seismic hazards, and provide recommendations to mitigate the effects of: strong ground shaking, liquefiable soils, lateral spreading, and subsidence in adherence with applicable design standards, including applicable CBC and Mendocino County Building Code standards for earthquake resistant construction. The seismic criteria shall take into account the active faults that will affect the project site, and ground motions and shaking related to the faults.

The geotechnical study shall also include evaluation of unstable soils in the project area, including areas susceptible to liquefaction or subsidence, and areas containing expansive soils. The study shall provide measures to repair, stabilize, or avoid such soils, and include grading, drainage, paving, and foundation design recommendations such that adherence

with current applicable standards for earthquake resistant construction would be achieved. This may include, but would not be limited to, one or more of the following measures (or equivalent measures) to meet the performance standards:

- Maintain wet optimum moisture content of clay soils where the soils will support foundations, concrete slabs, and asphalt concrete pavements, until covered with permanent construction and install moisture barriers.
- Remove organic topsoil from planned structure areas prior to construction.

The project shall be designed and constructed in conformance with the specific recommendations contained in the design-level geotechnical study, including recommendations for grading, ground improvement, foundations, concrete slabs and asphalt concrete pavements. The recommendations made in the geotechnical study shall be incorporated into the final plans and specifications and implemented during construction. Professional inspection of foundation and excavation, earthwork and other geotechnical aspects of site development shall be performed during construction in accordance with the current version of the CBC.

**Finding: Mitigation Measure GEO-1 would prevent significant impact from location on expansive soil. Implementing this Mitigation Measure for geology and soils impact is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact GEO-4 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure GEO-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Mitigation measure GEO-1 would reduce impacts to a less than significant level by requiring a site-specific geotechnical study and for project design and construction to be in conformance with applicable design standards that would reduce the risk to life or property due to expansive soils.

**Impact HAZ-1: Create Significant Hazard through Routine Transport, Use, or Disposal of Hazardous Materials.**

Certain recyclable hazardous wastes will be collected from the public at the transfer station. Construction of the project would involve site grading, excavation, trenching, backfilling, and the construction of facilities that could result in the exposure of construction workers and residents in the project area to routine hazardous materials used in construction including chemicals, contaminated debris, petroleum hydrocarbons, and other hazardous substances that could be inadvertently spilled or otherwise spread.

**Mitigation Measure HAZ-1: Prepare Hazardous Materials Business Plan.**

The County and City shall ensure that the owner/operator of the facility prepare a Hazardous Materials Business Plan prior to operations pursuant to the Business Plan Act. The Hazardous Materials Business would include, but not be limited to, an inventory of hazardous materials

handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures. In addition, the Hazardous Materials Business Plan would also include a Spill Prevention Plan. The Spill Prevention Plan would include, but not be limited to, restrictions and procedures for fuel storage location, fueling activities, regular equipment maintenance, and training and lines of communication to facilitate the prevention, response, containment, and cleanup of spills during construction activities would also outlined.

**Finding: Mitigation Measure HAZ-1 would reduce to insignificance any potential impact from the hazard of routine transport, use, or disposal of hazardous materials. Implementation of this mitigation measure is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact HAZ-1 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure HAZ-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Used motor oil and used antifreeze would be collected in secure tanks with secondary containment (reference EIR Figure 2-2 #2, #3). Secondary containment regulations are designed and issued to prevent hazardous liquids from discharging into the surrounding land if a leak or spill occurs. Other recyclable household hazardous waste items, including electronics, fluorescent lights, and batteries, would be collected in secure containment areas (reference EIR Figure 2-2 #6). All other hazardous wastes would be prohibited at the facility and customers would be referred to the periodic HazMobile household and small business hazardous waste mobile collection system. The gate attendant would routinely inspect incoming loads for any prohibited hazardous waste items and prohibit the customer from depositing them with trash, and instead refer the customer to the periodic HazMobile household hazardous waste collection events. If any prohibited hazardous waste items are discovered on the tipping floor of the facility, they would be removed by facility employees to a secure hazardous waste locker for later removal by HazMobile technicians. Numerous laws and regulations ensure the safe transportation, use, storage, and disposal of hazardous materials (see Section 3.8.2, Regulatory Framework). Caltrans and the CHP regulate the transportation of hazardous materials and wastes, including container types and packaging requirements, and licensing and training for truck operators, chemical handlers, and hazardous waste haulers. Worker safety regulations cover hazards related to the prevention of exposure to hazardous materials and a release to the environment from hazardous materials use. Cal-OSHA also enforces hazard communication program regulations, which contain worker safety training and hazard information requirements, such as procedures for identifying and labelling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees. Because hazardous materials brought to, and stored at, and then removed from the site would follow existing regulations for the safe transportation, storage, and disposal of hazardous

materials the impact from exposure to people or the environment during operation of the proposed Central Coast Transfer Station would be less than significant with the preparation of a Hazardous Materials Business Plan per the Business Plan Act per Mitigation Measure HAZ-1.

The site is undeveloped forest land and is not known to contain any contaminated soils. The EDR report (EIR Appendix F) prepared for the project did not identify any hazardous materials mapped sites at the project site.

