

Permit Sonoma File No. UPE16-0052, Carneros Vintners Winery Expansion Project  
Project Site: 4202 Stage Gulch Road, Sonoma APN 142-051-031 (formerly 142-051-024)

CEQA Addendum to MND adopted by BOS on April 24, 2007, under File No. PLP02-0085

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### **Original Project Description**

The original project proposal (PLP02-0085) was received on November 12, 2002, to request: (1) a Zone Change to remove the MR (Mineral Resource) combining district from a portion of a 193-acre site that was the subject of a separate Lot Line Adjustment (LLA06-0004) that altered the configuration of three Administrative Certificate Compliance parcels and; (2) a Use Permit with Design Review for a new winery on the proposed 20-acre parcel resulting from LLA06-0004 to be implemented in two phases.

Phase I of the original winery project proposal included all aspects of wine production (crushing, fermenting, barrel storage, bottling, case goods storage and administrative/operational support requirements), including construction of a new ±52,000 square-foot (sq ft) production building, grape crush and receiving area, wastewater treatment ponds, septic system, private well, parking area, and paved driveway access improvements to provide for an annual production capacity of up to 250,000 cases. The Use Permit Conditions of Approval require the winery utilizes grapes grown on-site and in the local area. No storage of off-site produced wines is permitted.

Phase II of the original winery project (which was never implemented) included adding tasting and hospitality uses housed in two separate existing structures (±1,260 sq ft residence and ±4,200 sq ft casegoods/winery storage barn) with a new access road and parking area to serve them. No events were proposed. The existing 1,260 sq ft residence was to be converted into offices and tasting room with up to 60 tasting room visitors on a peak day.

PLP02-0085 was approved in April 2007 and allowed up to 24 employees total and 60 tasting room visitors on a peak day with public wine tasting hours of 10:00 am to 4:00 pm, 7 days a week. Note: Phase II was never completed and tasting and hospitality uses never commenced.

### **Existing Facilities**

The subject 20-acre parcel (APN: 142-051-031) was created through LLA06-0004. The property is located at 4202 Stage Gulch Rd in Petaluma and is zoned LEA (Land Extensive Agriculture) B6-100 (100 acres per dwelling) with combining zones for Z (Accessory Unit Exclusion), RC50/50 (Riparian Corridor with 50-ft setbacks) and SR (Scenic Resources). The General Plan Land Use designation is Land Extensive Agriculture 100.

Phase I of the original winery project was completed in 2009. Phase II was never completed; the tasting and hospitality uses never commenced. Currently, the winery is producing 250,000 cases per year and existing operations include 10 employees and 3 business visitors on a peak day. Existing hours of operation are 7:00 am – 6:00 pm Monday – Friday off harvest and 6:00 am – 10:00 pm Monday – Sunday during harvest season. The existing 52,000 sq ft winery production building currently provides 16 parking spaces; 14 standard and 2 Americans with Disabilities Act (ADA). The existing 4,250 sq ft casegoods/winery storage barn currently provides 5 parking spaces; 4 standard (in a gravel parking area) and 1 ADA.

The property is not subject to a Williamson Act Land Conservation Contract. The existing winery processes grapes grown onsite from a 1.5-acre sized vineyard and grapes grown in

the local area. Approximately 95% of the grapes processed onsite are sourced from Sonoma County vineyards and the remaining 5% are sourced from vineyards located in the Carneros AVA in Napa County, 10 miles east of the project site. Additionally, 95% of the cases currently produced at the project site are made for custom crush facility clients. The remaining 5% of cases produced are made for Carneros Vintners wine. All employees onsite are employed by Carneros Vintners. Carneros Vintners receives and processes client work orders which specify how the clients want their wine to be made. Custom crush facility clients do not work onsite.

