



Proposed Mitigated Negative Declaration

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Publication Date: July 1, 2025
Public Review Period: July 1, 2025-July 30, 2025
State Clearinghouse Number:
Permit Sonoma File Number: **UPE21-0042**
Prepared by: Jen Chard
Phone: (707) 565-2336

Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Negative Declaration and the attached Initial Study, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

Project Name: Medlock Ames Winery and Tasting Room

Project Applicant/Operator: MA Properties LLC

Project Location/Address: 13414 Chalk Hill Road, Healdsburg

APN: 132-120-017 and 132-120-018

General Plan Land Use Designation: Land Intensive Agriculture, 40 acre density

Zoning Designation: Land Intensive Agriculture (LIA), 40 acre density (B6 40), Accessory Dwelling Unit Exclusion (Z) with combining districts for Oak Woodland (OAK), Riparian Corridor 100 ft setback (RC 100/50) and Valley Oak Habitat (VOH)

Decision Making Body: Board of Zoning Adjustments (BZA). Action by BZA is appealable within 10 calendar days.

Appeal Body: Sonoma County Board of Supervisors

Project Description: **See Item III, below**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Less than Significant with Mitigation” as indicated in the attached Initial Study and in the summary table below.

Table 1. Summary of Topic Areas

Topic Area	Abbreviation*	Yes	No
Aesthetics	VIS		X
Agriculture & Forestry Resources	AG		X
Air Quality	AIR	X	
Biological Resources	BIO	X	
Cultural Resources	CUL	X	
Energy	ENERGY		X
Geology and Soils	GEO	X	
Greenhouse Gas Emission	GHG		X
Hazards and Hazardous Materials	HAZ		X
Hydrology and Water Quality	HYDRO		X
Land Use and Planning	LU		X
Mineral Resources	MIN		X
Noise	NOISE	X	
Population and Housing	POP		X
Public Services	PS		X
Recreation	REC		X
Transportation	TRANS		X
Tribal Cultural Resources	TCR	X	
Utilities and Service Systems	UTL		X
Wildfire	FIRE		X
Mandatory Findings of Significance	MFS		X

RESPONSIBLE AND TRUSTEE AGENCIES

The following lists other public agencies whose approval is required for the project, or who have jurisdiction over resources potentially affected by the project.

Agency	Activity	Authorization
Northern Sonoma County Air Pollution Control District (NSCAPCD)	Stationary air emissions	Emissions thresholds from BAAQMD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NOx and CO from Stationary Internal Combustion Engines; and other BAAQMD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines
U. S. Army Corps of Engineers	Permits for activities that involve any discharge of dredged or fill material into	Clean Water Act, Section 401

	"waters of the United States," including wetlands	
North Coast Regional Water Quality Control Board (NCRWQCB)	Discharge or potential discharge to waters of the state Wetland dredge or fill	California Clean Water Act (Porter Cologne) – Waste Discharge requirements, general permit or waiver Clean Water Act, Section 404
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Incidental take permit for listed plant and animal species; Lake or streambed alteration	California Endangered Species Act (CESA), Section 2081 of the Fish and Game Code; Section 1600 of the Fish and Game Code
U. S. Fish and Wildlife Service (FWS) and or National Marine Fisheries Service (NMFS)	Incidental take permit for listed plant and animal species	Endangered Species Act
Sonoma County Public Infrastructure	Traffic and road improvements	Sonoma County Municipal Code, Chapter 15
Sonoma County Environmental Health	Retail Food Facility Permit	Sonoma County Municipal Code, Chapter 14

ENVIRONMENTAL FINDING:

Based on the evaluation in the attached Expanded Initial Study, I find that the project described above will not have a significant adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are included as conditions of approval for the project and a Mitigated Negative Declaration is proposed. The applicant has agreed in writing to incorporate identified mitigation measure into the project plans.

Jen Chard

Prepared by: Jen Chard

July 1, 2025



Expanded Initial Study

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I. INTRODUCTION:

Medlock Ames Vintners and MA Properties, LLC propose a modification to a Use Permit for Medlock Ames Winery (UPE01-0182) to increase production to 30,000 cases annually, and to incorporate tasting and vineyard tours by appointment, retail sales, and 12 annual agricultural promotional events with a maximum of 50 guests per event on a 48.37 acre parcel and 139.90 acre parcel. Existing facilities will be utilized for the proposed winery activities, which will involve conversion of 1,600 sf of space within the 20,000 sf existing winery building, and conversion of a 1,350 sf barn into a tasting room with a commercial kitchen, office space, and support space. Tasting would occur within the winery building, tasting room barn, and outdoor courtyard by appointment only with a maximum of 60 persons per day between 11:00 am and 5:00 pm, Monday through Sunday. Agricultural promotional events would be scheduled any day of the week, between 11:00 am and 9:30 pm. A referral letter was sent to the appropriate local, state and federal agencies and interest groups who may wish to comment on the project.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Jen Chard, Project Review Planner with the Sonoma County Permit and Resource Management Department, Project Review Division. Information on the project was provided by Medlock Ames Vintners. Technical studies were provided by qualified consultants to support the conclusions in this Expanded Initial Study. Technical studies, other reports, documents, and maps referred to in this document are available for review through the Project Planner, or Permit Sonoma Records Section.

Please contact Jen Chard, Planner, at (707) 565-2336, for more information.

II. EXISTING FACILITY

The subject site is located 3 miles northeast of the Town of Windsor and 4.75 miles southeast of the City of Healdsburg in unincorporated Sonoma County (Figure 1).

The proposed project will utilize an existing winery located on Toby Lane approximately 1 mile east of the Chalk Hill Road. The site includes six existing structures, including a 20,000+/- sq ft winery production building, a 1,350+/- sq ft barn, three agricultural storage buildings and a single family dwelling. These structures are currently used to conduct the approved winery operations and support and store vineyard maintenance and harvesting equipment. Additionally, the site contains three existing wells and an existing septic system for domestic and the existing winery wastewater disposal. The property is currently planted with 61.59 acres of vineyards and approx. 3 acres of olive trees. There is a riparian corridor that runs along the western property line and several mature trees including Valley Oak trees and Oak Woodland. Access to the site is currently provided by a driveway off of Toby Lane.

Figure 1: Vicinity Map

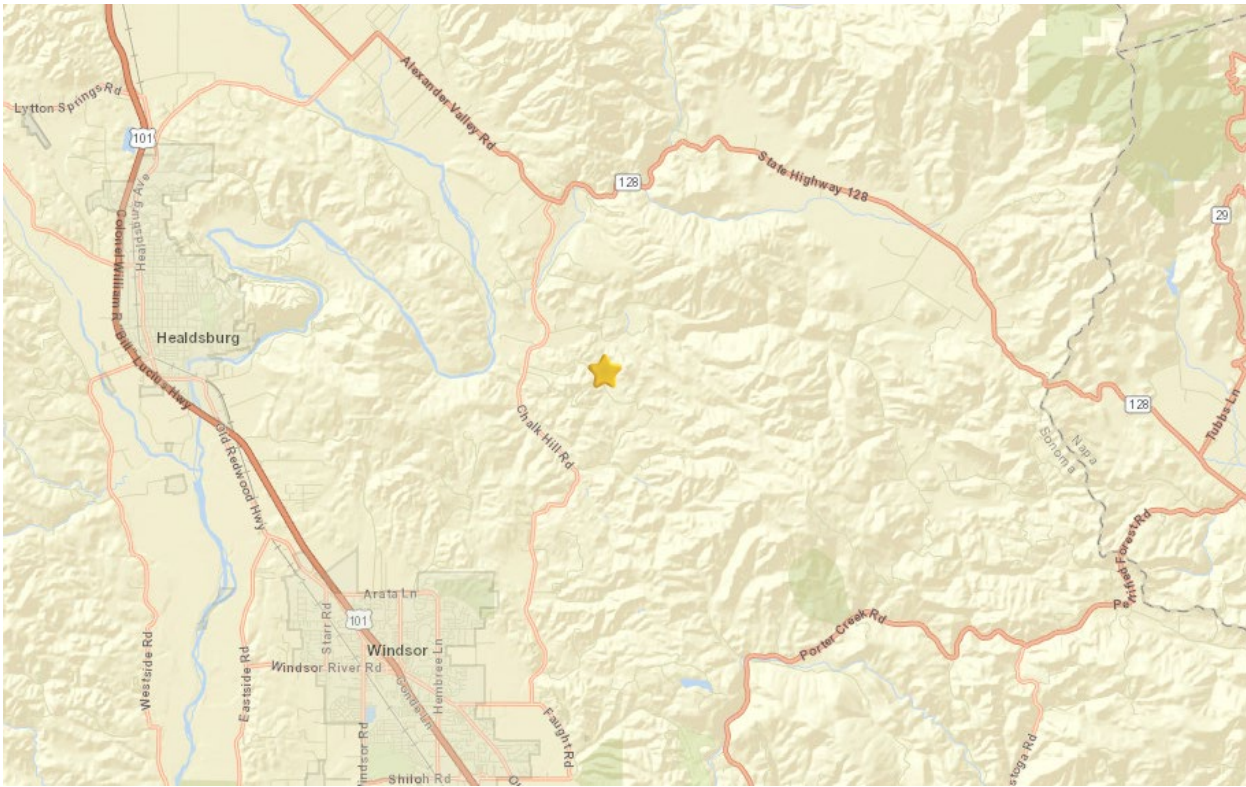
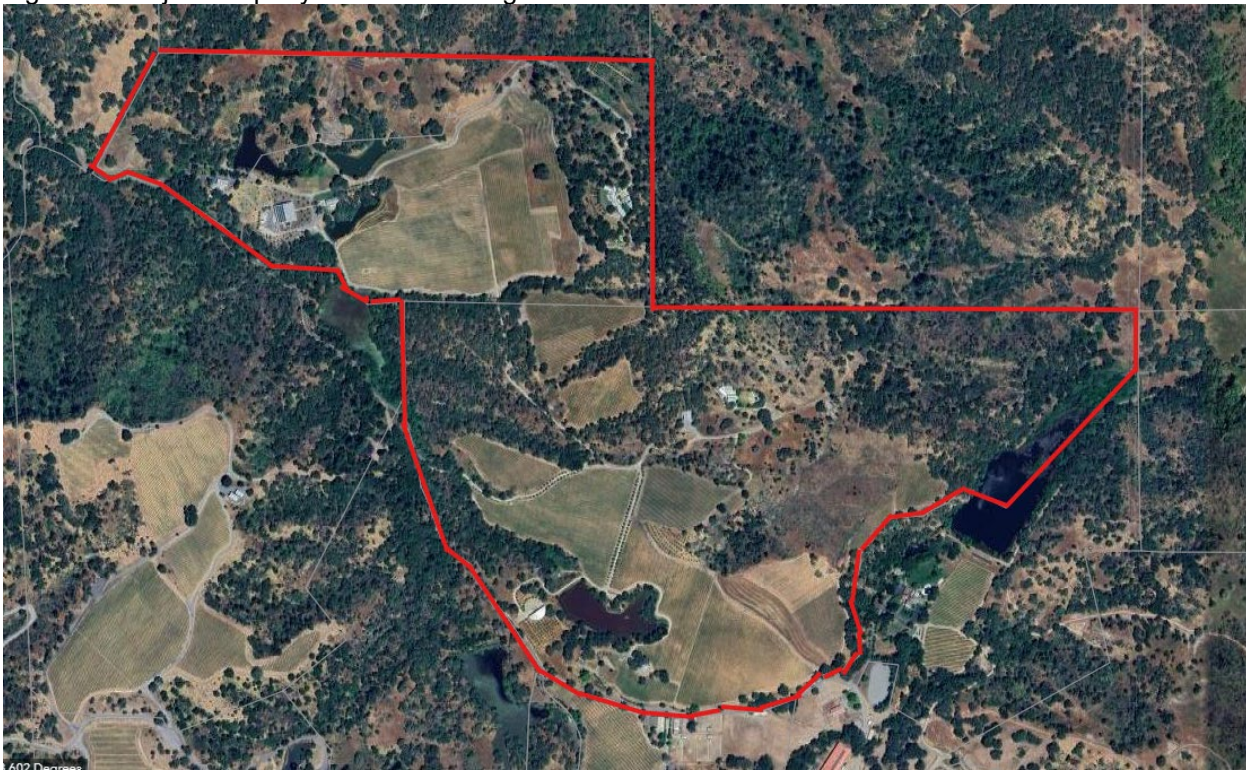