Because the project site is undeveloped forest land, no hazardous sites are in the project vicinity. The operator and its contractors would be required to comply with existing and future hazardous materials laws and regulations covering the transport, use, and disposal of hazardous materials. The impacts associated with the potential to create a significant hazard to the public or the environment during construction of the proposed project would be less than significant.

Mitigation Measure HAZ-1 would reduce potentially significant impacts associated with hazardous materials handling, storage, and emergency response to a less-than-significant level.

**Impact HAZ-2: Create Significant Hazard Through Reasonably Foreseeable Upset and Accident Conditions Involving Release of Hazardous Materials.**

There are two types of accidental releases that could occur during construction: 1) accidental spills; and 2) discovery of existing contaminated soil or groundwater at the construction sites. The project site is undeveloped and does not appear on a list of hazardous materials sites. Encountering existing contaminated soil or groundwater is unlikely. Accidental spills could occur during construction as hazardous materials would be used in varying amounts during construction of the proposed project. Construction activities would use hazardous materials including but not limited to cleaning products; fuels (diesel and gasoline); lubricants and oils; paints and paint thinners; and glues. Construction workers and residents in the project vicinity could be exposed to hazards and hazardous materials as a result of improper handling and storage.

The project would prohibit acceptance of hazardous waste delivered or mixed in with the municipal solid waste loads; however, there is a potential that hazardous materials may be transported unknowingly in the Municipal Solid Waste (MSW) loads brought to the site.

**Mitigation Measures: Mitigation Measure HAZ-1.**

The County and City shall ensure that the owner/operator of the facility prepare a Hazardous Materials Business Plan prior to operations pursuant to the Business Plan Act. The Hazardous Materials Business would include, but not be limited to, an inventory of hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures. In addition, the Hazardous Materials Business Plan would also include a Spill Prevention Plan. The Spill Prevention Plan would include, but not be limited to, restrictions and procedures for fuel storage location, fueling activities, regular equipment maintenance, and training and lines of communication to facilitate the prevention, response, containment, and

cleanup of spills during construction activities would also outlined.

**Finding: Mitigation Measure HAZ-1 would reduce to insignificance the potential impact of reasonably foreseeable upset and accident conditions involving release of hazardous materials. Implementation of this mitigation measure is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact HAZ-2 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure HAZ-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Construction specifications would include the following requirements in compliance with applicable regulations and codes, including, but not limited to CCR Titles 8 and 22, Uniform Fire Code, and Division 20 of the California Health and Safety Code: all reserve fuel supplies and hazardous materials must be stored within the confines of a designated construction area; equipment refuelling and maintenance must take place only within the staging area; and construction vehicles shall be inspected daily for leaks. Off-site activities (e.g., utility construction) would also be required to comply with these regulations. These regulations and codes must be implemented, as appropriate, and are monitored by the State and/or local jurisdictions, including the Fort Bragg Rural Fire Protection District and CalFire.

Contractors would be required to comply with Cal/EPA's Unified Program; regulated activities would be managed by Mendocino County Environmental Health department, the designated CUPA for Mendocino County, in accordance with the regulations included in the unified Program. Such compliance would reduce the potential for accidental release of hazardous materials during construction of the proposed project. As a result, it would lessen the risk of exposure of construction workers and the public to accidental release of hazardous materials, as well as the demand for incident emergency response. The impact from potential release of hazardous materials would be less than significant.

Recyclable household hazardous waste items, including electronics, fluorescent lights, and batteries, would be collected in secure containment areas. If such materials are found prior to unloading, the driver would not be allowed to unload the hazardous materials. If hazardous wastes are found, specific notification, future load inspection, and appropriate handling, storage, and disposal procedures would be implemented per state and federal regulations noted above.

Occasionally hazardous materials are discovered on the tipping floor of a transfer station. The spotters working in the transfer station would be trained to recognize hazardous materials and to deal with them appropriately. Such materials would be segregated in a hazardous waste locker kept on or near the tipping floor for that purpose. They would be kept in locked storage until they can be removed from the site by a licensed hauler. Depending on the quantities and types of materials found, materials found on the tipping floor may be stored in the household hazardous waste (HHW) locker until removed.

Most of the hazardous material brought to the facility would be common household items that require special recycling or disposal approaches, such as batteries, paint, used oil and oil filters, and aerosol cans, as well as smaller quantities of herbicides, pesticides, solvents, antifreeze and similar materials. The facility would not accept explosives, medical waste, or radioactive materials. The materials would be stored temporarily inside the designated HHW locker in segregated containers that separate incompatible substances. All HHW would be removed at regular intervals by licensed haulers and transported to off-site facilities for recycling or disposal (California Health and Safety Code, Division 20, Chapter 6.95). The process of isolating and only temporarily storing hazardous materials at the site combined with transporting the materials to proper off-site facilities in accordance with applicable local, State and federal requirements would minimize the project's potential to create a hazard to the environment or the public.

