

Date: October 7, 2025

**DEVELOPER'S STATEMENT & MITIGATION MONITORING PROGRAM
FOR NORGROVE GARDEN'S CONDITIONAL USE PERMIT
N-DRC2024-00038 (ED25-0087)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that would reduce potentially significant impacts to less than significant levels. These measures would become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

Air Quality (AQ)

AQ-1 Fugitive Dust Construction Control Measures. Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20%

opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

AQ-2 ROG, NO_x, DPM Emissions. The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- a. Implement Mitigation Measure AQ-1, as identified above.
- b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.
- f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
- g. Electrify equipment when possible.
- h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,

- i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-3 Naturally Occurring Asbestos Survey. Prior to issuance of grading or construction permits, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the County Department of Planning and Building upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 Naturally Occurring Asbestos Remediation. If NOA are determined to be present on-site per AQ-3, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

Biological Resources (BIO)

BIO-1 Preconstruction Survey and Avoidance Measures for Nesting Birds. If feasible, vegetation disturbance and/or vegetation removal activities should be scheduled to occur outside the February 15 to September 1 nesting season. No surveys for nesting birds shall be required for project activities occurring between September 2 and February 14. For project-related activities that occur during the nesting season a nesting bird survey shall be conducted by a qualified biologist no more than 7 days

prior to vegetation removal. The survey shall be conducted within all accessible areas within 500 feet of the work area. If nests are located during any survey, all project-related activities shall be avoided within the following buffer zones: 50 feet for non-raptor species and 500 feet for all active raptor nests. Buffer areas shall be closed to all construction personnel and equipment until a qualified biologist has determined nesting has ended and the young have fledged the nest and the nest is no longer active.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

Hazards and Hazardous Materials (HAZ)

HAZ-1 Equipment Maintenance and Refueling. During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

HAZ-2 Spill Response Protocol. During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

Noise (N)

N-1 Outdoor events with amplified music or speech occurring between the hours of 5:00 pm and 10:00 pm shall incorporate one or more of the following event configurations and associated source/loudspeaker levels:


- a. Locate the event "stage" at the southwest corner of the event space with a 6-ft tall hay-bale barrier behind stage and loudspeakers directed northeast toward the center of the event space. Barrier extends (at a minimum) 30-ft long to the north and 20-ft to the east. Loudspeakers are no higher than 3-ft above ground and source level is at or below Leq 85 dBA, as measured 10-ft from the loudspeakers.

- b. Event "stage" located at northwest corner of event space with a 6-ft tall hay-bale barrier behind stage with loudspeakers directed east toward the center of the event space. Barrier extends (at a minimum) 30-ft long to the south and 20-ft to the east. Loudspeakers are no higher than 3-ft above ground and source level is at or below Leq 85 dBA, as measured 10-ft from the loudspeakers.
- c. Event "stage" located at northeast corner of event space with a 6-ft tall hay-bale barrier behind stage with loudspeakers directed southwest toward the center of the event space. Barrier extends (at a minimum) 10-ft long to the south and 10-ft to the east. Loudspeakers are no higher than 3-ft above ground and source level is at or below Leq 85 dBA, as measured 10-ft from the loudspeakers.
- d. Event "stage" located directly north of the winery building with loudspeakers directed north toward the center of the event space. Loudspeakers are no higher than 3-ft above ground and source level is at or below Leq 75 dBA, as measured 10-ft from the loudspeakers.

N-2 Indoor events with amplified music or speech shall be confined to the barrel room adjacent to the tasting room and only so long as the doors and windows along the west side of the room remain closed during the use of amplified sound, and so long as the reverberant sound pressure level, measured inside the event space at a distance of at least 10 feet from the loudspeakers, does not exceed 90 dBA.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

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Signature of Applicant	Name (Print)	Date