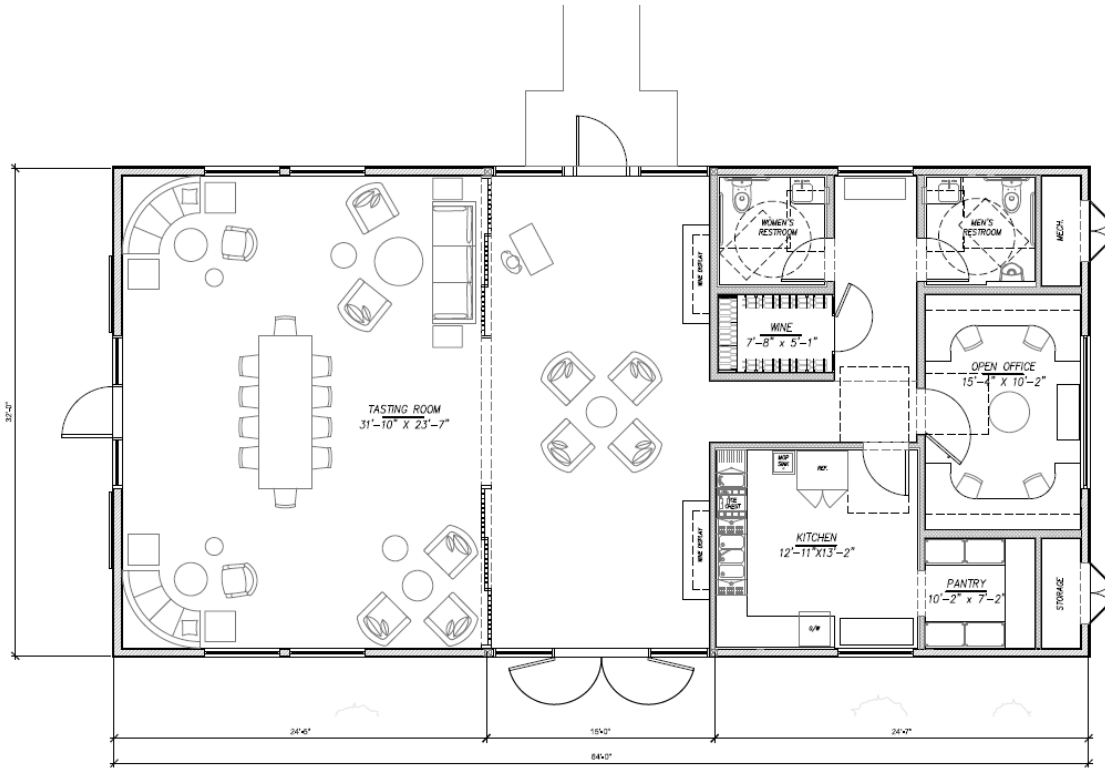
Figure 2: Subject Property and Surrounding Areas



III. PROJECT DESCRIPTION

The project is a request for: a Use Permit Modification to an existing approved winery (Medlock Ames Winery UPE01-0182) including an increase in production from 20,000 annual cases to 30,000 annual cases and to incorporate tasting and vineyard tours by appointment, retail sales, and 12 annual agricultural promotional events with a maximum of 50 guests per event on a 48.37 acre parcel and 139.90 acre parcel.

Figure 5: Proposed Tasting Room Floor Plan for the Barn Conversion



Proposed Hours of Operation:

- Winery operation hours - 7:00 am to 6:00 pm, 7 days a week
- Winery Harvest Season hours - 7:00 am to 10:00 pm, 7 days a week
- Tasting Room Appointments- 11:00 am to 5:00 pm, 7 days a week
- Event hours - 11:00 am to 9:30 pm; cleanup by 10:00 pm
- Tours of the vineyards held during normal tasting room appointments only.

Proposed Winery Events:

Number of Events	Maximum Attendees	Time of Week	Time of Day	Amplified Music
12	50	Weekday or Weekend	Daytime or Evening	Yes

Proposed Food Service:

- Food and Wine Pairings (no meals) may be provided during permitted tasting hours as part of normal business activities. Food and wine pairing will be pre-prepared samples or tastes produced from food products from the local area. Food will be from a pre-fixed pairing menu and only during tasting room hours. There is no restaurant or deli service provided.

Proposed Employees:

- Tasting room, Winery, and Events: 10 full-time employees during normal operations
- Tasting room and Winery during harvest: 15 full-time employees

Access and Parking:

Vehicular and emergency access to the winery site is established with an existing driveway off of Toby Lane. Existing parking for the winery includes 15 parking spaces and an additional 9 parking spaces are proposed for the daily tasting room operations. An additional 24 parking spaces to accommodate special events would be accommodated by overflow parking between vineyard rows and along driveways. Shuttling is not anticipated to be used to support events. Parking attendants would be used to direct onsite traffic on event days. Enforcement of on-street parking restrictions are a condition of approval for the project.

Water, Wastewater, and Waste Disposal:

The water supply for the winery production and irrigation for the vineyards will be met via existing on-site groundwater wells on the property. An existing on site groundwater well will provide the potable water demands for the tasting room.

Wastewater disposal will be obtained through county approved septic systems. Existing septic systems and leach fields will be modified to serve the proposed expansions of use. The proposed septic system for the tasting room will be required to meet the needs of the largest event peak sanitary waste of 380 gallons per day. The proposed septic system for the winery production facility will be required to meet the need of peak harvest sanitary waste of 1,800 gallons per day.

All solid waste disposal will meet county requirements and conditions of approval for the project will enforce requirements.

Energy:

The project will meet the most current requirements for renewable energy use under the California Energy Code (Title 24, Part 6). The project proposes use of solar and no natural gas or propane.

Construction:

Construction will occur within two years after project approval. Before commencement of construction activities, the project applicant would be required to obtain construction permit approvals, including grading and building permits. Next, site work including rough grading and infrastructure (utilities and roadways) would be completed. Finally, construction of buildings would be completed and landscaping. Grading activities are anticipated to generally be balanced on the site.

IV. SETTING

The subject site is located 3 miles northeast of the Town of Windsor and 4.75 miles southeast of the City of Healdsburg in unincorporated Sonoma County. Most the surrounding parcels have similar development build outs, single family dwelling units, accessory structures, agricultural structures vineyards and wineries.). All adjacent parcels share the same Land Intensive Agriculture (LIA) Land Use designation and LIA base zoning district.

V. ISSUES RAISED BY THE PUBLIC OR AGENCIES

On June 25, 2021, Permit Sonoma circulated a referral packet to inform and solicit comments from selected relevant local, state and federal agencies, local Tribes, neighbors within 300 feet of the project site; and to special interest groups that were anticipated to take interest in the revised project. Comments were received from:

- Permit Sonoma Building Division
- Permit Sonoma Fire Prevention
- Permit Sonoma Natural Resources Division
- Permit Sonoma Grading and Stormwater Division
- Sonoma Public Infrastructure formerly Department of Transportation of Public

- Works
- Sonoma County Health
 - State Water Resources Control Board Division of Drinking Water – Sonoma District

Referral agency comments included recommended mitigated measures and standard conditions of approval for the project.

Assembly Bill 52 Project Notifications were sent to the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Torres Martinez Desert Cahuilla Indians, Mishewal Wappo Tribe of Alexander Valley, Middletown Rancheria Band of Pomo Indians, Lytton Rancheria of California, Kashia Pomos Stewarts Point Rancheria and Federated Indians of Graton Rancheria. No Tribe requested formal consultation on the proposed project.

Public comment has been received on this project regarding the shared road (Toby Lane) with neighbors. Neighbors are concerned about increased traffic and fair share maintenance of the road.

VI. EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. For each item, one of four responses is given:

No Impact: The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

Less Than Significant Impact: The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

Less Than Significant with Mitigation Incorporated: The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

Potentially Significant Impact: The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference.

The Medlock Ames has agreed to accept all mitigation measures listed in this Initial Study as conditions of approval for the proposed project, and to obtain all necessary permits, notify all contractors, agents and employees involved in project implementation and any new owners should the property be transferred to ensure compliance with the mitigation measures.

1. AESTHETICS:

Except as provided in Public Resources Code Section 21099, would the project:

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

Comment:

The project is not in an area designated as visually sensitive by the Sonoma County General Plan. It is not located on a scenic hillside, nor would it involve tree removal, construction or grading that would affect a scenic vista. The buildings for the proposed uses are existing and are screened from view from public roads and parks by existing vegetation. The viewshed of the project area as seen from public roads and parks will not substantially change as a result of the project.

Significance Level:

Less than Significant Impact

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

Comment:

The parcel is not located on a site visible from a state scenic highway.

Significance Level:

No Impact

c) In non-urbanized areas substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Comment:

The character of the 48.37 acre parcel and 139.90 acre site and surrounding lands is agricultural and rural development. Using the County’s Visual Assessment Guidelines, staff characterized the project site as having moderate visual sensitivity because it is not located in the Scenic Resources Combining District. The project’s visual dominance can be categorized as Subordinate because the existing structures are minimally visible from public view. Utilizing the Visual Assessment Guidelines’ matrix (Attachment 3), the project’s visual impact will be less than significant.

Sensitivity	Visual Dominance			
	Dominant	Co-Dominant	Subordinate	Inevident
Maximum	Significant	Significant	Significant	Less than significant
High	Significant	Significant	Less than significant	Less than significant
Moderate	Significant	Less than significant	Less than significant	Less than significant
Low	Less than significant	Less than significant	Less than significant	Less than significant

Significance Level:

Less than Significant Impact

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

Comment:

The project will change the use of an existing structure on the site and thus introduce new sources of light and glare. The County's standard development regulations under Article 82 of the Zoning Code (Design Review), minimizes the impact of new development by ensuring that exterior lighting is designed to prevent glare, and preclude the trespass of light on to adjoining properties and into the night sky.

The project will require exterior lighting as necessary to comply with the California Building Code. A standard condition of approval requires "All new exterior lighting to be dark sky compliant, low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. Prior to final occupancy of the remodeled structures, the applicant is required to demonstrate compliance with exterior lighting requirements by providing Permit Sonoma photograph documentation of all exterior light fixtures installed". By incorporating standard conditions of approval, the project will not result in a new source of substantial light or glare with would adversely affect day or nighttime view in the area.

Significance Level:

Less than Significant Impact

2. 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) prepared by the California Dept. 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?**

Comment:

The site currently contains approximately 61.59 acres of vineyards and approx. 3 acres of olive trees. According to the Sonoma County Important Farmlands Map, the project site is designated as Farmland of Statewide Importance, Unique Farmland and Grazing Land. There are currently approximately 67 acres of important farmland on the site. The project proposes an expansion to the existing winery but does not propose any new structures and therefore no conversion of the Prime or Statewide importance land will take place. The project involves a winery and tasting room and is consistent with the permitted uses of the General Plan and Zoning Code, provided that a Use Permit is obtained. The primary use of the site would remain in agricultural production with related agricultural processing and agricultural promotional visitor serving uses. All existing vineyards will remain intact, and no designated farmland will be converted to non-agricultural use. Therefore, the project would not convert a significant amount of important farmland to non-agricultural use and therefore potential impacts are less than significant.

Significance Level:

Less than Significant Impact

- b) **Conflict with existing zoning for agricultural use, or Williamson Act Contract?**

Comment:

The project site is zoned LIA (Land Intensive Agriculture) which allows Agricultural Processing, Tasting Rooms and Winery Events with a Conditional Use Permit and is subject to a Williamson Act contract.

