YOKAYO BIOFUELS, INC.

GRANT FOR IMPROVEMENTS AND EXPANSION OF AN EXISTING FACILTY

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION RECOMMENDATION

CALIFORNIA ENERGY COMMISSION

SITING, TRANSMISSION AND ENVIRONMENTAL PROTECTION DIVISION

1516 NINTH STREET
SACRAMENTO, CALIFORNIA 95814

JULY 2012

CEC-700-2012-005

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3. PREPARATION TEAM

Christina Snow, Planner II – STEP Division
Andrea Koch, Planner II – STEP Division
Elliott Lum, Planner II – STEP Division
John Hope, Planner II – STEP Division

PROPOSED MITIGATED NEGATIVE DECLARATION

PROJECT:

California Energy Commission Alternative and Renewable Fuel and Vehicle Technology Program Grant (Solicitation PON-11-601) to expand an existing biofuels production facility (Yokayo Biofuels, Inc.) located at 350 Orr Springs Road, Ukiah, California, 95482.

LEAD AGENCY:

California Energy Commission, Siting, Transmission and Environmental Protection Division
1516 9th Street, Sacramento, California 95814

BRIEF PROJECT DESCRIPTION:

THE PROPOSED PROJECT:
Yokayo Biofuels, Inc. is an existing biofuels facility located at 350 Orr Springs Road, Ukiah, California one and a half miles north of downtown Ukiah. The company produces and distributes biodiesel. The company collects used fryer oil from approximately 1,024 restaurants and other facilities throughout Mendocino, Sonoma, Lake, Napa, Solano, and Marin counties and converts this oil into biodiesel. The biodiesel is then distributed to retail pumps for use in automobiles.

Yokayo proposes to add a proprietary enzymatic biodiesel production process and expand their existing production by constructing new production, laboratory and storage facilities consisting of a steel-framed metal-roofed structure with three open sides, an enclosed laboratory, and an enclosed concrete building. Additional project expansion elements include the installation of two pipelines to connect the biodiesel vessels in the existing building with the vessels in the new buildings, and an additional pipeline to allow for the transport of methanol to the mixing vessel in the new building from a newly installed methanol vault storage tank.

The existing buildings onsite will be upgraded with venting, central heat and air conditioning, and a fire prevention sprinkler system. Other project features include a new loading dock, installation of a liquid nitrogen blanketing system to increase fire safety, resurfacing the onsite hardtop and installation of bioswales for stormwater runoff and incidental water needs, and improvements to the existing driveway.

The project is located on an existing industrial site that is fully developed.

EXECUTIVE SUMMARY

INTRODUCTION

The Initial Study (IS) contains the California Energy Commission (Energy Commission) staff's evaluation of the Yokayo Biofuels, Inc. proposed expansion and improvements, funded in part through the Energy Commission Alternative and Renewable Fuel and Vehicle Technology Program (ARFVT Program).

The Energy Commission, through the ARFVT Program, provides funding for the development and improvement of California-based biofuel production facilities that can sustainably produce low carbon transportation fuels and provide a fuel alternative that can reduce greenhouse gas emissions (GHG) and petroleum fuel demand while stimulating economic development.

Funding that is provided under the ARFVT Program for use in new or expanding alternative fuel facilities is subject to the California Environmental Quality Act (CEQA). In this IS staff examined potential impacts of the proposed Yokayo Biofuels, Inc. improvements and expansion.

Although the proposed project is being analyzed by Energy Commission Staff, it should be noted that the permitting of the proposed project is not within the Energy Commission's jurisdiction. The permitting authority for this project is Mendocino County. As a result, the proposed mitigation measures are recommended and it is the responsibility of Mendocino County to require these measures in their permitting process and should be implemented as requested.

BACKGROUND

Yokayo Biofuels, Inc. submitted an application for grant funding, dated February 22, 2012, in response to the Energy Commission Solicitation Notice PON-11-601, Biofuels Production Facilities competitive funding award process. The AFVRT Program evaluated the application and determined that the recipient was a candidate for the funding award. The applicant submitted application materials that included a CEQA worksheet to assist the Energy Commission in determining the appropriate lead agency and level of environmental analysis. It is determined that the Energy Commission is the lead agency with regard to the proposed improvements related to the grant funding.

The analyses contained in this Initial Study are based upon information from:

1. The application for the Yokayo Biofuels, Inc. facility;
2. The applicant;
3. The County of Mendocino;
4. Staff's independent investigations and analyses published as the Initial Study.

1. INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY

Yokayo Biofuels, Inc. submitted an application in response to an Energy Commission solicitation notice for available grant funds to be awarded to new, low carbon biofuel production facilities, or for projects that lower the carbon intensity of fuels produced at an existing biorefinery.

The Yokayo Biofuels expansion application was accepted and scored according to the ARFVT Program screening criteria and was selected for a grant award using grant eligibility requirements. The proposed expansion is a project under the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21065) and is subject to the requirements of the CEQA (Public Resources Code, § 21000 et seq.). Staff has prepared this Initial Study in accordance with CEQA and Title 20, California Code of Regulations (CCR) sections 1934 et seq. and 2300 et seq.

REVIEW PROCESS

The Energy Commission will conduct a hearing at which all parties will have an opportunity to comment on the IS and make recommendations on the grant award. The Commission will consider the application, staff's analysis, and any other evidence presented in the proceedings to determine whether to approve the grant funds for the Yokayo Biofuels, Inc. expansion project.

Title 14, California Code of Regulations section 15063 (d) states that an Initial Study shall contain the following items:

- A description of the project including the location of the project;
- An identification of the environmental setting;
- An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
- A discussion of the ways to mitigate the significant effects identified, if any;
- An examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls; and
- The name of the person or persons who prepared or participated in the Initial Study.

2. PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The Yokayo Biofuels, Inc. facility is located at 350 Orr Springs Road, Ukiah, California.

2.2 BACKGROUND AND PURPOSE

California Energy Commission Initial Study/Mitigated Negative Declaration for a grant award to expand an existing biofuels facility.

BACKGROUND AND SETTING:
Yokayo Biofuels, Inc. submitted an application to obtain grant funding from the Energy Commission's Alternative and Renewable Fuels and Vehicle Technology Program (AFVRT Program), dated February 22, 2012. The applicant sought funds to expand their existing biodiesel production plant and make improvements to existing onsite buildings and equipment.

The AFVRT Program selected the Yokayo Biofuels, Inc. facility to receive available grant funds in the amount of $1,860,330. With the awarded grant funds, Yokayo Biofuels, Inc. proposes to update and expand their biodiesel production process by constructing new production, laboratory and storage facilities consisting of a 4,500 square foot steel-framed metal-roofed structure with three open sides, an enclosed laboratory, and a 1,600 square foot enclosed concrete building. Two pipelines will be installed to connect the biodiesel vessels in the existing building with the vessels in the new buildings. A third pipeline will be installed to transport methanol to the mixing vessel in the new building from a newly installed methanol vault storage tank.