A Spill Prevention Plan would be prepared to control any accidental spills or fuel leaks. Provisions of the plan are likely to include: storage of petroleum products, solvents, paints, and other potentially hazardous liquids in a secured location with secondary containment; maintenance of emergency response contact information on-site; maintenance of spill response materials and equipment in a readily accessible location; training of all workers in spill control and emergency response procedures; designation of a specific individual as primary on-site contact for emergency response to spills; regular maintenance of heavy equipment and vehicles to prevent leakage of fuel or lubricants; immediate cleanup of spills, however small, in accordance with established procedures; and adherence with established reporting procedures for all spills, regardless of size.

As with construction, operation of the proposed project is required to be consistent with federal, State, and local laws and regulations addressing hazardous materials management and environmental protection, including, but not limited to 49 CFR 173 and 177, and CCR Title 26, Division 6 for transportation of hazardous materials, and CCR Titles 8 and 22, Uniform Fire Code, and Division 20 of the California Health and Safety Code for routine use of hazardous materials. These regulations and codes must be implemented, as appropriate, and are monitored by the State and/or local jurisdictions, including Caltrans, the Mendocino County Environmental Health Department, and CalFire.

The Mendocino County Environmental Health Department, as the local CUPA, overseas hazardous materials registrations, aboveground petroleum storage tank spill prevention control and countermeasure plans, UST programs, monitoring wells, and the California Accidental Release Program. Additionally, businesses are regulated as employers by Cal/OSHA and are therefore required to ensure employee safety. Specific requirements include identifying hazardous materials in the workplace, providing safety information to workers that handle hazardous materials, and providing adequate training to workers.

The proposed project would be required to comply with all applicable federal, State, and local regulations pertaining to spill prevention, safe-transit practices, workplace safety, explosions, fires, and other hazardous materials-related concerns. The Mendocino County Environmental Health Department, CalFire, and other agencies would be required to enforce compliance, including issuing permits and tracking and inspections of hazardous materials storage and transportation. Additionally, existing regulatory requirements would ensure that the proposed project does not pose a significant hazard

to off-site receptors including nearby residents. As a result, construction and operation of the proposed project would not create a significant hazard to the environment and general public involving the release of hazardous materials into the environment. Therefore, this impact, for both construction and operation, is considered less than significant.

**Impact HWQ-1: Violate any Water Quality Standards or Waste Discharge Requirements.**

Potential significant impacts arise from the following:

1. The proposed Central Coast Transfer Station site is anticipated to disturb up to 4.72 acres of land.
2. The proposed project would require a groundwater well to be drilled and operated for on-site water use.
3. Some liquids could be generated on the tipping floor from cleaning, odor reduction misting, or solid waste trucks when unloading solid waste after rainstorms.

**Mitigation Measure HWQ-1a: Manage Construction Storm Water.**

The County and City shall obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, as amended by Order No. 2012-0006. In compliance with the NPDES requirements, a Notice of Intent (NOI) shall be prepared and submitted to the NCRWQCB, providing notification and intent to comply with the State of California General Permit. In addition, a Construction Storm Water Pollution Prevention Plan (SWPPP) will be prepared for pollution prevention and control prior to initiating site construction activities. The Construction SWPPP shall identify and specify the use of erosion sediment control Best Management Practices (BMPs) for control of pollutants in stormwater runoff during construction related activities, and will be designed to address water erosion control, sediment control, off-site tracking control, wind erosion control, non-stormwater management control, and waste management and materials pollution control. A sampling and monitoring program shall be included in the Construction SWPPP that meets the requirements of the NCRWQCB to ensure the BMPs are effective. A Qualified Storm Water Pollution Prevention Plan Practitioner shall oversee implementation of the Plan, including visual inspections, sampling and analysis, and ensuring overall compliance.

**Mitigation Measure HWQ-1b: Industrial Storm Water General Permit.**

The County and City shall obtain coverage under State Water Resources Control Board Order No. 97-03-DWQ, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. This shall include submittal of a notice of intent to obtain permit coverage, and preparation, retention on site, and implementation of a SWPPP. The SWPPP shall identify the sources of pollution that affect the quality of industrial storm water discharges and authorized non-storm water discharges, and describe and ensure

the implementation of best management practices to reduce or prevent pollutants in industrial storm water discharges. The SWPPP shall also include a monitoring program and other requirements contained in Order No. 97-03. Implementation of the SWPPP shall include the necessary inspections, monitoring, and overall compliance.

**Mitigation Measure HWQ-1c: Well Development According to Mendocino County and California State Standards.**

The contractor shall ensure that any well development and well pump test water is disposed of in accordance to the discharge limitations of the NCRWQCB general permit for Dewatering and Other Low Threat Discharges to Surface Waters if disposed of in the drainage system. If sediment concentrations are in excess of surface discharge standards then compliance shall be achieved through the on-site detention of water in a storage tank to allow for the settlement of suspended solids. In addition, the contractor shall discharge all well development disinfection discharges containing chlorine residuals after treating the discharge to meet discharge requirements. With implementation of the above mitigation measures, the water quality impacts due to well development would be reduced to a less-than-significant level.