Applicable Zoning Requirements:

Section 26-18-030 Ag Processing:

LIA, LEA, DA, AR zones: the use must be sized to accommodate, but not exceed, the needs of the on-site growing or processing operation. (general plan policy AR-5c). The proposed Winery does not propose any storage areas that would exceed the needs of the proposed 30,000 case production.

To approve an Agricultural Processing facility in the LIA, LEA, DA, or AR zone that processes products grown off-site, the review authority must find that the facility will be consistent with general plan policy AR-5g. The proposed Winery will be consistent with this policy with the proposed mitigation measure incorporated and as assessed in the visual assessment of the project.

Section 26-18-210 Tasting Rooms:

Shall not require the extension of sewer and water.

Must be consistent with general plan policy AR 6-d and AR 6-f. (see discussion in Planning and Land Use section)

The project has been determined to be consistent with the Zoning Ordinance as the project proposes a 30,000 case winery that processes grapes grown onsite and from Sonoma County. The proposed wine tasting room and events promote products processed on site and from the local area, is secondary and incidental to the agricultural production activities on site, and are compatible with existing uses in the area. The winery and tasting uses will not be detrimental to the rural character of the area.

Land Conservation Contract:

Williamson Act contract compliance requires the property is at least 10 acres in size for a prime agricultural operation, have 50% of the total parcel dedicated to a qualifying agricultural use, and meet the minimum income requirements. Any use of the land, other than permitted agricultural uses, must be a compatible use allowed under Rule 8.0 of the Uniform Rules.

Contract Compliance Analysis:

Staff find the property will maintain compliance with its Williamson Act contract and the Uniform Rules, as summarized below.

The project parcel subject to the contract is 48.37 acres in size and is subject to a Prime Land Conservation (Williamson) Act contract, recorded under Document No. 1998-013256. Prime agricultural land includes land used for fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and meet the minimum income requirements in Table 4-2 of these uniform rules. The property with adjusted property lines resultant of an approved lot line adjustment will have 24.32 acres of vineyards and 0.89 acres of olive trees and therefore meeting the 50% requirement. As a condition of approval the applicants will be required to record the approved lot line adjustment to ensure the property remains compliant.

Pursuant to Uniform Rule Table 4-2 (Annual Income Requirements), prime contracted land is required to meet \$1,000 gross total income per acre of production. Medlock Ames agricultural operation is projected to provide sufficient income for prime agricultural land, per industry standard the value of wine grapes in Sonoma County is approx. \$9,700 per acre.

The Sonoma County Uniform Rules Rule 8.3 (Compatible Uses – Agricultural Contracted Land). allows for one single family dwelling, agricultural housing, agricultural processing, sale, marketing, and special events (see list below), provided

that all compatible uses on the property collectively occupy no more than 15% of the contracted land as a whole, or 5 acres, whichever is less, excluding public roads, private access roads, and driveways. Note, accessory agricultural uses and structures (including structures used for storage, cleaning, and packaging agricultural commodities, storing equipment; irrigation infrastructure; and fencing, paddocks, etc.) are identified under Rule 7.2B. and are not counted toward the maximum compatible use threshold.

For this property, the 5-acre threshold applies. The existing residential and winery uses combined with the proposed tasting room, parking area, and outdoor landscaped areas, collectively occupy approximately 2.4 acres, which is less than the maximum 5-acre allowed under contract.

Uniform Rule 8.3B “Compatible Uses” (not an exhaustive list):

- A single-family dwelling occupied by the landowner or farm operator.
- Residential accessory uses and structures including private garage, workshop, patios, decks, gazebos, and similar structures.
- Processing of agricultural commodities beyond the natural state, including processing by pressing, pasteurizing, slaughtering, cooking, freezing, dehydrating, and fermenting. This use includes facilities for processing and storage of agricultural commodities beyond the natural state such as wineries, dairies, slaughterhouses, and mills.
- Sale and marketing of agricultural commodities in their natural state or beyond, including winery tasting rooms, promotional activities, marketing accommodations, farmer’s markets, stands for the sampling and sale of agricultural products, livestock auction or sale yards, and related signage.
- Wells, septic systems, and wastewater treatment ponds necessary for agricultural support uses.
- Special events, when directly related to agricultural education or the promotion or sale of agricultural commodities and products produced on the contracted land, provided that: the events last no longer than two consecutive days and do not provide overnight accommodations; and no permanent structure dedicated to the events is constructed or maintained on the contracted land.

The proposed project does not conflict with the previously established Land Conservation (Williamson) Act contract because the existing winery and proposed tasting and agricultural promotional event uses are listed as compatible uses, under the Sonoma County Uniform Rules for the Land Conservation Act Program, and the property will continue to be maintained in qualifying prime agricultural uses.

Significance Level:

Less than Significant Impact

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

Comment:

The project site is not under the TP (Timberland Production) zoning district, therefore the project will not conflict with, or cause the rezoning of, forest land or timberland zoned Timberland Production.

Significance Level:

No Impact

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

Comment:

The project does not result in a loss of forest land or conversion of forest land to non-forest use as the project site does not contain forest land nor any timber resources.

Significance Level:

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?

Comment:

The project does not involve other changes in the environment that could result in conversion of farmland to non-agricultural use or forest land to non-forest use. The project site will remain zoned Land Intensive Agriculture and the existing commercial vineyard will remain on the site.

Significance Level:

No Impact

3. AIR QUALITY:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

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

Comment:

The project is within the jurisdiction of the Northern Sonoma County Air Pollution Control District (NSCAPCD). The NSCAPCD does not have an adopted air quality plan because it is in attainment for all federal and state criteria pollutants, although the District occasionally exceeds state standards for PM₁₀.

Significance Level:

Less than Significant Impact

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

Comment:

The project is located in the NSCAPCD jurisdiction, a region that is in attainment for criteria pollutants under applicable state and federal ambient air quality standards, however, PM₁₀ is a criteria pollutant that is closely monitored in the NSCAPCD. Readings in the district have exceeded state standards on several occasions in the last few years. The high PM₁₀ readings occurred in the winter and are attributed to the seasonal use of wood burning stoves. Since the geographic area under the NSCAPCD jurisdiction is in attainment for all criteria air pollutants, meaning there have been no violations of State or Federal air quality standards, no CEQA thresholds of significance have been set for the NSCAPCD. NSCAPCD does, however, suggest the use of the Bay Area Air Quality Management District (BAAQMD) CEQA thresholds and mitigation measures.

The project will have no long-term effect on PM₁₀, because all surfaces will be paved, gravel, landscaped or otherwise treated to stabilize bare soils, and operational dust generation will be insignificant. However, there could be a significant short-term emission of dust (which would include PM_{2.5} and PM₁₀) during construction. These emissions could be significant at the project level, and could also contribute to a cumulative impact. This impact would be reduced to less than significant by including dust control measures as described in mitigation measure below.

Although the project will generate some ozone precursors from project trip generation, an average of 62 daily vehicle trips and an average of 1 daily winery truck trips, the project will not have a significant cumulative effect on ozone because it will not generate substantial traffic resulting in significant new emissions of ozone precursors (ROG and NO_x, See table below). An Air Quality Assessment prepared by James A Reyff of Illingworth & Rodkin, Inc is provided in Attachment 2.

Scenario	ROG	NO _x	PM ₁₀	PM _{2.5}
Typical Project Operational emissions	0.04	0.04	0.03	0.01
Fermentation	0.07	-	-	-
Emissions from Events (12/year) 50 Persons	<0.01	<0.01	<0.01	<0.01
Total	0.11	0.05	<0.01	<0.01
<i>NSCAPCD Thresholds (tons per year)</i>	<i>40 tons</i>	<i>40 tons</i>	<i>15 tons</i>	<i>10 tons</i>
Exceed Threshold?	No	No	No	No

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure AIR-1:

The following dust control measures shall be included in the project:

- a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- c. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.

Mitigation Monitoring AIR-1:

Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above notes are printed on all construction plans including plans for building and grading.

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:

Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. The nearest sensitive receptor is a residential area located approximately 1,400 feet away from winery production site.

Although there will be no long term increase in emissions, during construction there could be significant short term dust emissions that would affect nearby residents. Dust emissions can be reduced to less than significant by the mitigation measure described in item 3b above.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation: See Mitigation Measure AIR-1

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)

Comment:

The BAAQMD's CEQA Air Quality Guidelines (2022) identifies land uses associated with odor complaints to include, but are not limited to, wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants.

Construction equipment may generate odors during project construction. The impact would be less than significant as it would be a short-term impact that ceases upon completion of the project.

The existing Winery may generate objectional odors due to the pomace from grape crushing which can create objectionable odors if not handled properly. This is an existing use and the expansion of production should not introduce any new odors to the site. Standard health conditions address the disposal of waste on site.

Significance Level:

Less than Significant Impact

4. BIOLOGICAL RESOURCES:

Regulatory Framework

The following discussion identifies federal, state and local environmental regulations that serve to protect sensitive biological resources relevant to the California Environmental Quality Act (CEQA) review process.

Federal

Federal Endangered Species Act (FESA)

FESA establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The Secretary of Interior and the Secretary of Commerce are designated in FESA as responsible for identifying endangered and threatened species and their critical habitat, carrying out programs for the conservation of these species, and rendering opinions regarding the impact of proposed federal actions on listed species. The USFWS and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) are charged with implementing and enforcing the FESA. USFWS has authority over terrestrial and continental aquatic species, and NOAA Fisheries has authority over species that spend all or part of their life cycle at sea, such as salmonids.

Section 9 of FESA prohibits the unlawful "take" of any listed fish or wildlife species. Take, as defined by FESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such action." USFWS's regulations define harm to mean "an act which actually kills or injures wildlife." Such an act "may include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering" (50 CFR § 17.3). Take can be permitted under FESA pursuant to sections 7 and 10. Section 7 provides a process for take permits for federal projects or projects subject to a federal permit, and Section 10 provides a process for incidental take permits for projects without a federal nexus. FESA does not extend the take prohibition to federally listed plants on private land, other than prohibiting the removal, damage, or destruction of such species in violation of state law.

The Migratory Bird Treaty Act of 1918 (MBTA)

The U.S. MBTA (16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is “unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof...” In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit incidental take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

The Clean Water Act (CWA)

The CWA is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA and the California State Water Resources Control Board enforces Section 401.

Section 404.

As part of its mandate under Section 404 of the CWA, the EPA regulates the discharge of dredged or fill material into “waters of the U.S.”. “Waters of the U.S.: include territorial seas, tidal waters, and non-tidal waters in addition to wetlands and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high-water marks. Wetlands are defined as those areas “that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3(b)). The discharge of dredged or fill material into waters of the U.S. is prohibited under the CWA except when it is in compliance with Section 404 of the CWA. Enforcement authority for Section 404 was given to the USACE, which it accomplishes under its regulatory branch. The EPA has veto authority over the USACE’s administration of the Section 404 program and may override a USACE decision with respect to permitting. Substantial impacts to waters of the U.S. may require an Individual Permit’s Projects that only minimally affect waters of the U.S. may meet the conditions of one of the existing Nationwide Permits, provided that such permit’s other respective conditions are satisfied. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions (see below).

Section 401.

Any applicant for a federal permit to impact waters of the U.S. under Section 404 of the CWA, including Nationwide Permits where pre-construction notification is required, must also provide to the USACE a certification or waiver from the State of California. The “401 Certification” is provided by the State Water Resources Control Board through the local Regional Water Quality Control Board (RWQCB). The RWQCB issues and enforces permits for discharge of treated water, landfills, storm-water runoff, filling of any surface waters or wetlands, dredging, agricultural activities and wastewater recycling. The RWQCB recommends the “401 Certification” application be made at the same time that any applications are provided to other agencies, such as the USACE, USFWS, or NOAA Fisheries. The application is not final until completion of environmental review under the CEQA. The application to the RWQCB is similar to the pre-construction notification that is required by the USACE. It must include a description of the habitat that is being impacted, a description of how the impact is proposed to be minimized and proposed mitigation measures with goals, schedules, and performance standards. Mitigation must include a

replacement of functions and values, and replacement of wetland at a minimum ratio of 2:1, or twice as many acres of wetlands provided as are removed. The RWQCB looks for mitigation that is on site and in-kind, with functions and values as good as or better than the water-based habitat that is being removed.