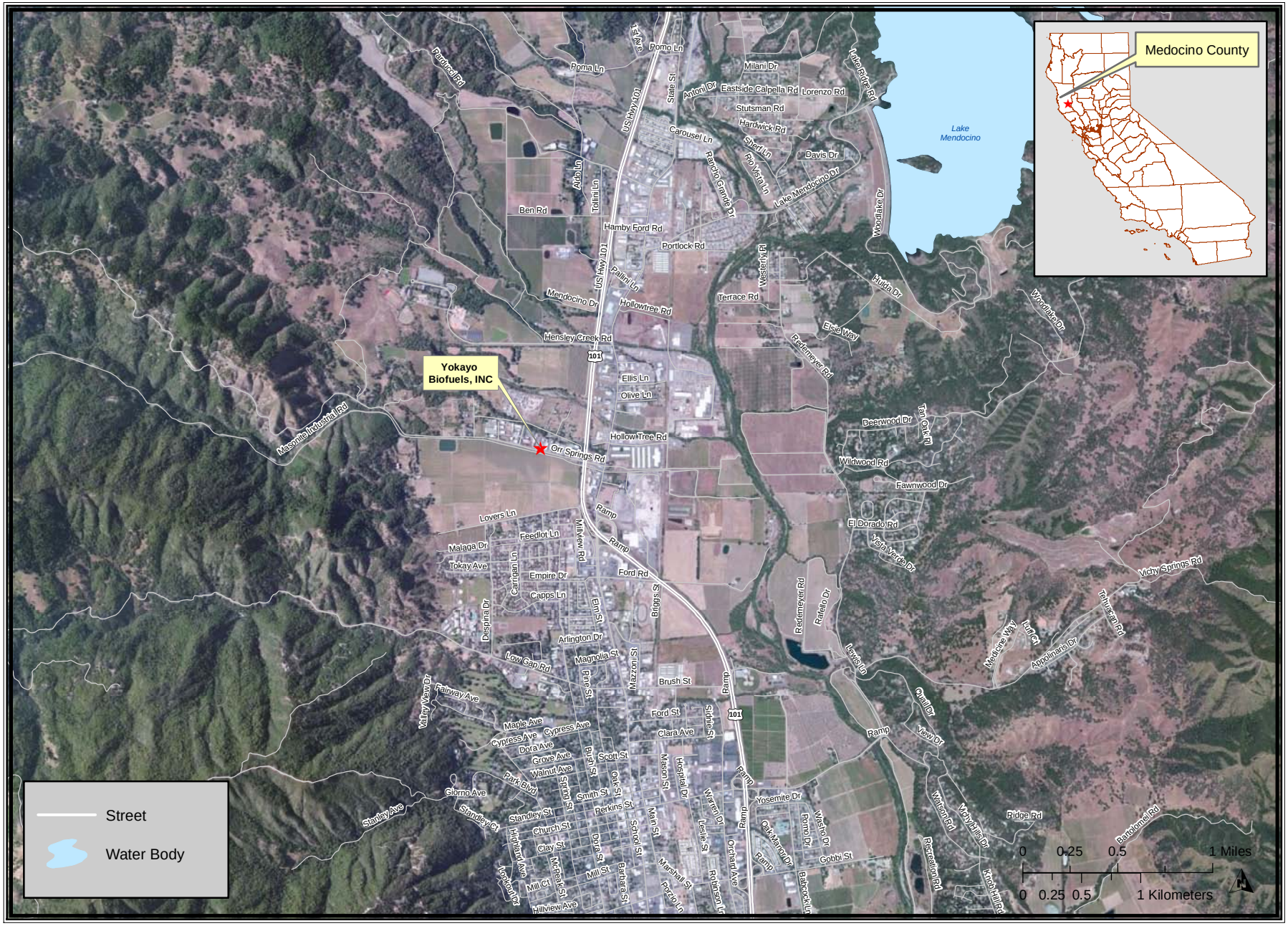
An existing pole barn on the northern portion of the property will be removed and replaced with the new steel-framed structure. An existing building located in the front southern portion of the property will be upgraded with venting, central heat and air conditioning, and a fire prevention sprinkler system. Other project features include a new 1,500 square foot loading dock, installation of a liquid nitrogen blanketing system to increase fire safety, resurfacing the onsite hardtop and installation of bioswales for stormwater runoff and incidental water needs, and improvements to the existing driveway.

The project is located on an existing industrial site that is fully developed and that is surrounded by industrial uses and agriculture operations.

The following figures are illustrative of the location and setting of the Yokayo Biofuels, Inc. biodiesel facility. The proposed new buildings will be constructed on the northern portion of the property. **Figure 1** illustrates the project's location within the regional setting; **Figure 2** is an aerial photograph which illustrates the current facility. **Figure 3** is a site plan indicating the proposed improvements.

PROJECT DESCRIPTION - FIGURE 1

Yokayo Biofuels, INC



PROJECT DESCRIPTION

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SOURCE: BING Imagery, and TeleAtlas 2010

PROJECT DESCRIPTION - FIGURE 2

Yokayo Biofuels, INC

PROJECT DESCRIPTION

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SOURCE: BING Imagery, and TeleAtlas 2010

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STATE OF CALIFORNIA

APPROVALS					
DESIGNED BY			APPROVED (DEPT MGR)		
CHECKED BY			APPROVED (PROJ MGR)		

Eichleay Engineers Inc. of California

1390 Willow Pass Road, Suite 600, Concord, CA. 94520
(925) 689-7000 * FAX (925) 689-7006

yokayobiofuels
fueling evolution

FACILITY RENOVATION ARCHITECTURAL SITE PLAN

SIZE: D	CREATED ON: 02/02/12	FILE # A101	
DRAFTER: RSM		DRAWING	SHEET / REVISION
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3. ENVIRONMENTAL CHECKLIST

PROJECT INFORMATION
1. Project Title: **Grant for Improvements and Expansion of an Existing Facility - A Catalyst for Success** 2. Lead Agency Name and Address: **California Energy Commission** **1516 Ninth Street** **Sacramento, CA 95814** 3. Contact Person and Phone Number: **Jacob Orenberg, Associate Energy Specialist, 916-654-3888** 4. Project Location: **350 Orr Springs Road, Ukiah, California** 5. Project Sponsor's Name and Address: **Yokayo Biofuels, Inc., 350 Orr Springs Road, Ukiah, California.** 6. General Plan Designation: **Limited Industrial** 7. Zoning: **I-1 Limited Industrial District** 8. Description of Project (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.): **See Attached Project Description** 9. Surrounding Land Uses and Setting**:** **Zoning District: I-1– Limited Industrial** **General Plan Designation – I- Limited Industrial** 10. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement): **Mendocino County** **Mendocino County Air Quality Management District** **North Coast Regional Water Quality Control Board**

DISCLAIMER

Staff members of the California Energy Commission prepared this report. As such, it does not necessarily represent the views of the Energy Commission, the State of California, its employees, contractors and subcontractors make no warrant, express or implied, and assume no legal liability for the information in this report; nor does any part represent that the uses of this information will not infringe upon privately owned rights. This report has not been approved or disapproved by the Energy Commission nor has the Commission passed upon the accuracy or adequacy of the information in this report.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED					
X	Aesthetics	X	Agriculture and Forest Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	X	Geology and Soils
X	Greenhouse Gas Emissions	X	Hazards and Hazardous Materials	X	Hydrology and Water Quality
X	Land Use and Planning	X	Mineral Resources	X	Noise
X	Population and Housing	X	Public Services	X	Recreation
X	Transportation / Traffic	X	Utilities and Service Systems	X	Mandatory Findings of Significance

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

Original Signed by Roger Johnson, Deputy Director
Signature

7/9/12
Date

Printed Name

Title

Agency

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.
b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and
b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

ENVIRONMENTAL SETTING

Visually, the area is predominantly industrial and agricultural in character. Structures along local and arterial streets include similarly sized warehouses and industrial buildings. Located immediately to the south of the site are agricultural parcels. Bordering the project site to the east and west are other industrial buildings and operations. The Pinoleville Indian Reservation is located within a quarter mile of the site to the north.

DISCUSSION

a) Have a substantial adverse effect on a scenic vista?

A scenic vista is typically defined as a view that includes remarkable or memorable scenery or a view of a natural or cultural feature that is indigenous to the area. The site is within a developed area just outside the City of Ukiah (City). The topography is flat and views of the eastern and western foothills are partially blocked by existing industrial structures bordering the project site. The immediate view to the south includes agricultural parcels (and, further out, residential development) that are typical of the area. As there is no place in the project vicinity with the level of scenic appeal that would distinguish a specific view as a scenic vista, the project would have ***NO IMPACT*** on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

According to the California Department of Transportation's Scenic Highway Mapping System, Highway 20 is the closest scenic highway to the project site. Highway 20 is approximately five miles north of the project site and the proposed improvements are all contained on the project site. The project would have ***NO IMPACT*** to scenic resources within a state scenic highway.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The site is a currently developed with an operational industrial biodiesel facility. The project consists of infrastructure improvements, including: two new buildings, piping, office, and bio-swales for storm-water runoff. All of the improvements would be contained on the existing project site and/or structures and would involve a relatively short, three month construction timeline. Public visibility of the new improvements and construction would be limited, as the majority of the improvements would be located in the rear of the project area (screened by existing structures, industrial operations, and trees) or underground. In addition, the area surrounding the project site is predominately industrial with agricultural operations to the south. Therefore, the project would have ***NO IMPACT*** with regard to the existing visual character or quality of the site and its surroundings.

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

According to the applicant, there will be five surface-mounted exterior security lights added to an existing building and three surface-mounted exterior security lights added to the proposed building. There will also be five smaller lighting fixtures added to the front of the building adjacent to the parking area.

However, these new lights will conform to the "Dark Sky" policies detailed in the 2009 Mendocino County General Plan for light pollution control.[1] Further, the project is bordered by industrial development and agricultural parcels. Given that the majority of the above-ground improvements would be behind an existing building and bordered by existing industrial operations and trees, the additional lighting would have a ***LESS THAN SIGNIFICANT*** impact as it is not anticipated that the project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

The proposed Yokayo BioFuels Project would not result in significant, adverse visual or aesthetic impacts.

[1] http://www.co.mendocino.ca.us/planning/pdf/fGPU_04_Resource_Element_MendocinoCoGP08.2009_08-18-09.pdf

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forest Resources.				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The project site is located on a 1.3-acre site within an area both designated and zoned Limited Industrial. According to the Department of Conservation Important Farmland 2010 Map, the project site is designated *Urban and Built-Up Land. Urban and Built-Up Land* is occupied by

structures with a building density of at least one unit to one and half acres or approximately six structures to a ten acre parcel.

Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control structures. Currently, the project site is not used for agricultural purposes.

DISCUSSION

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) designates the Yokayo Biofuels project site as “Urban and Built-Up Land.”