**Finding: Mitigation Measures HWQ-1a, HWQ-1b, and HWQ-1c will reduce to insignificance any potential impact from stormwater during facility construction, facility operation, and well development Implementation of these mitigation measures is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact HWQ-1 will be mitigated to a less-than-significant level by the implementation of Mitigation Measures HWQ-1a, HWQ-1b and HWQ-1c. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Projects that discharge stormwater runoff to waters of the U.S. from land disturbances greater than one acre require a General Construction Stormwater Discharge Permit from the RWQCB, as required under NPDES Order No. 2009-0009, as amended by Order No. 2010-0014. To obtain a permit, a discharger files a Notice of Intent to be included under the State's NPDES permit. General conditions of the permit require that dischargers must eliminate non-stormwater discharges to stormwater systems, develop and implement a Storm Water Pollution Prevention Plan (SWPPP), and perform inspections of stormwater pollution prevention measures. SWRCB Order No. 2009-0009 applies to public and private construction projects that include one or more acres of soil disturbance. Because the proposed Central Coast Transfer Station site is anticipated to disturb up to 4.72 acres of land, compliance with Order No. 2009-0009 would be required. Implementation of Mitigation Measure HWQ-1a would mitigate potential impacts on water quality standards and waste discharge requirements to a less than significant level by complying with, and receiving coverage under, the NPDES General Permit for Discharge of Stormwater associated with construction activities. The implementation of BMPs, consistent with the requirements of the site's NPDES General

Permit for Discharge of Stormwater associated with Construction Activity and the SWPPP, would ensure that the project does not violate any water quality standards or waste discharge requirements.

Stormwater discharges from operation of the project are required to comply with applicable provisions and performance standards stated in the National Pollutant Discharge Elimination System (NPDES) permit. As required by the NPDES permit, County and NCRWQCB requirements, waste materials will not be discharged to drainage areas. Because the Central Coast Transfer Station has the potential to discharge pollutants from a point source (e.g., leaking oil from hauling trucks), the facility would be required to obtain an Industrial SWPPP under California Water Code Section 13260.

The design of the main indoor drainage control system would direct liquids from the waste and unloading areas to flow through a clarifier to remove solids, then to an on-site 500-gallon above ground storage tank. Liquids would not be allowed to leave the site and stormwater would not be allowed to enter the building. Facility and equipment inspections, combined with monitoring of the storage tank containment area, allow for the detection of potential sources of leachate leaks to the environment and early corrective actions to be implemented if necessary. The amount of wastewater generated is expected to be of such minimal quantity that most of the water is anticipated to evaporate. Facility operations would include removal of the wastewater by a licensed waste hauler with disposal at a permitted wastewater treatment facility when the tank becomes full. Therefore, impacts related to wastewater generated from operations would be less than significant.

Implementation of Mitigation Measure HWQ-1b would mitigate potential impacts on water quality standards and waste discharge requirements to a less than significant level by complying with, and receiving coverage under, the NPDES General Permit for Discharge of Stormwater associated with operational activities.

The contractor would utilize large on-site tanks for well drilling and testing operations. The drilling mud would be contained in these tanks and removed from the site. The slurry would not be discharged but would be contained and removed. Mitigation Measure HWQ-1c would mitigate potential impacts on water quality standards and waste discharge requirements to a less than significant level by complying with NCRWQCB general permit for Dewatering and Other Low Threat Discharges to Surface Waters. With implementation of Mitigation Measures HWQ-1c, the project's construction water quality impacts would be reduced to a less than significant level.

**Impact HWQ-3: Substantial Additional Sources of Polluted Runoff or Otherwise Substantially Degrade Water Quality.**

The development of the proposed project would alter the types, quantities, and timing of stormwater contaminates relative to existing conditions. If this stormwater runoff is uncontrolled and not treated, the water quality of the discharge could affect off-site drainage channels and downstream water bodies.

Construction activities could result in stormwater discharges of suspended solids and other pollutants into local drainage channels from the project site. Construction related chemicals (e.g., fuels, paints, adhesives, etc.) could be washed into surface waters by stormwater runoff. The deposition of pollutants (e.g., gas, oil, etc.) onto the ground surface by construction

equipment could similarly result in the transport of pollutants to surface waters by stormwater runoff or in seepage of such pollutants into groundwater.

The operation of the proposed project site could also introduce new stormwater pollutant sources. These pollutant sources would include oils and greases, petroleum hydrocarbons (e.g., gas and diesel fuels), nitrogen, phosphorous, and heavy metals. These pollutants could adversely affect stormwater discharges from the site.

The Local Enforcement Agency's Solid Waste Facilities permit for the potential site would prohibit the discharge of drainage containing solids, wash water, or leachate from solid wastes (14 CCR Article 6). The proposed project would be required to comply with these requirements by containing waste processing operations within the interior of the transfer station building and directing contact water into the building's interior collection system. Therefore, the discharge of drainage during operation from the solid waste processing area would not occur.