State

California Endangered Species Act (CESA)

Provisions of CESA protect state-listed threatened and endangered species. The CDFW is charged with establishing a list of endangered and threatened species. CDFW regulates activities that may result in “take” of individuals (i.e., “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”). Habitat degradation or modification is not expressly included in the definition of “take” under the California Fish and Game Code (CFGC), but CDFW has interpreted “take” to include the killing of a member of a species which is the proximate result of habitat modification.

Fish and Game Code 1600-1602

Sections 1600-1607 of the CFGC require that a Notification of Lake or Streambed Alteration Agreement (LSAA) application be submitted to CDFW for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” CDFW reviews the proposed actions in the application and, if necessary, prepares a LSAA that includes measures to protect affected fish and wildlife resources, including mitigation for impacts to bats and bat habitat.

Nesting Birds

Nesting birds, including raptors, are protected under CFGC Section 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” In addition, under CFGC Section 3503.5, “it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto”. Passerines and non-passerine land birds are further protected under CFGC 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by CDFW.

Non-Game Mammals

Sections 4150-4155 of the CFGC protects non-game mammals, including bats. Section 4150 states “A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission”. The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under the CFGC.

California Fully Protected Species and Species of Special Concern

The classification of “fully protected” was the CDFW’s initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (fish at §5515, amphibians and reptiles at §5050, birds at §3503 and §3511, and mammals at §4150 and §4700) dealing with “fully protected” species state that these species “...may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species,” although take may be authorized for necessary scientific research.

This language makes the “fully protected” designation the strongest and most restrictive regarding the “take” of these species. In 2003, the code sections dealing with “fully protected” species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

California Species of Special Concern (CSC) are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing or because they historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

Porter-Cologne Water Quality Control Act

The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, and it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the RWQCBs develop basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as “waters of the State,” include isolated waters that are not regulated by the USACE. Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., dirt) to waters of the State must file a Report of Waste Discharge and receive either waste discharge requirements (WDRs) or a waiver to WDRs before beginning the discharge.

Local

Sonoma County General Plan

The *Sonoma County General Plan 2020* Land Use Element and Open Space & Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors.

Riparian Corridor Ordinance

The RC combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values.

Valley Oak Habitat (VOH) Combining District

The VOH combining district is established to protect and enhance valley oaks and valley oak woodlands and to implement the provisions of *Sonoma County General Plan 2020* Resource Conservation Element Section 5.1. Design review approval may be required of projects in the VOH, which would include measures to protect and enhance valley oaks on the project site, such as requiring that valley oaks shall comprise a minimum of fifty percent (50%) of the required landscape trees for the development project.

Sonoma County Tree Protection Ordinance

The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Chapter 26, Article 88, Sec. 26-88-010 [m]) establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26- 02-140) as the following species: big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (*Sequoia sempervirens*), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

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 Wildlife or U.S. Fish and Wildlife Service?**

Comment:

Regulatory Framework

Special-Status Species

Special-status species include those plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (The Service) Birds of Conservation Concern, and CDFW special-status invertebrates, are all considered special-status species. Although CDFW Species of Special Concern generally have no special legal status, they are given special consideration under the California Environmental Quality Act (CEQA). In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Plant species on California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Bat species designated as “High Priority” by the Western Bat Working Group (WBWG) qualify for legal protection under Section 15380(d) of the CEQA Guidelines. Species designated “High Priority” are defined as “imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats.

Endangered Species Act

The Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 *et seq.*) was enacted to provide a means to identify and protect endangered and threatened species. Under the Section 9 of the ESA, it is unlawful to take any listed species. “Take” is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting a listed species. “Harass” is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. “Harm” is defined as an act which actually kills or injures fish or wildlife and may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering. Actions that may result in “take” of a federal-listed species are subject to The Service or National Marine Fisheries Service (NOAA

Fisheries) permit issuance and monitoring. Section 7 of ESA requires federal agencies to ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat for such species. Any action authorized, funded, or carried out by a federal agency or designated proxy (e.g., Army Corps of Engineers) which has potential to affect listed species requires consultation with The Service or NOAA Fisheries under Section 7 of the ESA.

Critical Habitat

Critical habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The ESA requires federal agencies to consult with the USFWS to conserve listed species on their lands and to ensure that any activities or projects they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery. In many cases, this level of protection is similar to that already provided to species by the ESA jeopardy standard. However, areas that are currently unoccupied by the species but which are needed for the species' recovery are protected by the prohibition against adverse modification of critical habitat.

Essential Fish Habitat

Essential Fish Habitat (EFH) is regulated through the NMFS, a division of the National Oceanic and Atmospheric Administration (NOAA). Protection of Essential Fish Habitat is mandated through changes implemented in 1996 to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to protect the loss of habitat necessary to maintain sustainable fisheries in the United States. The Magnuson-Stevens Act defines Essential Fish Habitat as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" [16 USC 1802(10)]. NMFS further defines essential fish habitat as areas that "contain habitat essential to the long-term survival and health of our nation's fisheries" Essential Fish Habitat can include the water column, certain bottom types such as sandy or rocky bottoms, vegetation such as eelgrass or kelp, or structurally complex coral or oyster reefs. Under regulatory guidelines issued by NMFS, any federal agency that authorizes, funds, or undertakes action that may affect EFH is required to consult with NMFS (50 CFR 600.920).

Staff Analysis:

The portions of the project constructed as of the date of application submittal are considered to be part of the California Environmental Quality Act (CEQA) "baseline" for the project and includes grading and improvements to the existing winery building, barn, adjacent outdoor landscaped areas and parking area.

Given that under current CEQA case law it is clear that the existing portions of the project are included in the CEQA baseline, the County's review of these issues is legally truncated. However, all of these species and habitat issues may require multiple state and federal permit reviews and consultations.

For this reason, the following Condition of Approval is to be included in the Use Permit:

Prior to issuance of any required occupancy approvals, building permits, grading permits, septic system permits, commencement of use permit activities and vesting the use permit, the applicant shall provide the County copies of all required state and federal regulatory permits, or if such permits are not required, written documentation from the respective state or federal agency that no such permit is required, for all of the following: Section 401 certification from the Region 2 San Francisco Water Quality Control Board (SFWQCB) for impacts to wetlands or streams, Section

404 permit from the Army Corps of Engineers (ACOE) for any impacts to wetlands or streams, Lake and Stream Bed Alteration Agreement for any impacts to wetlands, streams, lakes, ponds, or riparian habitats from the California Department of Fish and Wildlife (CDFW), Incidental Take Permit for any impacts to California Endangered Species Act (CESA) species from CDFW, and/or an Endangered Species Act (ESA) consultation, permit and/or habitat conservation plan from the U.S. Fish and Wildlife Service (USFWS) for impacts to any federally listed species.

Significance Level:

Less than Significant Impact

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

Comment:

All oak woodland vegetation communities are protected under the Sonoma County Oak Woodland Ordinance. Conservation Areas have been established in the Oak Woodland overlay zone to protect oak woodland habitat. Removal of vegetation and trees must comply with Oak Woodland Ordinance policies that govern the identified areas.

The proposed landscape and parking area does not proposed the removal of any trees or vegetation in the identified Oak Woodland areas.

All blueline streams shown on the USGS maps are designated for protection in the Sonoma County General Plan. Streamside Conservation Areas have been established in the riparian corridor overlay zone to protect riparian habitat. Removal of vegetation must comply with General Plan and Riparian Corridor Ordinance policies that govern riparian corridors for a distance of 100 ft. from the top of the highest bank.

The RC Combining Zone includes the applicable stream setback distance for development and as shown in the Table 1, below.

Riparian Corridor Category	RC Development Zoning Setbacks (in feet)
Russian River and some Area Plan streams	RC-200
Designated Flatland	RC-100
Other Flatland	RC-50
Upland	RC-50
Urban Areas	RC-50

The mitigation measures below are designed to ensure project consistency with Sonoma County General Plan policies for designated riparian corridors, including:

Policy OS-5h: Roadway construction should seek to minimize damage to riparian areas.

Policy CT-1k: Where practical, locate and design circulation improvements to minimize disturbance of biological resource areas and destruction of trees.

The proposed new construction for the project is outside the 100 ft Riparian Corridor setback but incidental grading related to site improvements may occur within the setback. Mitigation Measure BIO-1 and Conditions of Approval requiring Best Management Practice during the grading associated

with improvements will reduce the impact to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure BIO-1:

No vegetation will be pruned or removed within 100 ft. from the top of the highest bank along the unnamed seasonal swale. Where possible, vegetation will be tied back in lieu of cutting. Native vegetation that must be removed will be cut at or above grade to facilitate re-growth. Any pruning that is done, including for utility line clearance, will conform to the American National Standard for Tree Care Operation Tree, Shrub, and Other Woody Plant Maintenance Standard Practices, Pruning (ANSI A300 Part 1)-2008 Pruning), and the companion publication Best Management Practices: Tree pruning (ISA 2008). Roots will only be unearthed when necessary. Once construction is completed, the disturbed area from the construction shall be replanted to restore herbaceous, shrub and tree riparian vegetation.

Mitigation Monitoring BIO-1:

Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the 100-foot riparian setback is identified on the building, grading, and improvement plans and plans for the restoration of the areas disturbed by the construction of the bridge are submitted to Permit Sonoma for review.

- c) **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Comment:

Regulatory Framework

The Army Corps of Engineers (Corps) regulates “Waters of the United States”, including adjacent wetlands, under Section 404 of the federal Clean Water Act. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. Potential wetland areas are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act. Areas that are inundated for sufficient duration and depth to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as “other waters” and are often characterized by an ordinary high water mark (OHWM). The discharge of dredged or fill material into a Waters of the U.S. (including wetlands) generally requires a permit from the Corps under Section 404 of the Clean Water Act.

“Waters of the State” are regulated by the Regional Water Quality Control Board (Water Board) under the State Porter-Cologne Water Quality Control Act. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the State. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the ACOE under Section 404 (such as roadside ditches). Section 401 of the Clean Water Act specifies that any activity subject to a permit issued by a federal agency must also obtain State Water Quality Certification (401 Certification) that the proposed activity will comply with state water quality standards. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the Water Board has the option to regulate the dredge and fill activities under its state authority through its Waste Discharge Requirements (WDR) program.

The proposed remodel of existing structures, landscape and parking area are outside state or

federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.). Conditions of Approval requiring Best Management Practice during the ground disturbance associated with the proposed project improvements will reduce the impact to less than significant.

Significance Level:

Less than Significant Impact

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?

Comment:

The property is located within a much larger tract of agricultural/viticultural and lightly developed land southeast of urban development in the City of Healdsburg. The property includes a portion of an unnamed perennial stream and its surrounding Riparian Corridor. The corridor presumably serves as a movement and habitat corridor for an array of wildlife, and provides a linkage between the baylands of Sonoma and Napa Counties and other rural areas to the south.

While a (very small) component of this greater landscape setting, the property itself does not provide corridor functions beyond connecting similar agricultural/viticultural land parcels to the south, east, west and north. Within this context, agricultural expansion and/or limited development on the property is in and of itself unlikely to result in any significant impacts to local wildlife movement or impede the use of native wildlife nursery sites.

Ephemeral streams (even when dry) and associated vegetation within the property presumably provide very localized movement and shelter habitat for common wildlife species. The proposed project does not include tree removal in these designated areas and is designed to avoid stream on the property and therefore is not anticipated to interfere with the movement of wildlife.

The previous Mitigation Measure BIO-1 will reduce impacts to a level that would be less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure BIO-1

Mitigation Monitoring

See Mitigation Monitoring BIO-1

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

Comment:

Oak Woodland Combining District and VOH Valley Oak Habitat Combining District

Chapter 26, Article 67 of the Sonoma County Code contains a Oak Woodland Combining District and VOH Valley Oak Habitat Combining District ordinance (Sonoma County 2024). The ordinance designates 'protected' habitats and trees as well as provides mitigation standards for impacts to protected habitats and trees.