The project site does not contain any farmland with FMMP designations of Prime Farmland, Unique Farmland or Farmland of Statewide Importance and therefore would not convert farmland to non-agricultural use. Therefore, the Yokayo Biofuels project would have ***NO IMPACT*** with respect to farmland conversion.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

There are no existing agricultural uses present on the project site. The Yokayo Biofuels project and surrounding area are not located within lands under a Williamson Act Contract and as a result, would not conflict with any Williamson Act Contracts and would have ***NO IMPACT***.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The project site is not zoned for forest land, timberland, or for timberland production. Therefore, there would be no conflict with or cause for rezoning of forest land or timberland and as a result there would be ***NO IMPACT*** to forest land or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site does not contain forest land and therefore would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore the project would have ***NO IMPACT***.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The project would not involve other changes in the existing environment as the project site and surrounding areas are industrial in nature and do not contain Farmland or forest land. ***NO IMPACT*** would result to farmland conversion.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

The proposed Yokayo Biofuels Project would not result in significant, adverse impacts to agricultural or forest resources.

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

ENVIRONMENTAL SETTING

The proposed project is located within the Mendocino County Air Quality Management District (District). The facility will need to renew their existing air permit with the local District. As an aspect of this permit review, the Air Pollution Control Officer (APCO) will determine whether the project would need additional environmental review (Mendocino AQMD 2012). If the APCO determines that additional environmental review is needed, the District would conduct that review as part of their permit renewal.

This portion of Mendocino County is non-attainment for the state PM10 Standard (Mendocino AQMD 2012). The county is an attainment area for all federal ambient air quality standards and all state standards except PM10. The District encourages the paving of all access roads in populated areas and the use of dust suppressants on all unpaved roads (excluding roads associated with agricultural operations).

The primary sources of PM10 are wood combustion emissions, fugitive dust from construction projects, automobile emissions and industry. Some of the automobile emissions are the result of “pass-though” traffic on Highway 101 because of its nature as a major transportation corridor in the state. The District has full monitoring stations (NOx, Ozone, CO and PM10) in both Ukiah and Willits. A PM2.5 monitor has been established in Ukiah. Both Ukiah and Willits

have had PM10 exceedances in the past. Winter cold-air inversions are common in the valleys from November to February.

DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

Yokayo Biodiesel has an existing permit and will be subject to the Mendocino County Air Quality Management District's (MCAQMD) requirements. Although the area is non-attainment for PM10, the proposed construction activities are minor in nature and the project will not conflict or obstruct implementation of the applicable air quality plan. However, a mitigation measure is recommended to ensure that the construction activities do not increase fugitive dust emissions. With the proposed mitigation measure, the impacts will be ***LESS THAN SIGNFICANT.*** Operational impacts of the proposed modification are not anticipated to cause a significant increase in vehicular traffic.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

No. Construction emissions of PM10 will be short-term and the degree of earth-working activities needed for facility expansion is not expected to cause a substantial increase in PM10 emissions. Staff has included a mitigation measure to ensure that impacts from construction activities do not violate any air quality standards. With the proposed mitigation measure, the impacts will be ***LESS THAN SIGNFICANT*** Operational impacts of the proposed modification are also not likely to cause a significant increase in vehicular traffic.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The MCAQMD recommends using the Bay Area Air Quality Management District (BAAQMD) California Environmental Quality Act, Air Quality Guidelines (BAAQMD 2011). These Guidelines state that for a project that does not individually have significant operational air quality impacts, the determination of a significant cumulative air quality impact is based upon an evaluation of the consistency of the project with the local general plan and of the general plan with the most current Clean Air Plan (CAP). The proposed project, redevelopment of an industrial site, is consistent with Mendocino County's general plan and the assumptions in the current CAP. The project, therefore, would not result in a significant cumulative impact. Therefore, this impact is ***LESS THAN SIGNIFICANT***.

d) Expose sensitive receptors to substantial pollutant concentrations?

The site is industrial and is developed as a biodiesel facility. The implementation of the new technology proposed reduces toxic emissions by eliminating the use of potassium hydroxide flakes and improving the methanol vapor collection system.

The closest sensitive receptor is the Pinoleville Head Start (identified as a school by Google Earth), which is located about 0.2 mile northeast of the proposed location of the new process building (on the northern portion of the site). All local medical facilities and retirement facilities identified by Google Earth are located at least 1.75 miles to the southeast, in Ukiah. As a result of the new biodiesel process and the decreased toxic emissions, the Yokayo Biodiesel project would not expose sensitive receptors to substantial pollutant concentrations. The expansion and improvement would be ***LESS THAN SIGNIFICANT***.

e) Create objectionable odors affecting a substantial number of people?

The site is industrial and the project is currently operational. The Yokayo Biodiesel project is not anticipated to create odors that would be objectionable and impact the surrounding population. The project will have ***NO IMPACT*** with regard to objectionable odors.

PROPOSED MITIGATION MEASURES

AIR QUALITY-1: The applicant shall consult with the District to ensure that project construction activities do not increase fugitive dust emissions to be consistent with the District's PM10 air quality plan.

CONCLUSION

The proposed Yokayo Biodiesel project is not anticipated to create significant impacts and to ensure that impacts remain less than significant during project construction, the proposed mitigation measure is recommended.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife	☐	☐	☒	☐

	Service?				
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The proposed project is located on a developed industrial site surrounded by developed industrial parcels on the west, east and north. Although the site is developed and currently used as a biodiesel facility, the northern portion of the site contains several trees. An actively farmed vineyard is located across Orr Springs Road and Masonite Industrial Road to the south.

DISCUSSION

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

The project is on an existing developed industrial site that is paved and surrounded by developed industrial parcels that are in operation and an actively farmed vineyard is across two roadways to the south of the project. Although all project improvements will be onsite and the site is developed, there are mature trees that line the northern portion of the property which could provide nesting habitat for birds. Staff is proposing a mitigation measure (**BIO-1**) to ensure that no impacts to nests occur as a result of the proposed project and that impacts will be mitigated to ***LESS THAN SIGNIFICANT***.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

As indicated above, the project site is already developed and paved, and is surrounded by developed industrial sites. No habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service occur on or surrounding the project site and there will be ***NO IMPACT*** to these natural communities by the proposed project improvements.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

There are no federally protected wetlands on the project site that would be adversely impacted by the project improvements/expansion. ***NO IMPACTS*** will occur to federally protected wetlands as defined by the Section 404 of the Clean Water Act.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project improvements/expansion will occur on a developed industrial site that is surrounded by active industrial and agricultural uses. Additionally, Highway 101 is approximately a quarter of a mile to the east. The project improvements and expanded facilities will all occur onsite and will not interfere with the movement of any native resident or migratory fish or wildlife species, or impeded the use of native wildlife nursery sites. ***NO IMPACT*** will occur.

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

The project site is designated as Limited Industrial in Mendocino County's General Plan and zoned Limited Industrial District and is developed accordingly. The project improvements and biodiesel production expansion will occur onsite and will not conflict with local policies or ordinances protecting biological resources. Therefore, ***NO IMPACTS*** will occur as a result of the proposed project.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is located within an urban area that is developed with industrial uses. The area directly south of the project site is an actively farmed grape vineyard. There are no Habitat Conservation Plans, Natural Community Conservation Plan, or other local, regional, or state plan that covers the project area. There is one Natural Communities Conservation Plan in Mendocino County that is currently in the planning phase and that plan area occurs in the redwood community in the western portion of the county and west of the entire Ukiah planning area. ***NO IMPACTS*** to such plans will occur.

PROPOSED MITIGATION MEASURES

BIO-1: To avoid disturbance to nesting activity to the extent feasible, preconstruction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed construction activities. Surveys shall be conducted to determine if active nesting is occurring. If active nests are found on or immediately adjacent to the site, survey results shall be submitted to Mendocino County and the California Department of Fish and Game and consultation shall be initiated to determine appropriate avoidance measures. If no nesting is found to occur, construction activities can proceed.

CONCLUSION

Implementation of the above mitigation measure would ensure that the project would have a ***LESS THAN SIGNIFICANT IMPACT*** to biological resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The site is currently being used for biofuels production and is fully developed with two structures, a cement warehouse and pole barn. The project activities include the removal of the pole barn and the erection of a pre-fabricated steel-framed metal-roofed structure and the addition of an enclosed laboratory. The existing cement warehouse will be improved with a loading dock and internal upgrades. Three pipelines will be installed underground that run between the buildings to aid in the biodiesel process. Additional piping onsite will be installed for the storm drainage system.

DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

There are two existing buildings on the site. The building in the front southern portion of the site is a cement building that will be retained and improved. The second structure, the pole barn, is located in the rear northern portion of the property and will be removed and replaced with a new steel structure building with open sides and an adjacent cement laboratory. Based upon historic aerials and topographic maps, the two existing buildings on the project site are not historic and were constructed between 1972 and 1978. The proposed project activities would have ***NO IMPACT*** on any historic buildings.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

The project construction activities include installation of three pipelines on the project site and additional trenches will be dug to install the storm drain system. The approximate total linear feet of new piping will be 150 feet and the trenching activities will vary from two to five feet in depth. A record search has not been conducted for the proposed project site and therefore, staff is proposing mitigation measures to ensure that any potential significant impacts will be reduced to a less than significant level. With the proposed measures any potential impacts to an archaeological resource will be ***LESS THAN SIGNIFICANT***.

c) Disturb any human remains, including those interred outside of formal cemeteries?

It is unlikely that human remains would be disturbed during the construction or operation of the proposed project. However, although unlikely, the discovery of human remains during ground disturbance is always a possibility. If human remains are discovered during project construction, these finds would be dealt with in accordance with State of California Health and Safety Code Section 7050.5. This code section dictates the treatment of such finds and states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately if a find is made and all work in the immediate area must cease. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification, and may recommend removal and nondestructive analysis of human remains and items associated with Native American burials. Compliance with State of California Health and Safety Code Section 7050.5 would reduce the potential for significant impacts to occur in the unlikely event that human remains are found on the site during construction. Therefore, impacts would be ***LESS THAN SIGNIFICANT***.

PROPOSED MITIGATION MEASURES

CUL–1: The applicant shall retain an archaeologist meeting the Secretary of the Interior's Qualification Standards (Qualifications) to complete a records search for the project site at the appropriate California Historic Resource Information System (CHRIS) Information Center (IC). The applicant shall submit the proposed archaeologist's qualifications to the County for review and approval prior to executing a contract with the archaeologist. County staff shall have the authority to deny a proposed archaeologist should the resume of the proposed archaeologist fail to demonstrate how they meet the Qualifications.

CUL-2: The designated archaeologist shall request a search of the Sacred Lands files at the Native American Heritage Commission (NAHC).

CUL-3: The applicant shall submit the results of the IC and NAHC searches to County staff for review prior to the commencement of ground disturbance activities. Depending on the results County staff shall determine if these mitigation measures are sufficient and the project can proceed or if additional mitigation measures are necessary.

CUL-4: The designated archaeologist shall monitor all excavation and excavation-related activities for indications of subsurface archaeological deposits pertaining to the proposed project. Should cultural materials be discovered, the archaeologist shall have the authority to halt excavations. The archaeologist shall document any find to the extent possible on the appropriate Department of Parks and Recreation (DPR) 523 forms. Documentation shall include photographs, written descriptions, measurements, and any additional pertinent information.

CUL-5: At the conclusion of excavation-related activities, the designated archaeologist shall prepare a written letter report documenting the results of the monitoring activities and attach any DPR 523 forms that were prepared. The letter report and attachments shall be submitted to the appropriate IC and Mendocino County within 30 days of the conclusion of excavation-related activities. The applicant shall submit the letter report and attachments to County within 15 days of the completion of the ground disturbance.

CONCLUSION

With implementation of the above proposed mitigation measures, the project would have a less than significant impact to cultural resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Geology and Soils. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of	☐	☐	☐	☒

	topsoil?				
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The geology and paleontology section discusses potential impacts of the proposed Yokayo Biofuels project regarding geological hazards, geological (including mineralogical) and paleontological resources, and soils.

Site Geology

The proposed Yokayo Biofuels project site is located on Urban Land and Pinole very gravelly loam. The site is overlain in alluvium derived from sedimentary rock made up of gravelly clay loam. No known faults occur at the site.

The majority of the project site is categorized as Urban Land of which is not rated for soil qualities and is representative of the existing conditions at the project site. For these reasons, soil types are considered well suited for project construction. Soil types encountered at the project site are not likely to present significant challenges with respect to construction.

Site Seismicity

Energy Commission staff reviewed the California Department of Conservation, California Geological Survey, publication “Geological Map of California,” dated 2010 (CDC 2010). No known faults cross the proposed project site. The closest known active fault is the Maacama Fault located approximately 1.5 miles east of the site. The Maacama Fault has generated only a few moderate earthquakes in history. However, the Maacama Fault has an abundance of micro-earthquakes (less than magnitude 3) associated with it. The strongest earthquake with a magnitude 5.6 was reported to have occurred in the Ukiah area in 1869. In addition, several earthquakes within the magnitude range 4 were recorded in the Ukiah area between 1977 and 1978 (Mendocino County 2009:3-50).

Liquefaction, Hydrocompaction, Subsidence, Expansive Soils, Landslides, and Erosion

Liquefaction is a condition in which cohesion-less soil may lose shear strength due to a sudden increase in pore water pressure. Soils beneath the proposed project site include dense sandy to gravelly soils intermixed with silty sands and clay. Although the dense in-situ soils indicate that the potential for liquefaction at the facility is negligible, the project site is located in an area identified with liquefiable soils (Mendocino County 2009:3-51).

Due to the dense nature of the soils, significant dynamic compaction at the site is also considered to be low. In addition, the potential for lateral spreading is considered to be negligible because of the low topographic relief at the site.

Hydrocompaction is the process of the loss of soil volume upon the application of water. The soils at the site are dense enough that hydrocompaction is not considered to be a significant problem at the project site.

Ground subsidence in the vicinity of the project is typically related to the localized drawdown of aquifers, so that the soil column in the aquifer compacts under its own weight without the presence of water to hold open the void space between soil particles. The ground water surface elevation in the region has not been noted to have substantially dropped. The proposed project would not use ground water so the potential for ground subsidence by ground water withdrawal would not increase with implementation of the project.

Soils that contain a high percentage of expansive clay minerals are prone to expansion, if subjected to an increase in water content. Expansive soils are usually measured with an index test such as the expansive index potential. In order for a soil to be a candidate for testing, the soil must have high clay content and the clay must have high shrink-swell potential and high plasticity index. The majority of the project site is categorized as Urban Land of which is not rated for soil qualities and is representative of the existing conditions at the project site. For these reasons, soil types are considered well suited for project construction and are not likely to be prone to significant soil expansion.

Landslide potential is considered to be negligible because the proposed project site is located in an area with a slope of less than 1 percent.

Soil types anticipated to be encountered during the construction of the project site are not highly susceptible to erosion because of the existing developed condition of the site. However, the Applicant has indicated that adequate sedimentation and erosion controls will be employed through the use of bioswales for stormwater runoff during construction and operation of the project. This subject is dealt with further in the Hydrology and Water Quality Section of this initial study.

Geological, Mineralogical, and Paleontological Resources

There are no known geological or mineralogical resources located at or immediately adjacent to the proposed Yokayo Biofuels site. The proposed project site has been disturbed in the past and is not likely to contain significant paleontological resources in-situ.

DISCUSSION

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault

The proposed Yokayo Biofuels site is not located on a fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist. ***NO IMPACTS*** would occur.

ii) Strong seismic ground shaking?

The proposed project site is not located on any known faults. The closest known active fault is the Maacama fault located approximately 1.5 miles east of the site. The strongest earthquake recorded in the Ukiah area was magnitude 5.6. The California building standards require design of buildings to be earthquake resistant. Design and construction of the proposed project would be required to meet the California building standards which would ensure project-related structures are capable of withstanding seismic ground shaking the project area. ***LESS THAN SIGNIFICANT*** impacts would occur.

iii) Seismic-related ground failure, including liquefaction?

Soils at the proposed Yokayo Biofuels project site include dense sandy to gravelly soils intermixed with silty sands and clay. Although the dense in-situ soils indicate that the potential for liquefaction at the facility is negligible, the project site is located in an area identified with liquefiable soils (Mendocino County 2009:3-51). However, the project site has previously been developed for industrial uses and implementation of the proposed project would not change the overall existing soil qualities at the project site. Construction and operation of the proposed project is not anticipated to result in seismic-related ground failure, or specifically liquefaction, because existing industrial development at the project site has not exhibited liquefaction.

Due to the dense nature of the soils, significant dynamic compaction at the site is also considered to be low. Lastly, low topographic relief at the site would limit the potential for lateral spreading and is considered to be negligible. ***NO IMPACTS*** would occur.

iv) Landslides?

The proposed project site is located in an area with a slope of less than 1 percent; therefore, the potential for landslides is considered to be negligible. ***NO IMPACTS*** would occur.

b) Result in substantial soil erosion or the loss of topsoil?

Soil types anticipated to be encountered during the construction of the project site are not highly susceptible to erosion because the project site has been developed in the past. However, the Applicant has indicated that adequate sedimentation and erosion controls will be employed through the use of bioswales for stormwater runoff during construction and operation of the project. ***NO IMPACTS*** would occur.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Dense in-situ soils indicate that the potential for liquefaction at the facility is negligible. Due to the dense and previously developed nature of the soils, significant dynamic and hydrocompaction compaction at the site is also considered to be low. Due to the low topographic relief at the site, the potential for lateral spreading is considered to be negligible.

Ground water surface elevation in the region has not been noted to have substantially dropped. The potential for ground subsidence by ground water withdrawal would not increase with implementation of the project because the project would not use ground water. There would be ***NO IMPACT*** as a result of the proposed project.