The type and concentration of stormwater discharge contaminants for developed areas varies based on a variety of factors, including intensity of urban uses such as vehicle traffic, types of activities occurring on site, types of chemicals used on-site (e.g., pesticides, herbicides, cleaning agents, petroleum by-products), road surface pollutants, and rainfall intensity. The design of the facility's stormwater management system would incorporate Low Impact Development (LID) strategies including minimization of the amount of stormwater generated and treated, retention and detention in vegetated bioswales, rain gardens, and oil/water separators in order to limit the contaminants entering stormwater flows. However, due to the industrial nature of the proposed project, there is the potential to contribute additional sources of polluted runoff and to degrade water quality during site operations if not handled properly and done in compliance with State regulations. The potential impact to water quality is considered significant.

**Mitigation Measures HWQ-1a: Manage Construction Storm Water and HWQ-1b: Industrial Storm Water General Permit.**

> **Mitigation Measure HWQ-1a:** The County and City shall obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, as amended by Order No. 2012-0006. In compliance with the NPDES requirements, a Notice of Intent (NOI) shall be prepared and submitted to the NCRWQCB, providing notification and intent to comply with the State of California General Permit. In addition, a Construction Storm Water Pollution Prevention Plan (SWPPP) will be prepared for pollution prevention and control prior to initiating site construction activities. The Construction SWPPP shall identify and specify the use of erosion sediment control Best Management Practices (BMPs) for control of pollutants in stormwater runoff during construction related activities, and will be designed to address water erosion control, sediment control, off-site tracking control, wind erosion control, non-stormwater management control, and waste management and materials pollution control. A sampling and monitoring program shall be included in the

Construction SWPPP that meets the requirements of the NCRWQCB to ensure the BMPs are effective. A Qualified Storm Water Pollution Prevention Plan Practitioner shall oversee implementation of the Plan, including visual inspections, sampling and analysis, and ensuring overall compliance.

**Mitigation Measure HWQ-lb:** The County shall obtain coverage under State Water Resources Control Board Order No. 97-03-DWQ, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. This shall include submittal of a notice of intent to obtain permit coverage, and preparation, retention on site, and implementation of a SWPPP. The SWPPP shall identify the sources of pollution that affect the quality of industrial storm water discharges and authorized non-storm water discharges, and describe and ensure the implementation of best management practices to reduce or prevent pollutants in industrial storm water discharges. The SWPPP shall also include a monitoring program and other requirements contained in Order No. 97-03. Implementation of the SWPPP shall include the necessary inspections, monitoring, and overall compliance.

**Finding: Mitigation Measures HWQ-1a and HWQ-1b will prevent significant impact from substantial additional sources of polluted runoff or otherwise substantially degradation of water quality. Implementation of these mitigation measures is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact HWQ-3 will be mitigated to a less-than-significant level by the implementation of Mitigation Measures HWQ-1a and HWQ-1b. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** The project is required to obtain and comply with necessary permits and comply with other Mendocino County and the NCRWQCB requirements, acting to prevent, or essentially reduce the potential for the project to violate any water quality standards or waste discharge requirements.

The implementation of Best Management Practices, consistent with the requirements of the site's NPDES General Permit for Discharge of Stormwater associated with construction and operational activities, would ensure that the project does not violate any water quality standards. With implementation of the Mitigation Measures HWQ-1a and HWQ-1b, the project's construction and operational water quality impacts would be reduced to a less than significant level.

Some liquids could be generated on the tipping floor from cleaning, odor reduction misting, or solid waste trucks when unloading solid waste after rainstorms. The design of the main indoor drainage control system would direct liquids from the waste and unloading areas to flow through a clarifier to remove solids, then to an on-site 500-gallon above ground storage tank. Liquids would not be allowed to leave the site and stormwater would not be allowed to enter the building. Facility and equipment inspections, combined with monitoring of the storage tank containment area, allow for the detection of potential sources of leachate leaks to the environment and early

corrective actions to be implemented if necessary. The amount of wastewater generated is expected to be of such minimal quantity that most of the water is anticipated to evaporate. Facility operations would include removal of the wastewater by a licensed waste hauler with disposal at a permitted wastewater treatment facility when the tank becomes full. Therefore, impacts related to wastewater generated from operations would be less than significant.

The motor oil recycling tank and antifreeze recycling tank planned for the recycling drop-off area are standard features used at many transfer stations. The existing motor oil tank at Caspar Transfer Station would be moved to the new facility. It has double-containment and is encased in concrete to protect it from any rupture. Likewise, the antifreeze recycling tank would have external containment to prevent any leaks from escaping.

**Impact HWQ-4: Substantially Alter Existing Drainage Pattern, or Substantially Increase Rate or Amount of Runoff in a Manner which would Result in Flooding On- or Off-site.**

The project would not significantly alter the existing drainage patterns at the site. However, development of the project could lead to increased runoff due to removal of vegetation and the creation of impervious surfaces. Culverts, storm drains, seasonal drainage swales, and inlet and outlet structures would need to be constructed to manage stormwater.