Tree Protection Ordinance

Chapter 26, Article 88. Sec. 26-88-010 (m) of the Sonoma County Code contains a tree protection ordinance (Sonoma County 2013). The ordinance designates 'protected' trees as well as provides mitigation standards for impacts to protected trees.

Sonoma County General Plan

The *Sonoma County General Plan 2020* (Sonoma County 2008) Land Use Element and Open Space & Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors. Policy OSRC-8b establishes streamside conservation areas along designated riparian corridors.

Riparian Corridor Ordinance

The RC combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values. Monitoring of the Riparian Corridor were discussed in 4 (b).

Significance Level:

Less than Significant Impact

- 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?**

Comment:

Habitat Conservation Plans and natural community conservation plans are site-specific plans to address effects on sensitive species of plants and animals. The project site is not located in an area subject to a habitat conservation plan or natural community conservation plan.

Significance Level:

No Impact

5. CULTURAL RESOURCES:

Would the project:

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

Comments:

There are no historical resources on the property, therefore there will be no impact.

Significance Level:

No Impact

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

Comment:

On June 25, 2021, Permit Sonoma staff referred the project application to Native American Tribes within Sonoma County to request consultation under AB-52 (the request for consultation period ended July 26, 2021). No requests for consultation were received.

There are no known archaeological resources on the site, but the project could uncover such materials during construction. Consistent with the CEQA Guidelines the following mitigation measure has been incorporated into the project to ensure accidental discoveries are mitigated to a less than significant impact.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

See Mitigation Measure TCR-1

Mitigation Monitoring:

See Mitigation Monitoring TCR-1

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

Comment:

The project site is not located within vicinity of any known unique paleontological resource or site or unique geologic. As described in Section 5.b) above, mitigation measures are in place to protect any paleontological resources or prehistoric, historic or tribal cultural resources that may be encountered during ground-disturbing work.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

See Mitigation Measure TCR-1

Mitigation Monitoring:

See Mitigation Monitoring TCR-1

6. ENERGY

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Comment:

The project will not result in significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Construction related to the remodel of the existing winery building and barn is minimal and standard construction practices will be used.

The project would increase electricity consumption in the region relative to existing conditions. However, the project would comply with the latest Title 24 Building Energy

Efficiency Standards. Increased energy use would occur as a result of increased electricity for building and facility operations and vehicle-based visitation to the project sites. Operation of the project would be typical of tasting room and farm retail requiring electricity for lighting, climate control, and miscellaneous appliances. Transportation energy demand from the implementation of the projects would be reduced by federal and State regulations including the Low Carbon Fuel Standard, Clean Car Standards, and Low Emission Vehicle Program. The site would also include onsite renewable energy generation from photovoltaic solar panels and EV charging facilities. Any additional energy use would be supplied by Sonoma Clean Power, which provides increased levels of renewable energy sourced energy from typical energy supplied by an investor-owned utility. Furthermore, the projects would not use natural gas or propane as an energy source. Thus, the projects' energy consumption from construction, building operation, and transportation would not be considered wasteful, inefficient, or unnecessary.

Significance Level:

Less than Significant Impact

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

Comment:

As noted above, the project facilities and buildings would comply with the latest Title 24 Building Energy Efficiency Standards, which are intended to increase the energy efficiency of new development projects in the state and move the State closer to its zero-net energy goals. The project would be automatically enrolled as a member of the Sonoma Clean Power (SCP), which serves as the Community Choice Aggregate (CCA) for the County. SCP works in partnership with PG&E to deliver GHG-efficient electricity to customers within its member jurisdictions. The project would also be all electric and provide EV charging facilities consistent with state efforts (e.g., 2022 Scoping Plan Update) for energy efficiency and fossil fuel use reduction. Implementation of the project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Significance Level:

Less than Significant Impact

7. GEOLOGY AND SOILS:

Would the project:

a) Directly or indirectly cause 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.**

Existing geologic conditions that could affect new development are considered in this analysis. Impacts of the environment on the project are analyzed as a matter of County policy and not because such analysis is required by CEQA.

Comment:

The site is not located in an Alquist-Priolo fault zone or on a known fault based on the Safety Maps in the Sonoma County General Plan. The Uniform Building Code has been developed to address

seismic events in California and development which complies with the Code will result in buildings which should withstand the most severe reasonably anticipated seismic event.

Significance Level:

Less than Significant Impact

ii. Strong seismic ground shaking?

Comment:

All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. By applying geotechnical evaluation techniques and appropriate engineering practices, potential injury and damage from seismic activity can be diminished, thereby exposing fewer people and less property to the effects of a major damaging earthquake. The structures will be subject to engineering standards of the California Building Code (CBC), which take into account soil properties, seismic shaking and foundation type. Project conditions of approval require that building permits be obtained for all change of use of buildings and construction and that the project meets all standard seismic and soil test/compaction requirements. The project would therefore not expose people to substantial risk of injury from seismic shaking. The following mitigation measures will ensure that potential impacts are reduced to less than significant levels.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation GEO-1

All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code). All construction activities shall meet the California Building Code regulations for seismic safety. Construction plans shall be subject to review and approval of Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by Permit Sonoma and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Mitigation Monitoring GEO-1

Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about code requirement.

iii. Seismic-related ground failure, including liquefaction?

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting ground failure. Areas of Sonoma County most at risk of liquefaction are along San Pablo Bay and in alluvial valleys. The subject site is not identified on the map in Safety Element (PS-1c) as Very High, High or Medium Liquefaction Hazard Areas.

Significance Level:

Less than Significant Impact

iv. Landslides?

Comment:

Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials landslides are a hazard. According to the Public Safety Element map PS-1d, the project includes structures located within a landslide hazard area. Building or grading could

destabilize slopes resulting in slope failure. All structures will be required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. Implementation of Mitigation Measures GEO-1, above would reduce any impacts to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure GEO-1

Mitigation Monitoring

See Mitigation Monitoring GEO-1

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

Comment:

The project includes minor ground disturbance for the addition of the parking area and new landscape. Ground disturbance and related grading activities are subject to erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code), which requires implementation of flow control best management practices to reduce runoff. The Ordinance requires treatment of runoff from the two year storm event. Required inspection by Permit Sonoma staff ensures that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

In regard to water quality impacts, County grading ordinance design requirements, adopted County grading standards and best management practices (such as silt fencing, straw wattles, construction entrances to control soil discharges, primary and secondary containment areas for petroleum products, paints, lime and other materials of concern, etc.), mandated limitations on work in wet weather, and standard grading inspection requirements, are specifically designed to maintain potential water quality impacts at a less than significant level during project construction.

For post construction water quality impacts, adopted grading permit standards and best management practices require that storm water to be detained, infiltrated, or retained for later use. Other adopted water quality best management practices include storm water treatment devices based on filtering, settling or removing pollutants. These construction standards are specifically designed to maintain potential water quality grading impacts at a less than significant level post construction.

The County adopted grading ordinances and standards and related conditions of approval which enforce them are specific, and also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, Low Impact Development and any other adopted best management practices. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards that need to be met.

Significance Level:

Less than Significant Impact

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?

Comment:

The project site is subject to seismic shaking and other geologic hazards as described in item 6.a.ii, iii, and iv, above. Implementation of Mitigation Measures GEO-1, above would reduce any impacts to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure GEO-1

Mitigation Monitoring

See Mitigation Monitoring GEO-1

- 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?**

Comment:

Potential impacts will be addressed through appropriate structural design and construction standards. For the proposed project, soils at the site have not been tested for their expansive characteristics. No substantial risks to life or property would be created from soil expansion at the proposed project, even if it were to be affected by expansive soils. The project will also be conditioned to require building permits to be approved in compliance with Building Code standards.

Significance Level:

Less than Significant Impact

- 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?**

Comment:

The project site is not in an area served by public sewer. Preliminary documentation provided by the applicant and reviewed by the Permit Sonoma Health Specialist indicates that the soils on site could support a replacement septic system and the required expansion area.

Significance Level:

No Impact

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Comment:

No cultural resource study was required for this project. The project site is already significantly disturbed by an active farming operation and related infrastructure. Required ground disturbance is related to new parking and landscaping. There have been no unique geologic features identified on site. Standard Tribal Cultural Resource mitigation requiring notes on maps for the required building permits will reduce the impacts to less than significant.

Significance Level:

Less than Significant Impact

8. GREENHOUSE GAS EMISSIONS:

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Section 15064.4 of the State CEQA Guidelines assists lead agencies in determining the significance of the impacts of GHG emissions. Section 15064.4 gives lead agencies the discretion to assess emissions quantitatively or qualitatively. The CEQA Guidelines do not establish a threshold of significance. Lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies or other experts, so long as any threshold chosen is supported by substantial evidence.

The Bay Area Air Quality Management District's (BAAQMD) 2022 Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects acknowledges that evaluating climate impacts under CEQA can be challenging because global climate change is inherently a cumulative problem, rather than the result of a single source of greenhouse gas (GHG) emissions. With that in mind, the BAAQMD has recommended thresholds of significance as to whether a proposed project would have a "cumulatively considerable" contribution to the significant cumulative impact on climate change.

For land use development projects, the BAAQMD recommends using an approach which evaluates a project based on its effect on California's efforts to meet the State's long-term climate goals. Using this approach, a project that is consistent with and would contribute its "fair share" towards achieving those long-term climate goals can be found to have a less-than-significant impact on climate change under CEQA because the project would, in effect, help to solve the problem of global climate change. Applying this approach, the Air District has analyzed what will be required of new land use development projects to achieve California's long-term climate goal of carbon neutrality by 2045.

Because GHG emissions from the land use sector come primarily from building energy use and from transportation, these are the areas that the BAAQMD evaluated to ensure that a project can and will do its fair share to achieve carbon neutrality. With respect to building energy use, the BAAQMD recommends replacing natural gas with electric power and eliminating inefficient or wasteful energy usage. This will support California's transition away from fossil fuel-based energy sources and will bring a project's GHG emissions associated with building energy use down to zero as the state's electric supply becomes 100 percent carbon free. With respect to transportation, the BAAQMD recommends that projects be designed to reduce project-generated Vehicle Miles Travelled (VMT) and to provide sufficient electric vehicle (EV) charging infrastructure to support a shift to EVs over time.

The BAAQMD has found, based on this analysis, that a new land use development project being built today either must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b), or must incorporate the following design elements to achieve its "fair share" of implementing the goal of carbon neutrality by 2045:

A. Projects must include, at a minimum, the following project design elements:

1. Buildings

- a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation

- a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's (OPR) 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee

- iii. Retail projects: no net increase in existing VMT
- b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

There is currently no applicable local GHG reduction strategy, such as an adopted Climate Action Plan, for Sonoma County. Therefore, the applicants provided an Air Quality and GHG Analysis prepared by James A. Reyff of Illingworth & Rodkin, Inc. on September 7, 2021 and revised on January 29, 2024 (Attachment 2) and the project was analyzed under criterion A above and discussed below.

Buildings: As discussed in the Energy Section 6a, the project does not include any new construction except the remodel of an existing winery building and barn that will bring it up to commercial building code standards for a tasting room and event space. Plans for the building do not include the use of natural gas appliances or natural gas plumbing. The winery building and barn remodels and updates will require compliance with the latest Title 24 Building Energy Efficiency Standards. Therefore, impacts due to energy consumption would be less than significant.

Transportation: The tasting room and winery project does not include new residences, office buildings, or commercial retail, and therefore, does not contribute any VMT to these three land use categories of concern. (Note that "commercial retail" refers to commercial retail spaces, not to a small ancillary retail space associated with another land use). The project would include commercial use of an existing barn and would conservatively generate a maximum of 62 average daily trips.