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

The majority of the project site is categorized as Urban Land of which is not rated for soil qualities and is representative of the existing conditions at the project site. The developed condition of soil types at the project site are considered well suited for project construction and are not likely to be prone to significant soil expansion. ***NO IMPACTS*** would occur.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The proposed project would not use septic tanks or onsite sewer system to dispose waste water. ***NO IMPACTS*** would occur.

PROPOSED MITIGATION MEASURES

None proposed or required.

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CONCLUSION

The proposed Yokayo Biofuels project would have a ***LESS THAN SIGNIFICANT IMPACT*** related to geology and soils.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

Greenhouse gas emissions are of concern because of global climate change (GCC), which is generally accepted by the scientific community to be caused by Greenhouse Gases (GHGs). Climate change issues are widely discussed scientific, economic, and political issues in the United States. Briefly

stated, GCC is the cumulative change in the average weather of the earth that may be measured by changes in temperature, precipitation, storms, and wind. GHGs are gases that trap heat in the atmosphere. The scientific and policy communities in the State of California have collectively concluded that a significant and growing scientific body of evidence supports the need for regulating GHG emissions. Worldwide, California is estimated to be a significantly large emitter of carbon dioxide, and this fact has added to the impetus behind California's leadership in this area. California is exercising climate change leadership in two significant efforts: one, the passage and implementation of Assembly Bill 32 (AB32), "California Global Warming Solutions Act of 2006", designed to significantly reduce existing GHG emissions in the State of California; and two, in the analysis of environmental impacts of new GHG emissions related to discretionary project approvals under the California Environmental Quality Act (CEQA).

Due to the global nature of climate change issues, large-scale, programmatic efforts such as AB32 are required to address and resolve this issue. Local entities contribute by doing their part by requiring best practices for construction, and use of low-carbon fuels in their local fuel uses. This project will contribute to that effort by expanding the local and regional availability of low-carbon fuels.

DISCUSSION

Existing operations at Yokayo Biofuels produce approximately 300,000 gallons per year of low-carbon biodiesel fuel which is purchased at a premium by its customers as their contribution to overall efforts to displace petroleum and reduce GHG emissions. Their current product offering is estimated to have a carbon intensity of the production process of only 11.76 grams of carbon per mega-Joule of fuel (gCO2/MJ) compared to conventional petroleum diesel at 93.08 gCO2/MJ (an 87 percent reduction over conventional diesel). The proposed project would expand production to over 700,000 gallons of biodiesel per year and improve their production process to further reduce the carbon intensity of the fuel to only 8.82 gCO2/MJ (a 90+ percent reduction compared to conventional diesel). Expanding this facility to 700,000 gallons of biodiesel would displace nearly 14 million pounds of CO2 per year once the project becomes fully operational. The modest amount of GHGs emitted to expand and operate this facility would be more than fully offset by the carbon reductions achieved by displacing conventional diesel fuel.

The existing product offering significantly reduces carbon dioxide emissions for those entities that use it; the fact that proposed expansion would more than double production while reducing the carbon intensity (approximately 25 percent) will further statewide efforts to address global climate change issues.

PROPOSED MITIGATION MEASURES

None needed or required.

CONCLUSION

The proposed Yokayo Biofuels project would have ***NO IMPACT*** related to greenhouse gas emissions and climate change.

ENVIRONMENTAL ISSUES	Potentially Significant	Less Than Significant	Less Than Significant	No Impact

	Impact	with Mitigation Incorporated	Impact	
VIII. Hazards and Hazardous Materials Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas where residences are intermixed with wildlands?	☐	☐	☒	☐

ENVIRONMENTAL SETTING

The project would use methanol, liquid nitrogen, and catalysts for biodiesel production. Of these, methanol has the potential to be hazardous and is of concern.

DISCUSSION

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The facility would use methanol (methyl alcohol), a flammable material routinely produced and transported in large volumes. The project would involve transportation of approximately 16 loads of methanol annually, a reduction from the 26 loads the existing facility transports annually. (This reduction in loads is due to the project's addition of a large on-site methanol storage tank.) The project's reduced frequency of methanol transportation would reduce the probability of an accident or spill on roadways and highways.

Spills during transportation of methanol happen very infrequently, but precautions must be taken to reduce the potential of a spill which could create hazards for the public. Precautions for methanol transportation are much the same as those for ethanol, gasoline, MTBE, jet fuel (kerosene), and other distillates. Methanol transportation must comply with Title 49 of the Code of Federal Regulations, and transportation routes must be approved by the California Highway Patrol.

To mitigate any potential impacts from methanol transportation, staff has included a mitigation measure at the end of this section.

As for the use and disposal of methanol and any minor hazardous materials that could be used on-site, hazardous materials handling regulations are enforced by various State agencies, such as the California Occupational Safety and Health Administration (OSHA) and the California Department of Toxic Substances Control (DTSC). Depending on site-specific requirements and volumes present, hazardous materials handling regulations require process hazard analyses, process safety management plans, spill response plans, fire protection systems, and secondary containment facilities to reduce the likelihood of any releases occurring, and to reduce the likely impacts should a release occur. To mitigate any potential impacts from the use and disposal of methanol, staff has included a mitigation measure at the end of this section. Impacts would be ***LESS THAN SIGNIFICANT WITH MITIGATION***.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?

There are no reasonably foreseeable upset and accident conditions. Therefore, impacts would be ***LESS THAN SIGNIFICANT***.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Pinoleville Head Start is located approximately 0.20 mile northwest of the project site. Although methanol is not acutely hazardous and would not generate emissions, it is a hazardous

substance that could cause impacts if improperly handled, mainly due to its flammability. Mitigation Measure **HAZ-2**, described below, would reduce the possibility of impacts to the school by ensuring the project owner's compliance with Federal and State regulations related to the use and storage of hazardous materials. Impacts would be ***LESS THAN SIGNIFICANT WITH MITIGATION***.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Section 65962.5(a)(1) requires that the California Department of Toxic Substances Control (DTSC) "compile and update as appropriate, a list of all the facilities that are listed as a hazardous waste facility subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code". The project site is not on that list. Therefore, the project would generate ***NO IMPACT.***

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The nearest airport is Ukiah Municipal Airport, approximately 3 miles south of the project. According to the Mendocino County Airport Comprehensive Land Use Plan, the proposed project would not be located within the area covered by the Ukiah Municipal Airport Compatibility Map. Therefore, the project would not be located within an airport land use plan or within two miles of a public airport or public use airport. The project would not result in an aviation-related safety hazard for people residing or working in the project area, and the project would generate ***NO IMPACT.***

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

There are no private airstrips within 20 miles of the project site. Therefore, the project would not result in a safety hazard for people residing or working in the project area, and the project would have ***NO IMPACT***.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed project involves on-site improvements to an already developed site, and therefore would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, such as the Mendocino County Emergency Operations Plan or the Multi-Hazard Mitigation Plan. Also, the project would not significantly impact level-of-service on nearby streets, and would therefore not obstruct any routes that would be used during an emergency. The project would have ***NO IMPACT***.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project, located in an urbanized area just north of the boundaries of the City of Ukiah, is surrounded by industrial and agricultural uses. Wildlands are located approximately 0.75 mile to

the west. Because the project is an improvement located on an already developed site in an urbanized area, and because the project involves the addition of just 8 employees, impacts associated with exposing people or stuctures to loss, injury or death from wildland fires is ***LESS THAN SIGNIFICANT***. The applicant proposes installation of a fire suppressing sprinkler system in each building and would comply with Mendocino County Fire Department regulations as part of the building permit process; this would further reduce any risk.

PROPOSED MITIGATION MEASURES

HAZ-1: The project owner shall obtain the necessary permits and/or licenses for the transportation of hazardous materials from the California Highway Patrol, Caltrans, and any relevant local jurisdictions. The project owner shall ensure compliance with all applicable regulations, including Title 49 of the Code of Federal Regulations, and implementation of the proper procedures.

HAZ-2: The project owner shall comply with all relevant Federal and State regulations related to the use and storage of hazardous materials, including California Occupational Safety and Health Administration (OSHA) and California Department of Toxic Substances Control (DTSC) regulations.

CONCLUSION

The project's Hazards and Hazardous Materials impacts would be less than significant with mitigation.

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

levee or dam?

j) Inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☒

ENVIRONMENTAL SETTING

Land uses in the vicinity of the proposed Yokayo Biofuels project site consist of agricultural, industrial, and rural residential. The Yokayo Biofuels project would be constructed adjacent to property that is currently industrial uses. The project site is located at the north end of Ukiah, California, and approximately one-quarter mile west of Highway 101. The project site is located on flat topography with a maximum relief across the area of approximately 8 feet. The Ukiah area is located at the headwaters of the Russian River. Numerous tributaries and runoff swales to the Russian River extend through the Ukiah area with one tributary located approximately one-quarter mile north of the project site. These tributaries or swales provide storm water drainage for the area.