**Mitigation Measure HWQ-4: Reduce Potential for Offsite Runoff.**

The applicant shall design and construct detention basins within the project area to reduce stormwater runoff volume, rates, and sedimentation in addition to allowing stormwater to infiltrate. The specific locations of these detention basins will be determined during the development of the grading and drainage plans, as required by Mendocino County. To facilitate this, the applicant shall submit a final detailed design-level hydrologic and hydraulic analysis as necessary to Mendocino County detailing the implementation of the proposed drainage plans, including detention basin facilities that will conform to the following standards and include the following components, at a minimum:

1. The project shall ensure the peak runoff for the 2-, 10-, 50- and 100-year/24-hour storm events for post-development conditions is not greater than under existing conditions. The final grading and drainage plan, including detention basin designs, shall be prepared by a California licensed Professional or Civil Engineer. All design and construction details shall be depicted on the grading and drainage plans and shall include, but not be limited to, inlet and outlet water control structures, grading, designated maintenance access, and connection to existing drainage facilities.
2. Mendocino County shall review and approve the grading and drainage plans prior to implementation to ensure compliance with County standards. The project shall incorporate any additional improvements deemed necessary by the County.
3. Once constructed, the drainage components, including detention basins and conveyance structures will be inspected by the County and maintained per the guidelines outlined in the projects SWPPP.
4. The detention basins shall be designed to completely drain within 24 to 96 hours

(also referred to as "drawdown time"). The 24-hour limit is specified to provide adequate settling time; the 96-hour limit is specified to mitigate vector control concerns (e.g., mosquitoes). The project shall employ erosion control practices (i.e., temporary seeding and mulching) to reduce the amount of sediment flowing into the basin. The outlet structures shall be armored (e.g., riprap lined or equivalent) and designed to evenly spread stormwater where appropriate and slow velocities to prevent erosion and re-suspension of sediment. Specifically, the northern most detention basin shall have a vertical outlet pipe located within the detention basin that is connected to a pipe manifold that discharges stormwater in a regulated manner through a minimum of four equally spaced discharge pipes. By spacing the diffuser pipes a minimum of 25 feet from each other and discharging into an existing drainage located in the Bishop Pine Forest, stormwater infiltration will be promoted while not impacting the pygmy forest. The southernmost detention basin shall utilize a similar approach to managing stormwater, but will only consist of one outlet pipe that discharges directly to the existing drainage swale on Highway 20.

The contractor shall ensure that all disturbed areas of the project are graded in conformance with the approved grading and drainage plans in such a manner as to direct stormwater runoff to properly designed detention basins.

**Finding: Mitigation Measure HWQ-4 will prevent any significant impact from substantial alteration of existing drainage pattern, or substantial increase in the rate or amount of runoff in a manner which would result in flooding on- or off-site. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact HWQ-4 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure HWQ-4. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** The contractor will be required to ensure that all disturbed areas of the project are graded in conformance with the approved grading and drainage plans in such a manner as to direct stormwater runoff to properly designed detention basins.

The County requires that drainage features be designed in accordance with the Mendocino County Drainage Standards, and that peak runoff for the 2, 10, 50 and 100-year/24-hour storm events following development are not greater than under pre-development conditions.

A surface water hydrologic analysis has been performed for the project, considering pre- and post-development conditions (GHD 2014) and can be found in EIR Appendix G.

Stormwater captured in the project area will be conveyed through sheet flow to a series of bioswales that surround the facility. The purpose of the bioswales is to control the concentration of flow from the project area as well as filter out sediment and chemical constituents that could impair water quality. This would be achieved by allowing stormwater to partially infiltrate and pass through the bioswale before being released to the detention basins.

Bioswales have been shown to remove pollutants such as phosphorous, metals (e.g., Cu, Zn, Pb), nitrogen, solids, organics, and bacteria at removal rates ranging from 68-98% (CASQA 2003). In order to handle runoff effectively, a bioswale needs to be sized appropriately for the area that it collects stormwater.

Based on the results of the surface water hydrologic analysis performed for the project, water surface elevations for the receiving stormwater channels are approximately 1-foot or less (assuming a 2-foot wide channel) and channel velocities are not expected to be above 4 feet per second (fps), under all storm events.

Implementation of Mitigation Measure HWQ-4 would reduce the impact to less than significant by requiring the project to incorporate all necessary drainage and stormwater management systems, and to comply with all stormwater system design, construction, and operational requirements in the mitigation measure and by Mendocino County. In combination, the project's stormwater management components and compliance with mitigation measures and regulatory requirements act to preclude potentially adverse drainage and stormwater runoff impacts.

More specifically, the project drainage concepts will maintain the site's primary drainage patterns, and will modify and enhance drainage areas in order to accept developed stormwater discharged from the project site. Stormwater conveyance capabilities and capacities provided by the project will ensure that post-development stormwater runoff volumes and velocities do not exceed pre-development conditions. In addition, long term maintenance of stormwater controls would be required for compliance with the project's SWPPP.

**Impact TR-1: Conflict with an Applicable Plan, Ordinance, or Policy Establishing Measures of Effectiveness for the Performance of the Circulation System.**

Construction of the acceleration and deceleration lanes adjacent to SR 20 may require a temporary partial lane closure along SR 20 adjacent to the project site. Although such closures are anticipated to be of short-duration, they would temporarily alter the normal functionality of the highway and result in a temporary decrease in its overall performance and safety, including the potential for conflicts between construction vehicles with slower speeds and wider turning radii than autos and vehicles sharing the roadway, as well as confusion or frustration of drivers related to construction activities and traffic routing. The impact would be potentially significant.