As discussed in the Transportation Section 17b, VMT refers to the amount and distance of automobile travel attributable to a project. The County of Sonoma has not yet adopted specific VMT policies or thresholds of significance. However, the OPR Technical Advisory includes a screening threshold for small projects that generate or attract fewer than 110 trips per day, stating this level of vehicle activity may generally be assumed to result in a less than significant transportation impact. The project proposes a maximum of 62 average daily trips. The project also proposes to implement a local hiring plan (at least 50% of employees from local area), so although distance travelled for employee trips has not been estimated, it is reasonable to assume that employees would primarily be hired from the local area and would generate relatively few travel miles associated with in-county commuter trips.

The maximum average daily trip number of 62 is far below the OPR threshold of 110, and distance-related vehicle miles are also anticipated to be low due to the proposed plan to hire from the local workforce. Therefore, the project is expected to have a less than significant VMT impact.

The latest California Green Building Standards Code (CALGreen) was published in 2022 and went into effect on January 1, 2023. The 2022 CALGreen Tier 2 requirements for EV charging stations apply to new non-residential buildings and require that off-street EV capable spaces be provided for a new non-residential development project with 10 or more parking spaces (note there are separate EV requirements for residential projects). The project proposed is exempt from the 2022 requirements because it is a remodel of an existing non-residential structure. Per the provided GHG analysis the applicant is committed to voluntarily complying with measures for providing electrical vehicle charging stations.

The BAAQMD 2022 guidance does not propose construction-related climate impact thresholds, stating that GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions, and that land use project thresholds are better focused on addressing operational GHG emissions, which represent the vast majority of project GHG emissions. Therefore, construction related GHG would not exceed established thresholds. Additionally, project construction activities would be minimal, consisting of internal tenant improvements to reconfigure the existing barn and to bring it up to current code standards. Proposed improvements include an additional parking area and new landscape.

Because the project does not propose the use of natural gas, would use minimal energy, does not include new residential, office, or retail uses, would generate low VMT, and meets 2022 CALGreen requirements for EV charging stations, the project would contribute its "fair share" towards achieving the State's long-term climate goals, and therefore, would have a less-than-significant impact on climate change.

Significance Level:

Less than Significant Impact

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?Comment:

The County does not have an adopted Climate Action Plan but has adopted a Climate Change Action Resolution (May 8, 2018) which resolved to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050, and noted twenty strategies for reducing GHG emissions, including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of good and services. The project has proposed to incorporate many GHG reduction strategies, including:

1. Increase building energy efficiency.
 - a. The project is compliant as it would meet any appropriate State and local building code requirement for energy efficiency.
 - b. LED lighting systems would be installed.
 - c. Lighting timers and dimmers will be utilized.
 - d. Night air cooling would be utilized as there would no new air conditioning use. An HVAC system is only anticipated in the hospitality and administration areas of the Hospitality/Administration/Barrel Building.
2. Increase renewable energy use.
 - a. The project would have a negligible increase in electricity usage.
 - b. Project plans would include generation of onsite solar power.
 - c. Sonoma Clean Power will be the electrical utility provider for the site, which has a greater reliance on renewable power sources.
3. Electrical energy usage.
 - a. EV charging stations will be installed at the parking lots, in accordance with County guidelines.
4. Reduce travel demand through focused growth.
 - a. The project is a local winery that will use locally grown agriculture products.
 - b. The project is anticipated to generate traffic below 110 trips daily and would be below screening thresholds for vehicle miles travelled impacts.
5. Increase solid waste diversion.
 - a. The project is compliant as it would meet the County and local recycling goals. 100% of the solid waste (pomace) will be recycled on site as a soil amendment for the vineyards.
6. Reduce water consumption.
 - a. The project would include low flow water fixtures and water efficient irrigation systems. 100% of the winery process wastewater will be reclaimed for irrigation of the onsite vineyards.
 - b. Any new landscape would be drought tolerant.
7. Increase carbon sequestration.
 - a. The project would have limited effects on vegetation. Any project landscaping will increase productive vegetation that sequesters carbon.

By incorporating these GHG reduction strategies, the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Significance Level:

No Impact

9. 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?

Comment:

Small amounts of potentially hazardous materials will be used on this project such as fuel, lubricants, and cleaning materials. Proper use of materials in accordance with local, state, and federal requirements, and as required in the construction documents, will minimize the potential for accidental releases or emissions from hazardous materials. This will assure that the risks of the project uses impacting the human or biological environment will be reduced to a less than significant level.

Significance Level:

Less than Significant Impact

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

Comment:

The project proposes minor construction for remodeling the existing winery building and barn and the addition of a small parking area and landscaping. The project would not generate or produce substantial quantities of hazardous material or unsafe conditions. During construction activities there could be spills of hazardous materials. To address this possibility, the project is required to comply with all applicable hazardous materials handling and storage requirements and would use qualified contractors for construction. See Item 9.a. above.

Significance Level:

Less than Significant Impact

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

Comment:

The project does not involve hazardous emissions or handle hazardous materials. There is not an existing or proposed school within 0.25 miles of the site.

Significance Level:

No Impact

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?

Comment:

The project site was not identified on, or in the vicinity of, any parcels on lists compiled by the California Environmental Protection Agency, Regional Water Quality Control Board, California Department of Toxic Substances Control, and the CalRecycle Waste Management Board Solid Development Waste Information System (SWIS). The project area is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Significance Level:

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 or excessive noise for people residing or working in the project area?**

Comment:

The site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan (ALUC).

Significance Level:

No Impact

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Comment:

The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. In any case, the project would not change existing circulation patterns significantly, and would have no effect on emergency response routes.

Significance Level:

No Impact

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Comment:

Prior to operation, the applicant and/or operator must comply with all fire safety laws, including the California Department of Forestry and Fire Protection, 14 California Code of Regulations §1270 et seq., the California Fire Code as adopted with local amendments in the Sonoma County Code Chapter 13, and defensible space requirements as set forth in Sonoma County Code Chapter 13A. All construction projects must comply with these fire safety laws, including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site. As part of the County's planning referral process, the Sonoma County Fire Prevention required the applicants to apply for a Same Practical Effect Exemption to standards pursuant to 14 California Code Regulations §1270.

California Department of Forestry and Fire Protection, 14 California Code of Regulations § 1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. The applicant requested an Exceptions to Standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.01 and §1270.06 due to environmental conditions and physical site limitations based on the following:

1. Mitigations to achieve "same practical effect" are directed at limiting the use of the road by visitors and hospitality employees in high fire hazard conditions and during active fires. Specifically, the hazard posed to occupants egressing on narrow roads during wildland fire conditions is mitigated by significantly reducing the likelihood that visitors will be on the roads during these conditions.
2. In the event of a red flag warning, visitor serving activities, including tasting appointments, will be relocated to the alternate Medlock Ames Tasting Room site located on Hwy 128 in Geyserville, CA or cancelled and rescheduled if necessary. Additionally, multiple exits off of the property exist, including a secondary evacuation exit via Flora Ranch Road as described above is available if Toby Lane is impacted. Fire safety and emergency action plans are provided to employees and qualified staff is present to administer them.
3. Furthermore, there are four wells and six on site ponds. All of the ponds would be available for fire suppression, if needed, however pond Ponds P2 (13 acre feet) and P3 (9.61 acre feet) are solely available for fire suppression as neither pond are utilized for any other use. Both ponds P2

and P3 are naturally filled with rainwater. Pond P3 is specifically designated for fire suppression, and therefore is topped with well water as needed to maintain a full pond at all times. Pond P2 is merely a landscape feature, and may have water added as needed in the event of severe evaporation. As a result, there exists 22.61 acre feet of water located adjacent to the winery site that are available solely for fire suppression. See sheet UP1 with the location of all wells and ponds noted.

Irrigation Ponds & Reservoirs		
Map ID	Capacity (acre-feet)	Primary Use
P1	9.94	landscape & agricultural irrigation
P2	13	not used - landscaping feature only
P3	9.61	fire suppression only
P4	26	shared with neighbor
P5	5	frost protection
P6	45	shared with neighbor; recreational use only

Sonoma County Fire Prevention included several conditions of approval that the applicant would need to comply with, addressing the following areas:

- Compliance with pertinent codes, regulations, and ordinances related to building design and fire prevention.
- Fire protection planning.
- Fire access roads, including gates with Knox Box to ensure access.
- Water supplies and hydrants
- Location of hazardous materials
- Employee training for proper use of regulated materials as required in the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13.

As a standard condition of approval, construction on the project site would be required to comply with the California Fire Code with local amendments as adopted in Sonoma County Code Chapter 13, including but not limited to fire sprinklers, emergency vehicle access, and water supply making the impact from risk of wildfire less than significant. County Code Section 26-88-254(f)(16) also requires that the applicant prepare and implement a fire prevention plan for construction and ongoing operations, including provision for emergency vehicle access and turnouts, vegetation management, and fire break maintenance around all structures.

Project compliance with standard County and State requirements as well as the secondary emergency access route to assist the emergency response in the event of a wildfire emergency and significant additional water storage would ensure that risks from wildland fires on people and structures would be less than significant.

Employee training for proper use of regulated materials as required in the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13. As a standard condition of approval, construction on the project site would be required to comply with the California Fire Code with local amendments as adopted in Sonoma County Code Chapter 13, including but not limited to fire sprinklers, emergency vehicle access, and water supply making the impact from risk of wildfire less than significant. County Code Section 26-88-254(f)(16) also requires that the applicant prepare and implement a fire prevention plan for construction and ongoing operations, including provision for emergency vehicle access and turnouts, vegetation management, and fire break maintenance around all structures. See section 20 for further discussion of wildfire impacts.

Significance Level:
Less than Significant Impact

10. HYDROLOGY AND WATER QUALITY:

Would the project:

- a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

Comments:

With regard to wastewater discharge requirements, the project site is not located in an area served by public sewer. Existing septic systems and leachfields will be modified to treat domestic wastewater for the winery and tasting room. The systems would comply with the Building Regulations listed in Chapter 7 of the Sonoma County Code of Ordinances which would require that approval be obtained from the well and septic section of Permit Sonoma for any onsite disposal system. The septic systems and leachfields would be subject to the provisions of the County of Sonoma OWTS Manual which provides the regulations, procedural and technical details governing septic tanks, including soil capability. The site would be evaluated for soil depth, depth to groundwater, soil percolation rates, and other soil properties related to septic systems. In addition, the septic systems would also be subject to the County's Sewers and Sewage Disposal Ordinance, Chapter 24 of the Sonoma County Code of Ordinances. The ordinance requires that the septic tank meet the International Association of Plumbing and Mechanical Officials PS-1 design standard and would require a permit for maintenance and cleaning of the system. These requirements have been developed to ensure protection of groundwater resources, human health, and the environment.

Project conditions require that an application for additional wastewater discharge requirements be filed by the applicant with the North Coast Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board must be submitted to the Project Review Health Specialist prior to building permit issuance. In addition, prior to building permit issuance and occupancy, the applicant shall have a capacity/wastewater flow analysis by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system's ability to accommodate the peak flows from all sources granted.

With regard to water quality, standard permitting procedures require a Grading Permit and associated Erosion Prevention and Sediment Control Plan for the proposed improvements and other movement of soils, to which all applicable standards and provisions of the Sonoma County Grading and Drainage Ordinance would apply.

Significance Level:
Less than Significant Impact

- b) **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Comment:

The project is located in the Santa Rosa Plain groundwater basin that is managed by the Santa Rosa

Plain Groundwater Sustainability Agency in accordance with the Sustainable Groundwater Management Act. The Groundwater Sustainability Agencies are currently developing Groundwater Sustainability Plans which must be completed by 2022 and will provide a regulatory framework for managing groundwater use.

The proposed project is located within a Class 3-Marginal Groundwater Area, subject to requirement of General Plan Policy WR-2e which calls for a groundwater studies that demonstrate adequate groundwater supply for projects in Class 3 and 4 water areas.

The County requires preparation of a groundwater study to assess impact of projects that include new groundwater use.