DISCUSSION

a) Violate any water quality standards or waste discharge requirements?

The proposed project would not increase water or wastewater discharges from the project compared to existing operating conditions. ***NO IMPACTS*** would occur.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

The proposed project would not utilize groundwater supplies for production of biofuels. ***NO IMPACTS*** would occur.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

The Yokayo Biofuels project site is currently developed and disturbed. An existing drainage swale borders the northern project boundary. However, no construction activities would occur in the drainage swale. Although implementation of the project would involve constructing new structures (i.e., steel-framed metal-roofed structure with three open sides, enclosed laboratory, enclosed concrete building), large amounts of grading of the site would not be necessary. Lastly, construction of the new structures would not substantially increase the amount of impervious surfaces on the project site compared to existing conditions. The Applicant would also employ sedimentation and erosion controls, such as bioswales, for stormwater runoff during construction and operation of the project. Therefore, the proposed project would not alter existing drainage patterns of the site or area that could result in substantial erosion or siltation. ***LESS THAN SIGNIFICANT*** impacts would occur.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

The Yokayo Biofuels project site is currently developed and disturbed. An existing drainage swale borders the northern project boundary. However, no construction activities would occur in the drainage swale. Although the project would involve construction of new structures, the new structures would not substantially increase the amount of impervious surfaces on the project site compared to existing conditions. ***LESS THAN SIGNIFICANT IMPACTS*** would occur.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The Yokayo Biofuels project site is currently developed and disturbed. An existing drainage swale borders the northern project boundary. However, no construction activities would occur in the drainage swale. Although the project would involve construction of new structures, the new structures would not substantially increase the amount of impervious surfaces on the project site compared to existing conditions. In addition, the proposed project would construct a new stormwater drainage system onsite sized appropriately to serve improvements to the site (e.g., buildings). Implementation of the proposed project would not contribute runoff water which would exceed the capacity of the existing swale or proposed new stormwater drainage system or substantially increase any source of polluted runoff. ***LESS THAN SIGNIFICANT IMPACTS*** would occur.

f) Otherwise substantially degrade water quality?

The proposed project would not involve construction or operational activities that would result in substantially degrading water quality. Please refer to discussions provided for c), d), and e) above. ***NO IMPACTS*** would occur.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The proposed project does not involve construction of any housing. Therefore, the project would not place housing within a 100-year flood hazard area. ***NO IMPACTS*** would occur.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The closest 100-year flood hazard area is located approximately one quarter mile to the north of the project site. Therefore, the project would not place any structures within a 100-year flood hazard area. ***NO IMPACTS*** would occur.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

The closest dam is the Coyote Dam, which forms Mendocino Lake, located approximately 2 miles to the northeast of the project site. The Russian River outflows from this dam and the Russian River is located approximately 1 mile to the east of the project site. Although the project site would be considered downstream of the Coyote Dam, the proposed project would not locate large numbers of people on site and sufficient emergency egress is currently available at the project site if the Coyote Dam were to fail. Therefore, the proposed 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 dam. ***LESS THAN SIGNIFICANT IMPACTS*** would occur.

j) Inundation by seiche, tsunami, or mudflow?

The project site is not located adjacent to a large body of water (e.g., lake, ocean). In addition, topography of the project site is primarily flat with an overall change in elevation of approximately 8 feet. Therefore, the potential for the project site to be inundated by a seiche, tsunami, or mudflow does not exist. ***NO IMPACTS*** would occur.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

No significant impacts to water quality or hydrology would occur with the proposed project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Land Use and Planning. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The Yokayo Biofuel Diesel facility is located within a limited industrial area just outside of the City of Ukiah in Mendocino County. The project site is by industrial uses to the north, east and west and an active vineyard lies south across Orr Springs Road and Masonite Industrial Road. Scattered residences occur further north of the project site.

DISCUSSION

a) Physically divide an established community?

The project site is located within an industrial area surrounded by other industrial uses. South of the site contains active agricultural uses (vineyards) on large tracts of land. The project will not divide an established community and will have ***NO IMPACT***.

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

The General Plan designation for the proposed site is Limited Industrial and the Zoning is a Limited Industrial District. This district allows for custom manufacturing and general industrial uses. The term general industrial refers to uses such as industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products (including aggregate processing plants).

The project is currently operational and is an allowed use on the site. All building improvements and expansion work will require approvals from Mendocino County. The proposed project will have ***NO IMPACT*** as it will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site does not fall within a habitat conservation or a natural community conservation plan. Based on the historic and current industrial use on site and the surrounding industrial zoning the proposed project site is devoid of native vegetation except for the mature trees lining the northern portion of the site. Therefore, the project would not conflict with any habitat conservation plan or natural community conservation plan and would have ***NO IMPACT***.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

The proposed Yokayo Biofuels project would not result in significant, adverse land use impacts.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Mineral Resources. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The project site is located in an area that is not known to contain mineral resources. According to the Menodocino General Plan (August 2009), the most predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel.

DISCUSSION

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

NO IMPACTS to mineral resources are anticipated as the area is not known to have mineral resources.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The project site and surrounding area is developed as industrial and agricultural uses and has not been designated as a high mineral area in the Mendocino General Plan, other land use plan or the Department of Conservation maps. Therefore, there would be ***NO IMPACT***.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

No impacts to mineral resources are anticipated from the completion of this project, and no mitigation is required.

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

ENVIRONMENTAL SETTING

The Yokayo Biofuels project site would be located at 350 Orr Springs Road in Ukiah, California, approximately a quarter mile west of Highway 101. The terrain in the general vicinity of the site is essentially flat with full grown trees along the northern property boundary and rural residential land uses beyond to the north, with industrial land uses adjacent to the east and west, and with agriculture land uses to the south. The existing noise environment is dominated by industrial activities which primarily involve operation of light vehicles and heavy trucks.

The closest noise sensitive receptor is a residence located approximately 250 feet to the north along Pinoleville Road. Additional noise sensitive receptors include rural residences further to the north and a school, Pinoleville Native American Head Start Program, located at 500 Pinoleville Road approximately 1,000 feet northwest of the project site.

DISCUSSION

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise

Construction noise is a temporary phenomenon; the construction period for the proposed Yokayo Biofuels facility is scheduled to last 3 months. Construction of an industrial facility, such as a biofuel processing facility, can be typically and unavoidably noisier than what is usually permissible under noise ordinances. In order to allow the construction of new facilities, construction noise during certain hours is commonly exempt from enforcement by local ordinances. The Mendocino County Code of Ordinances limits exterior noise levels depending on land use. For light industrial land uses, noise levels are limited to 70 dBA and cannot be exceeded more than 30 minutes in any hour. In addition, the Mendocino Code permits higher noise levels for temporary, short-term or intermittent activities (e.g., construction) when no sensitive or residential land uses would be affected (Mendocino County Code of Ordinances, Title 20, Appendix B). Although noise levels are not anticipated to exceed 70 dBA at the project site property line, the Mendocino Code allows for higher noise levels resulting from construction work associated with implementing the proposed project. In addition, staff recommends the proposed mitigation measure at the end of this section as a precaution and to further reduce any potential impacts to the community. Impacts are ***LESS THAN SIGNIFICANT***.

Operational Noise

The projected noise level from operations at the proposed Yokayo Biofuels facility at the closest residential receptor (340 Pinoleville Road) is not anticipated to increase from existing noise levels. It should be noted this conclusion is based on the fact that the proposed project would result in the operation of one additional truck and all other activities (e.g., biofuel processing) would occur within an enclosed space. Therefore, the noise generated from the operational phase of the proposed Yokayo Biofuels facility would be in conformance with the Mendocino County Code of Ordinances. Although the project is not anticipated to have any significant impacts as a precaution, staff recommends the implementation of the proposed mitigation measure to further reduce any potential impacts to the local community (e.g., residences) associated with operations. Any potential impacts will be ***LESS THAN SIGNIFICANT***.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

The primary source of vibration noise associated with operation of the proposed biofuels facility would originate with operation of heavy trucks to transport materials. Groundborne vibration and noise generated by heavy truck operation would be imperceptible off the project site. Consequently, no excessive vibration or noise levels would be experienced by adjacent land uses and the potential impacts will be ***LESS THAN SIGNIFICANT***.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Construction Noise

As described above, construction of the biofuels facility is a temporary phenomenon; the construction period for the Yokayo Biofuels facility is scheduled to last 3 months. As a result, noise generated from construction would not cause a substantial permanent increase in ambient noise levels and would be ***LESS THAN SIGNIFICANT***.

Operational Noise

During the operating life, the Yokayo Biofuels facility could generate a steady, continuous noise source day and night. The primary noise sources anticipated from the proposed facility include the washing process and processing of by-products. Secondary noise sources are anticipated to include auxiliary pumps, ventilation fans, motors, valves and compressors. The noise emitted by the facility during normal operations is anticipated to be generally broadband and steady state in nature.