**Mitigation Measure TR-1: Traffic Control Plan.**

The County and City shall require the construction contractor to prepare and implement an approved traffic control plan for the proposed construction activities. The plan shall conform to applicable provisions of the State's Manual of Traffic Controls for Construction and Maintenance Work Areas, shall include measures that address work that would occur within the Caltrans right-of-way, and shall include, but not necessarily be limited to, the following measures as applicable to site-specific conditions:

- Flaggers and signage shall be used to guide vehicles through and/or around the construction zone.

- Lane closures shall be limited during peak hours to the extent feasible. In addition, outside of allowed working hours, or when work is not in progress, roadways shall be restored to normal operations, where feasible, with all trenches covered with steel plates.
- Signs shall be provided to advise bicyclists and pedestrians of temporary detours around construction zones.
- Access to the CalFire helipad shall be maintained during construction by using steel trench plates. If access must be restricted for brief periods (more than one hour), CalFire shall be notified in advance of such closures.
- The contractor(s) shall be required to have ready at all times the means necessary to accommodate access by emergency vehicles, such as plating over excavations, short detours, and/or alternate routes.

**Finding: Mitigation Measure TR-1 would reduce to insignificance potential impacts on traffic flows and safety hazards during construction. Implementation of this mitigation measure is feasible and enforceable. Based upon the Final EIR and the entire record, the CJPA finds that the potentially significant project impact identified in Impact TR-1 will be mitigated to a less-than-significant level by the implementation of Mitigation Measure TR-1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects of the project on the environment (Pub. Res. Code §21081(a)(1); Cal. Code Regs. §15091(a)(1)).**

**Rationale:** Proper management of traffic during road construction is well understood and applied by Caltrans for work on State Highways, and this project wouldn't be an exception.

## 6.3 Impacts Found Not to be Significant, Thus Requiring No Mitigation

CEQA does not require a lead agency to make individual findings for impacts that are determined to be less than significant without mitigation (CEQA Guidelines §15091(a)). Impacts associated with the project deemed to be less than significant prior to mitigation are discussed in the EIR. For the following resources areas there either would be no impact or impacts would be less than significant:

- Aesthetics
- Agriculture and Forest Resources
- Greenhouse Gas Emissions
- Land Use and Planning
- Noise

In addition, certain impacts on other resources were deemed to be less than significant without mitigation or no impact, despite the need for mitigation on other impacts with respect to that same resource area, as listed below:

- **Air Quality and Odor** – The project would not conflict with or obstruct implementation of the applicable air quality plan (No impact, Draft EIR p. 3.3-7).
- **Biological Resources** – The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (No impact, Draft EIR p. 3.4-39).
- **Biological Resources** – The project would not have a substantial adverse effect on federally protected wetlands (No impact, Impact BIO-3, Draft EIR pp. 3.4-48 to 3.4-49).
- **Biological Resources** – The project would not interfere substantially with movement of native resident or wildlife species or with established native resident or migratory wildlife corridors, or impede use of native wildlife nursery (Less than significant, Impact BIO-4, Draft EIR p. 3.4-49).
- **Biological Resources** – The project would not conflict with local policies or ordinances protecting biological resources (Less than significant, Impact BIO-5, Draft EIR p. 3.4-49).
- **Biological Resources** – The project would not result in cumulatively considerable contribution to cumulative impacts related to biological resources (Less than significant, Impact BIO-C-1, Draft EIR pp. 3.4-49 to 3.4-50).
- **Cultural Resources** – The project would not result in cumulatively considerable contribution to cumulative impacts related to cultural resources (Less than significant, Impact CR-C-1, Draft EIR p. 3.5-9).
- **Geology and Soils** – The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (No impact, Draft EIR p. 3.6-7).
- **Geology and Soils** – The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving landslides, or 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 landslides (No impact, Draft EIR p. 3.6-7).
- **Geology and Soils** – The project would not have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems (Less than significant, Impact GEO-5, Draft EIR pp. 3.6-10 to 3.6-11).
- **Geology and Soils** – The project would not result in cumulatively considerable contribution to cumulative impacts related to geology and soils (No impact, Impact GEO-C-1, Draft EIR p. 3.6-11).
- **Hazards and Hazardous Materials** – The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (No impact, Draft EIR p. 3.8-7).