A Groundwater Resource Impact Assessment (Attachment 3) was performed by O'Connor Environmental Inc. on January 5, 2022 and accepted by Permit Sonoma's staff Geologist on June 3, 2022. The report found that a cumulative impact area of 272 acres for the water budget analysis. The report estimated groundwater storage (1,302 acre feet) and average year recharge (208.5 acre feet/year) to be greater than proposed water demands (46.2 acre feet) of the cumulative impact area at full build-out under current zoning. The project itself is expected to increase groundwater use by roughly 0.5 acre feet/year, and the winery and tasting room will have a total water use of 1.35 acre feet/year. No Impacts to groundwater resources are expected as a result of the project.

Significance Level:

Less than Significant Impact

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?

- i. would result in substantial erosion or siltation on- or off-site?**
- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
- iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**
- iv. Impede or redirect flood flows?**

Comment:

Construction activities associated with the proposed project are not anticipated to alter the existing drainage pattern of the site or area in a way that would result in downstream erosion and/or sedimentation. The project site is not within any classified flood hazard zone. All ground disturbance and construction activities require a grading and building permit prior to commencement of these activities. Standard conditions of approval for the project require prior to grading permit issuance, the applicant submit a drainage report prepared by a civil engineer and demonstrate drainage improvements are designed in accordance with the Sonoma County Water Agency Flood Management Design Manual. Drainage improvements are required to maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with Permit Sonoma's best management practices guide and all other applicable regulations. Existing drainage patterns must be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.

Significance Level:

Less than Significant Impact

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?Comment:

No. The proposed project is located in an existing building complex, outside of any designated flood hazard area, tsunami, or seiche zone. Therefore, no risk of pollutants due to project inundation would occur.

Significance Level:

Less than Significant Impact

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?Comment:

No. As discussed in (a) and (b) above this project is expected to result in a zero net water use for the site consistent with the requirements of the Sustainable Groundwater Management Plan and Groundwater Sustainability Plan.

Significance Level:

Less than Significant Impact

11. LAND USE AND PLANNING:

Would the project:**a) Physically divide an established community?**Comment:

The project would not physically divide a community. It does not involve construction of a physical structure (such as a major transportation facility) or removal of a primary access route (such as a road or bridge) that would impair mobility within an established community or between a community and outlying areas.

Significance Level:

No Impact

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?Comment:

The General Plan Land Use Designation on the project parcel is Land Intensive Agriculture. This land use designation is intended to enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land. The primary use of any parcel within one of the three agricultural land use categories must involve agricultural production and related processing, support services, and visitor serving uses. Within the Land Intensive Agriculture Zoning designation agricultural crop production and cultivation is principally permitted use, which is proposed to be the primary use of the parcel. The proposed uses of the agricultural processing (winery), tasting room and proposed events are considered accessory to the primary use. The secondary use of agricultural processing has been found consistent with the applicable Zoning Code sections and applicable General Plan Policies. See above section 2: Agriculture and Forest Resources. The secondary use of tasting room has been found consistent with the applicable Zoning Code sections and applicable General Plan Policies. See above section 2: Agriculture and Forest Resources.

The proposed project will allow agricultural processing of grapes to wine, tasting room and events on site and therefore would not impede on existing or future agriculture operations on site because the secondary uses are in direct conjunction of the onsite agricultural processing. The proposed project will align the existing use with Policy AR-4a by creating visitor serving uses in conjunction with the primary agricultural production use. No conflicts with other general plan policies related to scenic, cultural, or biotic resource protection, noise, or transportation have been identified.

No conflicts with Development Criteria or Operating Standards have been identified and no exceptions or reductions to standards would be necessary to approve the project. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Significance Level:

Less than Significant Impact

12. 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?**

Comment:

The project site is not located within a known mineral resource deposit area (Sonoma County Aggregate Resources Management Plan, as amended 2010). Sonoma County has adopted the Aggregate Resources Management Plan that identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist). Consult California Geologic Survey Special Report 205, Update of Mineral Land Classification: Aggregate Materials in the North San Francisco Bay Production-consumption region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California (California Geological Survey, 2013).

Significance Level:

No Impact

- 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?**

Comment:

The project site is not located within an area of locally-important mineral resource recovery site and the site is not zoned MR (Mineral Resources) (Sonoma County Aggregate Resources Management Plan, as amended 2010 and Sonoma County Zoning Code). No locally-important mineral resources are known to occur at the site.

Significance Level:

No Impact

13. NOISE:

Would the project:

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the**

vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?Comment:

Staff determined that a noise study is not required for this project. The existing processing facility is considered a noise generating land use and is considered baseline for CEQA analysis. The closest residence or noise sensitive land use is 1500 feet away and the proposed events will only have amplified music indoors. Light acoustic sound is proposed outdoors but given the proximity of the closest residence a noise study is not warranted.

Temporary noise related to construction can be mitigated to less than significant with the incorporation of Mitigation Measure NOISE-1.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure NOISE-1:

Construction activities for this project shall be restricted as follows:

All plans and specifications or construction plans shall include the following notes:

- a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. (same note as above) on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the Permit Sonoma Project Review Division as soon as practical.
- c) There will be no start up of machines nor equipment prior to 7:00 a.m, Monday through Friday or 9:00 am on weekends and holidays; no delivery of materials or equipment prior to 7:00 a.m nor past 7:00 p.m, Monday through Friday or prior to 9:00 a.m. nor past 7:00 p.m. on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- d) Pile driving activities shall be limited to 7:30 a.m. to 7:00 p.m. weekdays only
- e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- f) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

Mitigation Monitoring NOISE-1:

Permit Sonoma Project Review Division staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. Permit Sonoma staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate. (Ongoing)

b) Generation of excessive groundborne vibration or groundborne noise levels?

Comment:

The project includes construction activities that may generate minor ground borne vibration and noise. These levels would not be significant because they would be short-term and temporary, and would be limited to daytime hours. There are no other activities or uses associated with the project that would expose persons to or generate excessive ground borne vibration or ground borne noise levels. (For quarries need to consider potential for blasting impacts).

Significance Level:

Less than Significant Impact

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

Comment:

The site is not within an airport land use plan as designated by Sonoma County.

Significance Level:

No Impact

14. POPULATION AND HOUSING:

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Comment:

The project would not include construction of any homes, substantial number of businesses or infrastructure and therefore would not induce substantial population growth.

Significance Level:

No Impact

b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?

Comment:

No housing will be displaced by the project and no replacement housing is proposed to be

constructed.

Significance Level:
No Impact

15. PUBLIC SERVICES:

Would the project:

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

Comment:
Construction of the project would not involve substantial adverse physical impacts associated with provision of public facilities or services and the impact would be less than significant.

Significance Level:
Less than Significant Impact

i. Fire protection?

Comment:
Sonoma County Code requires that all new development meet Fire Safe Standards (Chapter 13). The County Fire Marshal reviewed the project description and requires that the expansion comply with Fire Safe Standards, including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. This is a standard condition of approval and required by county code and impacts would be less than significant. Fire protection services will continue to be provided by the Fire Department.

Significance Level:
Less than Significant Impact

ii. Police?

Comment:
The Sonoma County Sheriff will continue to serve this area. There will be no increased need for police protection resulting from this project.

Significance Level:
Less than Significant Impact

iii. Schools?

Comment:
The project itself would not contribute to an increase in the need for expanded or additional schools.

Significance Level:
Less than Significant Impact

iv. Parks?

Comment:

The project itself would not contribute to an increase in the need for expanded or additional parks.

Significance Level:

Less than Significant Impact

v. Other public facilities?

Comment:

The project itself would not contribute to an increase in the need for expanded or additional public facilities.

Significance Level:

Less than Significant Impact

16. RECREATION:

Would the project:

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

Comment:

The proposed project would not involve activities that would cause or accelerate substantial physical deterioration of parks or recreational facilities. The project will have no impact on the use of existing neighborhood and regional parks or other recreational facilities.

Significance Level:

No Impact

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Comment:

The project does not include a recreational facility and is of a project-type that does not require the construction or expansion of a recreational facility.

Significance Level:

No Impact

17. TRANSPORTATION:

Would the project:

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

Three transportation-related plans have been adopted in Sonoma County: the Sonoma County General Plan 2020 Circulation Element, the Sonoma County Transportation Authority Comprehensive Transportation Plan (2009), and the Sonoma County Bikeways Plan. The project will not conflict with any of these plans.

Using the screening criteria established by the County of Sonoma Guidelines for traffic studies, which states that Permit Sonoma and Sonoma County Public Infrastructure are both responsible for the review and condition of private development projects. Traffic related conditions must be based on an analysis of the potential traffic impacts that establish a reasonable nexus between the impacts of the project and the required improvements or conditions. The applicant submitted a traffic study (Attachment 5) that met these guidelines and determined that the project would not cause a significant traffic impact to the study intersections.

The applicant submitted an initial Draft Traffic Study dated November 10, 2022, after peer review by Sonoma County Public Infrastructure and Final Traffic Study was submitted and accepted July 7, 2023. The traffic study findings are as follows:

- The proposed project would be expected to generate 62 daily trips on average, including three trips during the a.m. peak hour and ten p.m. peak hour trips. The twelve proposed 50-person events would each be expected to generate an average of 46 trip ends at the driveway.
- The project is anticipated to result in a less-than-significant transportation impact on VMT based on the OPR Guidelines.
- Under Existing conditions, Chalk Hill Road is operating acceptably at LOS A and would be expected to continue doing so upon adding trips associated with the proposed events.
- Adequate sight distances are available on Chalk Hill Road at Toby Lane, which leads to the project site.
- A left-turn lane is not warranted on Chalk Hill Road at Toby Lane based on Existing plus Event volumes.

Sonoma County Public Infrastructure provided Conditions of Approval for this project that require the applicant adhere to these recommendations.

Significance Level:

Less than Significant Impact

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (evaluation of transportation impacts of land use projects using vehicle miles traveled)?

Comment:

Sonoma County does not have a congestion management program but LOS standards are established by the Sonoma County General Plan Circulation and Transit Element. See Item 17(a) above for a discussion of traffic resulting from project operation.

Senate Bill (SB) 743 established the change in vehicle miles traveled (VMT) as the metric to be applied to determining transportation impacts associated with development projects. As of the date of this analysis, Sonoma County has not yet adopted thresholds of significance related to VMT. As a result, project-related VMT impacts were assessed based on guidance published by the California Governor's Office of Planning and Research (OPR) in the publication Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory, 2018. The OPR guidelines identify several criteria that may be used by jurisdictions to identify certain types of projects that are unlikely to have a significant VMT impact and can be "screened" from further analysis. One of these screening criteria pertains to "small projects," which OPR identifies as generating fewer than 110 new vehicle trips per typical weekday. The trip generation for the project, including the farmstand, tasting room, as well as proposed events, were translated to annual average daily trips. Altogether, the project is expected to generate an average of about 62 daily trips, which falls well below the OPR threshold of 110 daily trips. As a result, it is reasonable to conclude that the project would have a less-than-significant impact on VMT.

Accordingly, the project is expected to have a less-than- significant impact on VMT for both

employment and patron-related travel.

Significance Level:
Less than Significant Impact

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

Comment:
The project would not increase hazards, since it maintains the existing alignment of the roadway and would not create hazards from incompatible uses.

Significance Level:
No Impact

d) Result in inadequate emergency access?

Comment:
Development on the site must comply with all emergency access requirements of the Sonoma County Fire Safety Code (Sonoma County Code Chapter 13), including emergency vehicle access requirements. Project development plans are required to be reviewed by a Department of Fire and Emergency services Fire Inspector during the building permit process to ensure compliance with emergency access issues.

Applicant/contractor shall provide a Traffic Control Plan for review and approval by Sonoma County Fire and Emergency Services and Department of Transportation and Public Works prior to issuance of a building permit or award of bids. The Traffic Control Plan must address emergency vehicle access during construction and provide for passage of emergency vehicles through the project site at all times. Applicant/contractor shall notify local emergency services prior to construction to inform them that traffic delays may occur, and also of the proposed construction schedule.