Although the noise level generated by the proposed biofuels facility were not modeled to assist in evaluating whether the new plant would contribute an incremental increase in noise levels at the nearest residential receptors, the Mendocino County Code of Ordinances includes policies which limit noise levels that can be generated at the project site. Specifically, the Mendocino Code limits noise levels for industrial land uses to a maximum 70 dBA (not to be exceeded more than 30 minutes in any hour) during all times of the day (Title 12, Appendix B). With conformance to Mendocino County Code of Ordinance, noise levels associated with the proposed biofuels processing operations would be considered less than significant. Staff recommends the implementation of the proposed mitigation measure to further reduce any potential impacts to the local community associated with operations. Any potential impacts are ***LESS THAN SIGNIFICANT***.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Construction Noise

Construction impacts are generally short-term in nature and usually result from the operation of heavy-duty diesel- and gasoline-powered construction equipment (e.g., backhoes, boom trucks, delivery trucks, compressors). The Applicant indicates that construction of the proposed project would require the use of a fork lift and concrete truck. Modeling of noise levels for the use of this equipment would result in noise levels of 59 L_{eq} dBA at 80 feet (approximate distance to property boundary) and 49 L_{eq} dBA at 250 feet (distance to residence located north of project site) (FTA 2006). In addition, the Mendocino County Code of Ordinances allows for higher noise levels than allowed by land use for temporary, short-term or intermittent activities (e.g., construction) (Title 12, Appendix B). Modeled noise levels during operation of construction equipment would conform to Mendocino County Code of Ordinances. Therefore, temporary noise level increases associated with construction of the proposed biofuels processing facility would be considered ***LESS THAN SIGNIFICANT***. Staff recommends the implementation of the proposed mitigation measures to further reduce any potential for impacts to the local community associated with construction activities.

Operational Noise

As described above, the Yokayo Biofuels facility will represent essentially a steady, continuous noise source day and night. However, occasional short-term increases in noise levels could occur (e.g., relief valves open to vent pressure). It is anticipated that the short-term noise levels

would not cause any significant impacts. These impacts are considered ***LESS THAN SIGNIFICANT***.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

In general, the Yokayo Biofuels facility area is not influenced by aircraft noise associated with local airports. Ukiah Municipal Airport is located over 3 miles to the south. Therefore, this criterion is not applicable to the proposed project and ***NO IMPACT*** will occur.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

In general, the Yokayo Biofuels facility area is not influenced by aircraft noise associated with local airports. Ukiah Municipal Airport is located over 3 miles to the south. Therefore, this criterion is not applicable to the proposed project and ***NO IMPACT*** will occur.

PROPOSED MITIGATION MEASURES

NOISE-1 Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project-related noise complaints.

The project owner or authorized agent shall:

- use the Noise Complaint Resolution Form (see Exhibit 1 for example), or functionally equivalent procedure acceptable to Mendocino County, to document and respond to each noise complaint;
- attempt to contact the person(s) making the noise complaint within 24 hours;
- conduct an investigation to determine the source of noise related to the complaint;
- if the noise is project related, take all feasible measures to reduce the noise at its source; and,
- submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of noise reduction efforts; and if obtainable, a signed statement by the complainant stating the noise problem is resolved to the complainant's satisfaction.

CONCLUSION

The proposed Yokayo Biofuels project will not significantly impact the public or environment related to noise. A mitigation measure is recommended to further ensure that impacts will remain less than significant.

EXHIBIT 1 - NOISE COMPLAINT RESOLUTION FORM

Yokayo Biofuels Facility

NOISE COMPLAINT LOG NUMBER _____

Complainant's name and address:

Phone number: _____

Date complaint received: _____
Time complaint received: _____

Nature of noise complaint:

Definition of problem after investigation by plant personnel:

Date complainant first contacted: _____

Initial noise levels at 3 feet from noise source _____ dBA Date: _____
Initial noise levels at complainant's property: _____ dBA Date: _____

Final noise levels at 3 feet from noise source: _____ dBA Date: _____
Final noise levels at complainant's property: _____ dBA Date: _____

Description of corrective measures taken:

Complainant's signature: _____ Date: _____

Approximate installed cost of corrective measures: $ _____
Date installation completed: _____
Date first letter sent to complainant: _____ (copy attached)
Date final letter sent to complainant: _____ (copy attached)

This information is certified to be correct:

Facility Manager's Signature: _____

(Attach additional pages and supporting documentation, as required).

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Public Services. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

Fire Services

The Ukiah Valley Fire District serves the Ukiah unincorporated planning area and their offices are located at 1500 S. State Street, Ukiah, CA, approximately 3.5 miles south of the project site.

Police Services

Police protection services are provided by the Mendocino County Sheriff Department. The Sheriff's location is approximately one mile southwest of the proposed site, located at 951 Low Gap Road in Ukiah.

Schools

The nearest school to the project site is the Pinoleville Head Start, which is located about 0.2 mile northeast of the proposed location of the new process building (on the northern portion of the site).

Parks

The nearest park and recreation facility to the project site is Vinewood Park, located approximately 1.4 miles south of the project site at 1260 Elm St., Ukiah, CA 95482.

DISCUSSION

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire Protection?

The Yokayo Biofuels is currently being served by the Ukiah Valley Fire District. The Ukiah Valley Fire District has indicated that the district has the capacity to continue to provide adequate fire protection services to the project site.

The applicant is proposing to update the fire system in the existing cement warehouse and include features that will reduce potential fire hazards. The applicant has submitted plans to the Fire District and they are currently in the process of reviewing the submittal. ***NO IMPACTS*** will result to public services for fire service as result of the proposed project.

Police Protection?

The project will continue to be served by the Sheriff Department and no impacts will occur as a result of the site improvements or expansion. The project would be constructed in conformance with current codes, including features that will reduce potential fire hazards and increase security. The proposed project will not require the construction of new facilities or stations and will have ***NO IMPACT***.

Schools?

The proposed project will expand and improve an existing biodiesel facility. The expansion may result in eight new employees and ten construction jobs. These employees would likely come from the surrounding area and will not place a significant demand on existing public services, including schools. Even if some employees relocated to the area as a result of the proposed project, the increase to school enrollment would be negligible. Therefore, the project would not result in an increase in school population or result in the need for new school facilities, or modification to school facilities, that could result in significant environmental impacts due to new or physically altered public service facilities. Impacts to schools would be ***LESS THAN SIGNIFICANT.***

Parks?

The proposed project would not generate substantial population growth in the project area or result in the use of public park facilities in the city by new residents. Some employees at the project site may visit local parks, however, it is not anticipated that this use would create the need for any new facilities or adversely impact the physical condition of existing facilities. These potential impacts are ***LESS THAN SIGNIFICANT***.

Other Public Facilities?

There are no other public facilities that were identified that would be potentially impacted by the proposed project.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

The proposed Yokayo Biofuels project would not result in significant adverse public service impacts.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Recreation. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐

ENVIRONMENTAL SETTING

There are three different categories of parks and recreation facilities in the City of Ukiah (City). Park categories include Federal Recreation Areas (two), County Recreation Areas (four), and City Parks (13).[2]

The nearest park and recreation facility to the project site is Vinewood Park, located approximately 1.4 miles south of the project site at 1260 Elm St., Ukiah, CA 95482. All of the City Parks are located within a five mile radius to the project site.

DISCUSSION

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

According to the applicant, the proposed project would create eight permanent jobs and approximately ten temporary construction jobs. It is likely that the majority of the workers would be local residents. However, any new residents as a result of the employment would likely have a negligible impact on the nearby parks and recreation facilities. Therefore, any increase in use

[2] http://www.cityofukiah.com/pdf/planning/General_Plan/Parks-Rec_Arch-Hist.pdf and http://www.cityofukiah.com/pageserver/?page=parks_rec#194

of the park facilities by the workers would not cause a substantial physical deterioration of the park. The potential impacts would be ***LESS THAN SIGNIFICANT***.

a) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

As stated above, it is likely that the majority of the new workers would be local residents. However, assuming these new workers relocate to the immediate area, there would be no need to construct or expand any park or recreational facility, as existing facilities near the proposed project would be sufficient to service the relatively small number of new workers. Therefore, the project would not require the construction or expansion of recreational facilities and impacts would be ***LESS THAN SIGNIFICANT***.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

The proposed Yokayo BioFuel Project would not result in significant adverse impacts to parks and recreational facilities.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Transportation/Traffic. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒

e)	Result in inadequate emergency access?	☐	☐	☐	☒
f)	Result in inadequate parking capacity?	☐	☐	☐	☒
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The proposed project is located in Mendocino County in an industrial area along Orr Springs Road, approximately 0.70 mile north of the boundary of the City of Ukiah. U.S. Highway 101 runs north-south less than 0.25 mile east of the project site and has four lanes, two in each direction. Vehicles traveling on U.S. 101 would access the project site by taking the North State Street exit, traveling north on North State Street, and turning east on Orr Springs Road.