- **Hazards and Hazardous Materials** – The project would not 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 not create a significant hazard to the public or the environment (No impact, Draft EIR pp. 3.8-7 to 3.8-8).
- **Hazards and Hazardous Materials** – The project would not be 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, and thus would not result in a safety hazard for people residing or working in the project area (No impact, Draft EIR p. 3.8-8).
- **Hazards and Hazardous Materials** – The project would not be located within the vicinity of a private airstrip and thus would not result in a safety hazard for the people residing or working in the project area (No impact, Draft EIR p. 3.8-8).
- **Hazards and Hazardous Materials** – The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and would not 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 (Less than significant, Impact HAZ-3, Draft EIR p. 3.8-12).
- **Hazards and Hazardous Materials** – The project would not result in cumulatively considerable contribution to a significant cumulative impact related to hazards or hazardous materials (Less than significant, Impact HAZ-C-1, Draft EIR pp. 3.8-12 to 3.8-13).
- **Hydrology and Water Quality** – The project would not place housing within a 100-year flood hazard area as mapped on the federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map (No impact, Draft EIR p. 3.9-9).
- **Hydrology and Water Quality** – The project would not place structures within a 100-year flood hazard area which would impede or redirect flood flows (No impact, Draft EIR p. 3.9-9).
- **Hydrology and Water Quality** – The project would not 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 (No impact, Draft EIR pp. 3.9-9 to 3.9-10).
- **Hydrology and Water Quality** – The project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow (No impact, Draft EIR p. 3.9-10).
- **Hydrology and Water Quality** – The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge (Less than significant, Impact HWQ-2, Draft EIR pp. 3.9-13 to 3.9-14).
- **Hydrology and Water Quality** – The project would not result in a cumulatively considerable contribution to cumulative impacts related to hydrology and water quality (Less than significant, Impact HWQ-C-1, Draft EIR p. 3.9-18).
- **Noise** – The project is not 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, and thus would not expose people residing or working in the project area to excessive noise levels (No impact, Draft EIR p. 3.11-9).

- **Transportation** – The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways (No impact, Draft EIR pp. 3.12-4 to 3.12-5).
- **Transportation** – The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (No impact, Draft EIR p. 3.12-5).
- **Transportation** – The project would not substantially increase hazards due to a design feature or incompatible use (Less than significant, Impact TR-2, Draft EIR pp. 3.12-10 to 3.12-11).
- **Transportation** – The project would not result in inadequate emergency access (Less than significant, Impact TR-3, Draft EIR p. 3.12-11).
- **Transportation** – The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities (No impact, Impact TR-4, Draft EIR p. 3.12-11).
- **Transportation** – The project would not result in cumulatively considerable contribution to cumulative impacts related to transportation (Less than significant, Impact TR-C-1, Draft EIR pp. 3.12-12 to 3.12-14).

# 7. Finding Regarding Alternatives to the Project

The EIR evaluated two alternatives: the No Project Alternative and the Caspar Site Alternative. Under the No Project Alternative, solid waste in the coastal wasteshed would continue to be handled in the same manner as under existing conditions. Under the Caspar Site Alternative, a commercial transfer station would be placed at the existing Caspar site, toward the southern end of the existing facilities.

The No Project Alternative did not meet the objectives of the Project (reference Section 2.3, Project Objectives, of the Draft EIR on page 2.0-1) and hauling inefficiency would remain the same as under existing conditions. It, therefore, does not meet most of the project objectives, and for this reason the No Project Alternative is rejected.

The EIR found that the No Project Alternative is the environmentally superior alternative based solely on the fact that it has the fewest number of impacts to environmental resources, without giving weight to the relative importance of different impacts. According to CEQA Guidelines Section 15126.6(e), if the No Project Alternative is determined to be the environmentally superior alternative, and then the EIR shall also identify an environmentally superior alternative among the other alternatives. Among the other alternatives, the environmentally superior alternative is the proposed project as mitigated, given it would achieve greater reductions in

various environmental resource categories including aesthetics, air quality, energy consumption, greenhouse gas emissions, and transportation. CEQA Guidelines Section 15021(a)(2) states that a public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures that would substantially lessen any significant effect that a project would have on the environment. The project incorporates feasible mitigation measures that substantially lessen all environmental effects of the project.

**Finding: The No Project Alternative does not meet the objectives of the Project, and Alternative 2 (Caspar site) does not substantially lessen environmental impacts beyond those identified for the project.**

**Rationale:** As summarized in EIR Table 1-1, in Chapter 1, the project would have impacts to air quality, odors, biological resources, cultural resources, geology and soils, hydrology, and transportation, all of which have been mitigated to less than significant. Based on the analysis above, the No Project Alternative has greater impacts than the project under two resource categories (GHG emissions and energy) and fewer impacts under all other categories. Alternative 2: Caspar Site has greater impacts than the project under five resource categories (aesthetics, air quality, GHG emissions, energy, and traffic) with all other resource impacts being the same (odor, cultural, geology, and hazards) or less (biological resources, hydrology, and land use). The environmentally superior alternative, based on the analysis above, is the No Project Alternative because it has the fewest impacts to environmental resources. According to CEQA Guidelines Section 15126.6(e), if the No Project Alternative is determined to be the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Among the other alternatives, the environmentally superior alternative is the proposed project as mitigated, given it would achieve greater reductions in various environmental resource categories including aesthetics, air quality, energy consumption, greenhouse gas emissions, and transportation. Although it has greater impacts to biological resources than Alternative 2, the impacts have been fully mitigated and are outweighed by the beneficial impact to GHG emissions and energy consumption.