Significantly, the applicant has also offered access on a private driveway on the adjoining property to the south for emergency responders to access a secondary emergency vehicle access route from Flora Ranch Road to Toby Lane to ensure safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with §§1273.00 through 1273.09.

Significance Level:
Less than Significant Impact

e) Result in inadequate parking capacity?

Comment:
The Sonoma County Code Section 26-86 does not have an equivalent use for a tasting room or events, the best equivalent use is found in code section 26-18-260 that identifies standards for winery tasting rooms and events. Parking requirements for these tasting rooms and events are one space per 2.5 guests and one parking space per employee. The tasting room and winery's daily operations are limited to 12 visitors at one time and 15 employees per day during harvest requiring one space per 2.5 people and one space per employee equal to 20 parking spaces. The largest events for 50 people will also require one space per 2.5 people equal to 20 spaces total plus one space per employee for the event equal to 15 spaces for a total of 35 spaces for the largest events. In total there are 48 parking spaces to accommodate all uses on the project site.

Significance Level:
Less than Significant Impact

18. TRIBAL CULTURAL RESOURCES:

State Regulations

CEQA requires that a lead agency determine whether a project could have a significant effect on historical resources and tribal cultural resources (PRC Section 21074 [a][1][A]-[B]). A historical resource is one listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR, PRC Section 21084.1), a resource included in a local register of historical resources (PRC Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (PRC Section 15064.5[a][3]).

If a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b], and [c]).

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (*CEQA Guidelines* Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion or eligibility for inclusion in the CRHR (*CEQA Guidelines* Section 15064.5[b][2][A]).

California Public Resources Code

Section 5097.5 of the California PRC states:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

As used in this PRC section, "public lands" means lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

Codes Governing Human Remains

The disposition of human remains is governed by Health and Safety Code Section 7050.5 and PRC sections 5097.94 and 5097.98 and falls within the jurisdiction of the Native American Heritage Commission (NAHC). If human remains are discovered, the county coroner must be notified within 48 hours, and there should be no further disturbance to the site where the remains were found. If the coroner determines the remains are Native American, the coroner is responsible to contact the NAHC within 24 hours. Pursuant to PRC Section 5097.98, the NAHC will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

Would the project:

Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object

with cultural value to a California native American tribe, and that is: i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5030.1(k); or ii) a resource determined by the lead agency. In its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

On June 25, 2021, Assembly Bill 52 Project Notifications were sent to the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Torres Martinez Desert Cahuilla Indians, Mishewal Wappo Tribe of Alexander Valley, Middletown Rancheria Band of Pomo Indians, Lytton Rancheria of California, Kashia Pomos Stewarts Point Rancheria and Federated Indians of Graton Rancheria. These Native American tribes were invited to consult on the project pursuant to Public Resources Code sections 21080.3.1 and 21080.3.2. No requests for consultation were received.

There are no known archaeological resources on the site, but the project could uncover such materials during construction. Consistent with the CEQA Guidelines the following mitigation measure has been incorporated into the project to ensure that no cultural or archaeological resources are unearthed during ground disturbing activities.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure TCR-1:

All building and/or grading permits shall have the following note printed on grading or earthwork plan sheets:

NOTE ON PLANS: "If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

Mitigation Monitoring TCR-1:

Building/grading permits shall not be approved for issuance by Permit Sonoma - Project Review Staff until the above notes are printed on the building, grading and improvement plans.

19. UTILITIES AND SERVICE SYSTEMS:

Would the project:

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Comment:

The project would not contribute to the need for construction of new water or wastewater treatment facilities, other than construction of a replacement private onsite septic system.

Significance Level:

No Impact

- b) **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Comment:

The property is served by an existing well. Permit Sonoma staff Geologist has determined the site contains sufficient onsite water supplies available for the project. See section 10 above for a more detailed analysis.

Significance Level:

Less than Significant Impact

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

Comment:

The domestic wastewater systems for the site will be sized in accordance with the County of Sonoma OWTS Manual. The onsite septic would have sufficient capacity to treat the maximum domestic daily demand generated by the winery, tasting room and events.

Significance Level:

Less than Significant Impact

- d) **Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Comment:

Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project. Active permitted regional landfills include the Redwood Sanitary Landfill (26 million cubic yards remaining capacity), Potrero Hills Landfill (13.9 million cubic yards remaining capacity), Vasco Road Landfill (7.4 million cubic yards remaining capacity), and Keller Canyon Landfill (63.4 million cubic yards remaining capacity) (CalRecycle 2016). Solid waste generated during construction and operation of the project would represent a small fraction of the daily permitted tonnage of these facilities.

Significance Level:

Less than Significant Impact.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Comment:

No applicable federal solid waste regulations would apply to the project. At the State level, the Integrated Waste Management Act mandates a reduction of waste being disposed and establishes an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. Sonoma County has access to adequate permitted landfill capacity and reduction, reuse, and recycling programs to serve the proposed project. Construction and operational waste generated as a result of the project would require management and disposal in accordance with local and state regulations. The project would not conflict with or impede implementation of such programs.

Significance Level:

Less than Significant Impact.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Comment:

Prior to operation, the applicant and/or operator must comply with all fire safety laws, including the California Department of Forestry and Fire Protection, 14 California Code of Regulations §1270 et seq., the California Fire Code as adopted with local amendments in the Sonoma County Code Chapter 13, and defensible space requirements as set forth in Sonoma County Code Chapter 13A. All construction projects must comply with these fire safety laws, including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site. As part of the County's planning referral process, the Sonoma County Fire Prevention required the applicants to apply for a Same Practical Effect Exemption to standards pursuant to 14 California Code Regulations §1270.

California Department of Forestry and Fire Protection, 14 California Code of Regulations § 1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. The applicant requested an Exceptions to Standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.01 and §1270.06 due to environmental conditions and physical site limitations based on the following:

4. Mitigations to achieve "same practical effect" are directed at limiting the use of the road by visitors and hospitality employees in high fire hazard conditions and during active fires. Specifically, the hazard posed to occupants egressing on narrow roads during wildland fire conditions is mitigated by significantly reducing the likelihood that visitors will be on the roads during these conditions.
5. In the event of a red flag warning, visitor serving activities, including tasting appointments, will be relocated to the alternate Medlock Ames Tasting Room site located on Hwy 128 in Geyserville, CA or cancelled and rescheduled if necessary. Additionally, multiple exits off of the property exist, including a secondary evacuation exit via Flora Ranch Road as described above is available if

Toby Lane is impacted. Fire safety and emergency action plans are provided to employees and qualified staff is present to administer them.

6. Furthermore, there are four wells and six on site ponds. All of the ponds would be available for fire suppression, if needed, however pond Ponds P2 (13 acre feet) and P3 (9.61 acre feet) are solely available for fire suppression as neither pond are utilized for any other use. Both ponds P2 and P3 are naturally filled with rainwater. Pond P3 is specifically designated for fire suppression, and therefore is topped with well water as needed to maintain a full pond at all times. Pond P2 is merely a landscape feature, and may have water added as needed in the event of severe evaporation. As a result, there exists 22.61 acre feet of water located adjacent to the winery site that are available solely for fire suppression. See sheet UP1 with the location of all wells and ponds noted.

Irrigation Ponds & Reservoirs		
Map ID	Capacity (acre-feet)	Primary Use
P1	9.94	landscape & agricultural irrigation
P2	13	not used - landscaping feature only
P3	9.61	fire suppression only
P4	26	shared with neighbor
P5	5	frost protection
P6	45	shared with neighbor; recreational use only

Sonoma County Fire Prevention included several conditions of approval that the applicant would need to comply with, addressing the following areas:

- Compliance with pertinent codes, regulations, and ordinances related to building design and fire prevention.
- Fire protection planning.
- Fire access roads, including gates with Knox Box to ensure access.
- Water supplies and hydrants
- Location of hazardous materials
- Employee training for proper use of regulated materials as required in the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13.

As a standard condition of approval, construction on the project site would be required to comply with the California Fire Code with local amendments as adopted in Sonoma County Code Chapter 13, including but not limited to fire sprinklers, emergency vehicle access, and water supply making the impact from risk of wildfire less than significant. County Code Section 26-88-254(f)(16) also requires that the applicant prepare and implement a fire prevention plan for construction and ongoing operations, including provision for emergency vehicle access and turnouts, vegetation management, and fire break maintenance around all structures.

Project compliance with standard County and State requirements as well as the secondary emergency access route to assist the community and emergency response in the event of a wildfire emergency and significant additional water storage would ensure that risks from wildland fires on people and structures would be less than significant.

Significance Level: Less than Significant Impact

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Comment:

The Project site sits on a hillside surrounded by other hillsides covered in dense forest. For the Healdsburg and surrounding area, prevailing winds tend to come from the west or north. No aspect of the project will exacerbate the existing level of fire hazard posed to the project site as it is or surrounding areas. As a project condition of approval, new construction, including grading on the project site must conform to the California Department of Forestry and Fire Protection regulations, 14 CCR §§1270 et seq. , Sonoma County Code Chapter 13A defensible space requirements as well as the California Fire Code adopted with local amendments in Sonoma County Chapter 13, including but not limited to, emergency vehicle access, and water supply making the impact from risk of wildland fire less than significant. In addition, the project is proposing an emergency access route available to emergency responders through its site and on a private road on the adjoining property to the south. See discussion under section 9.f-g.

Significance Level:

Less than Significant Impact

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk of that may result in temporary or ongoing impacts to the environment?**

Comment:

Access to the winery and tasting room area will be from Toby Lane via an existing driveway. The project operator will maintain the site to reduce fire hazards and fire risk. The project will comply with California Department of Forestry and Fire Protection regulations, 14 CCR §§1270 et seq., as well as the California Fire Code adopted with local amendments in Sonoma County Chapter 13 for emergency water supply and storage for fire protection. Applicant will also provide access to water in the irrigation ponds for extended fire suppression.

The applicant is proposing an emergency access through its site and on a private road on the adjoining property to the south. The road is currently improved. The project proposes to grant an Emergency Vehicle Access easement to the County of Sonoma for emergency responders in the event of an emergency CAL FIRE will also have access to the onsite ponds for fire suppression.

Significance Level:

Less than Significant Impact

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Comment:

The project development areas including winery and tasting areas are generally level or gently sloping and contain native vegetation. The potential for flooding, slope stability, drainage changes and landslides are less than significant. Any grading required for construction of project improvements, will be constructed with a County issued grading permit that requires design and approval of stormwater improvements that will be required as part of the grading permit.

Significance Level:

Less than Significant Impact

21. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important**

examples of the major periods of California history or prehistory?Comment:

Potential project impacts on special status plant and fish/wildlife species and habitat are addressed in Section 4. Implementation of the required mitigation measures (Mitigation Measure BIO-1) would reduce these potential impacts to a less-than-significant level. Potential adverse project impacts to cultural resources are addressed in Section 5. A standard condition of approval to ensure that cultural or archaeological resources are protected if unearthed during ground disturbing activities is provided in Section 18a. Implementation of this standard condition of approval would reduce any potential impacts to a less- than-significant level.

Significance Level:

Less than Significant Impact

- 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)?**

Comment:

No project impacts have been identified in this Initial Study that are individually limited but cumulatively considerable. The project would contribute to impacts related to air quality, biological resources, cultural resources, geology and soils, noise and tribal resources, which may be cumulative off-site, but mitigations would reduce project impacts to less-than-significant levels.

Significance Level:

Less than Significant Impact

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

Comment:

Proposed project operations have the potential to cause substantial adverse impacts on human beings, both directly and indirectly. However, all potential impact and adverse effects on human beings (resulting from air quality, biological resources, cultural resources, geology and soils, noise and tribal resources) were analyzed, and would be less than significant with the mitigations identified in the Initial Study incorporated into the project.

Significance Level:

Less than Significant Impact

Attachments

1. Application Packet
2. Air Quality Study
3. Groundwater Study
4. Traffic Study
5. Wastewater Analysis
6. Wildfire Road Exception File

References

7. Sonoma County Important Farmland Map 1996. California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program.
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