The Mendocino County General Plan classifies Orr Springs Road as a Minor Collector. Collector routes generally serve travel of primarily regional importance, and distances traveled tend to be shorter than for arterial routes.

DISCUSSION

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?

Project construction and operations traffic would be minimal, as described below:

<u>Construction Traffic</u>

Two fork lifts, two concrete trucks, and an excavator would be in use at various points during construction. There would be a maximum of 4-6 construction employees at the site at any one time. Construction is anticipated to take approximately 3 months.

<u>Operations Traffic</u>

Juggler Truck
The existing facility uses a truck to collect yellow grease from restaurants. The project would replace this truck with a juggler truck combining the collection of yellow grease with the collection of trap grease. This would not significantly increase truck trips, as collection of yellow grease and trap grease would likely be frequently combined.

Methanol Truckloads
The project would also include transportation of approximately 16 annual truckloads of methanol to the site, a reduction from the existing facility's 26 annual loads.

Trips for Distribution of Biodiesel to Fuel Stations and End Users
The existing facility generates 1 daily trip for distributing biodiesel to fuel stations and end users, usually within a 250-mile radius. A bobtail tanker transports the biodiesel. Because the

proposed project would increase production capacity of biodiesel, the number of biodiesel distribution trips may double to an average of 2 daily trips (using 2 tankers).

Trips for Distribution of Glycerin By-Product
The proposed project would generate a glycerin by-product for distribution and sale. Distribution of the glycerin product would result in a maximum of approximately 28 truckloads annually.

Employee Trips
The proposed project would involve 8 additional employees, which would generate a minimal number of additional commuting trips.

The number of trips generated by construction and operation of the project, as discussed above, would be minimal.

Larry Alexander, the Deputy Director of Transportation for Mendocino County, stated that due to Mendocino County's rural nature, the County generally does not have problems with streets operating at unacceptable levels-of-service (LOS). Mr. Alexander estimated that Orr Springs Road operates at level-of-service (LOS) A, the "best" traffic LOS, characterized by free-flowing, uncongested traffic conditions. According to Mr. Alexander, North State Street also provides an adequate LOS. Highway 101 near the project site operates at an LOS better than LOS C (Caltrans' standard for highways), meaning traffic flow is acceptable. Due to the satisfactory LOS provided by nearby roads and highways, and due to the minimal additional traffic trips that the project would generate during construction and operation, the project would not cause an increase in traffic which would be substantial in relation to the existing traffic load and capacity of the street system. Impacts would be ***LESS THAN SIGNIFICANT***.

b) Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways?

According to Mr. Alexander, Deputy Director of Transportation for Mendocino County, the County does not enforce any formal level-of-service standards, as the area is rural and as a result, does not generally have roads operating at an unacceptable LOS. Mr. Alexander stated that roads and highways near the project site do not experience problems with traffic flow. Because of this and the minimal number of trips the project would generate during construction and operation, the project would not cause roads or highways to operate at substandard LOS. Therefore, the project would generate ***NO IMPACT***.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The project would not generate additional air traffic and would not encroach on airport land, as the nearest airport is Ukiah Municipal Airport, located approximately 3 miles southeast of the project site. At only 20 feet in height, the project would not interfere with aircraft flights or air traffic patterns, or require review by the Federal Aviation Administration under Title 14, Part 77 of the Code of Federal Regulations. Therefore, the project would not result in a change in air traffic patterns and would generate ***NO IMPACT***.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The project would not alter existing roads or accesses and would generate only a minimal number of additional trips for construction and operation. The project's industrial uses and associated traffic trips would be compatible with the existing industrial uses in the area and at the existing facility. Therefore, the project would not increase hazards due to a design feature or incompatible uses and would generate ***NO IMPACT***.

e) Result in inadequate emergency access?

The proposed project would use Highway 101, North State Street, and Orr Springs Road for emergency access, just as the existing facility does. The proposed project would not physically block this access or result in traffic congestion which could compromise timely access to this facility or any other location. On-site circulation would provide access for emergency vehicles to reach all buildings on the project site. Finally, as part of issuance of project building permits, Mendocino County would ensure adequate emergency access. Therefore, the project would not result in inadequate emergency access and would generate ***NO IMPACT***.

f) Result in inadequate parking capacity?

The proposed project would include 10 on-site parking spaces, plus one additional Americans with Disabilities Act (ADA) space for a van. This would be sufficient to provide parking to the additional 8 employees. Therefore, the project would not result in inadequate parking capacity, and the project would generate ***NO IMPACT***.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The proposed project does not conflict with adopted policies, plans, or programs supporting alternative transportation. Improvements would occur on-site and would not interfere with any mode of alternative transportation. Therefore, the project would generate ***NO IMPACT***.

PROPOSED MITIGATION MEASURES

None proposed or required.

CONCLUSION

The project's Transportation and Traffic impacts would be less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Utilities and Service Systems.				

Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

ENVIRONMENTAL SETTING

Yokayo Biodiesel receives water from the Millview County Water District. The Mendocino Solid Waste Management Authority has jurisdiction over the waste produced by the existing facility and a septic tank and leachfield is located onsite.

DISCUSSION

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB)?

The North Coast Regional Water Quality Control Board has jurisdiction over the project area and the applicant has indicated that all permits and plans will be updated to reflect the requirements identified by the RWQCB.

The current biodiesel reaction process results in the production of 250 gallons of waste wash per day and this is trucked 2.5 miles away to a disposal site. The new proposed enzymatic biodiesel reaction process that would be implemented eliminates the need to water wash the fuel and the water involved in the reaction process is 100% recycled or converted to vapor. As a result the waste water use will be reduced from 250 gallons per day to 0.

The second project improvement involves the repaving of existing surfaces. Resurfacing the hardtop is proposed to eliminate the absorption of water into the ground, and will redirect

stormwater. In addition, bioswales will be added to facilitate rainwater capture for use in incidental landscaping water needs.

All of these proposed improvements will improve wastewater generation and decrease the need for wastewater treatment. The project will not exceed wastewater requirements of the applicable RWQCB and staff anticipates a reduction in wastewater generation. ***NO IMPACTS*** are anticipated as a result of these improvements.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As indicated in a) above, the wastewater generated from the proposed is projected to decrease and would not result in new wastewater facilities. The Millview County Water District has approved the proposed project and there is adequate water to serve the proposed project improvements and expansion. ***NO IMPACTS*** from the construction or expansion of facilities will occur as a result of the proposed project.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The project improvements include the construction of new storm water drainage facilities. These improvements require trenching onsite to a depth of approximately three to five feet deep. The new storm water drainages will not create a significant environmental effect as all improvements will be contained within the site. The new storm water system will have a ***LESS THAN SIGNIFICANT*** impact.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The Millview County Water District serves the existing site and has approved the proposed project. As described in a), the new enzymatic process reduces the water used and the improvements are anticipated to decrease water needs. The project is anticipated to have a ***LESS THAN SIGNIFICANT*** impact and will actually decrease existing water supply needs.

e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?

The new biodiesel process will decrease the wastewater generated at the facility. The existing facility currently trucks all wastewater (which is filled with contaminants such as soap, oil, and dilute chemicals) to a disposal site located 2.5 miles away. The new process will eliminate most of this wastewater. The project will not result in a determination as to whether or not they will have sufficient capacity and ***NO IMPACT*** is anticipated.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The waste generated by the project will be handled by Ukiah Waste Solutions and will be recycled as much as possible. The applicant has received clearance from the Mendocino Solid Waste Management Authority for a recycling plan for the construction waste generated by the proposed improvements and expansion activities. The Ukiah Waste Solutions currently serves the facility and has sufficient capacity to continue serving the project. The impacts are considered ***LESS THAN SIGNIFICANT***.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

The existing facility complies with all federal, state, and local statutes and regulations. The County of Mendocino will require the project applicant to obtain all necessary permits and proof of service evidence prior to approving the construction of the project. The proposed improvements and expansion will comply with all valid permits and it is anticipated that any potential impacts will be ***LESS THAN SIGNIFICANT***.

PROPOSED MITIGATION MEASURES

None are proposed or required.

CONCLUSION

The project's utilities and service systems impacts will be less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past	☐	☐	☐	☒

projects, the effects of other current projects, and the effects of probable future projects.)				
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

Energy Commission staff has reviewed the proposed Yokayo Biofuel project and found no substantial environmental effects from the proposed construction and operation of the project.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

No cumulatively considerable impacts have been identified in the Energy Commission staff evaluation of the project.

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

No substantial adverse effects either direct or indirect have been identified by Energy Commission staff in their evaluation of the project.

MITIGATION MEASURES

Mitigation measures contained in this Initial Study and Mitigated Negative Declaration as well as the requirements of all applicable permitting agencies, including Mendocino County will ensure that there are no significant impacts from the construction and operation of the proposed Yokayo Biofuels project.

It should be noted that all mitigation measures proposed in this document are not within the jurisdiction of the Energy Commission and as such, they can, or should be, adopted and implemented by Mendocino County and other permitting agencies.