### **Project Description Revision**

On July 13, 2016, the applicant submitted a Use Permit application (File No. UPE16-0052) to modify the existing winery use permit (File No. PLP02-0085) to allow: (1) an increase in annual production capacity from 250,000 cases of wine to a maximum of 2.5 million cases by importing local grapes from Sonoma County growers and allowing additional grape crushing and wine production as a bulk wine/custom crush service, (2) the construction of an additional 22,000 sq ft winery production building, (3) the elimination of hospitality uses including public tours and wine tastings approved with PLP02-0085 and (4) other minor site improvements that include paving an internal access road, adding 9 new standard and 1 ADA parking spaces, stormwater management improvements, site utilities and associated grading and landscaping improvements at the new building. PLP02-0085 provided approval for 10 full-time employees (during non-harvest) and an additional 14 seasonal employees (during harvest) for a total maximum of 24 employees. The proposed winery expansion project would increase the number of full-time employees from 10 to 15 and the total number of seasonal employees would be reduced from 14 to 5 for a total maximum of 20 employees. The total number of business visitors would increase from 3 to 5 on a peak day.

#### **Detail Summary of the Proposed Winery Expansion Project:**

- (1) Increase annual wine production capacity from 250,000 cases of wine to 2,500,000 cases. The 2.5 million annual case wine production proposal includes processing grapes grown off-site, sourced from the local area. Annual case wine production is projected to consist of the following breakdown:
  - a. 55,000 cases (873 tons) - full production (crush, fermenting, barrel storage) and bottled onsite
  - b. 289,000 cases (4,587 tons) - crush and bulk off haul of juice – grapes crushed onsite but fermented (or subsequently barrel-aged) in another location
  - c. 1,056,000 cases (16,762 tons) - crush, fermentation and bulk off haul wine
  - d. 300,000 cases (4,762 tons) - Lees wine – fermentation byproduct that is further pressed and filtered
  - e. 800,000 cases bottling only - bulk wine import for bottling on site
  
- (2) Construct a new 22,000 sq ft, two-level winery production building and canopy which includes the following occupancy areas:
  - a. 3,363 sq ft open canopy for grape receiving and processing
  - b. 14,933 sq ft wine production and support space
  - c. 1,615 sq ft administration, conference/meeting room and office space
  - d. 1,615 sq ft second story mezzanine for light storage located above administration space and employee restrooms
  - e. architectural design will be in character to the existing winery buildings
  
- (3) Eliminate preapproved tasting and hospitality uses, including public tours and wine tasting allowed under existing Use Permit (File No. PLP02-0085). Note: If the proposed winery expansion project is approved, the applicant would be relinquishing vested right to

engage in any hospitality uses including public tastings, public tours, tastings by appointment, special events, agricultural gatherings and industry-wide events.

- (4) Construct accessory facilities and improvements:
  - a. Place new gravel on the existing lower gravel driveway that serves the existing residence, garage and case goods/winery storage barn
  - b. Add new paved access road that connects to existing driveway
  - c. Add nine new standard and one new ADA parking space(s) at the new winery production building
  - d. Expand existing process wastewater treatment system (increased aeration and reclaimed wastewater irrigation fields)
  - e. Improve storm water management
  - f. Improve site utilities and associated grading and landscaping at the new building
  
- (5) Employees and Business Visitors:
  - a. Increase full-time employees (non-harvest) from 10 to 15 and decrease seasonal employees (harvest) from 14 to 5 for a maximum of 20 employees total. Note: existing use permit PLP02-0085 allows a maximum of 24 employees total.
  - b. Increase business visitors (custom crush customers and marketing representatives) from 3 to a maximum of 5 on a peak day.
  
- (6) Hours would not change and would remain: 7:00 am – 6:00 pm Monday – Friday off harvest and 6:00 am – 10:00 pm Monday – Sunday during harvest season.

The increase in production would be accommodated within both the existing 52,000 sq ft winery building and the proposed 22,000 sq ft winery production building.

Due to the elimination of public tours, the 1,260 sq ft office/tasting room will be eliminated. The existing 1,260 sq ft residence would not be converted to office/hospitality space as allowed by PLP02-0085 and will remain a residence not associated with the winery. The existing 4,250 sq ft casegoods barn will remain as winery storage, but will not have any hospitality use associated with it.

The proposed 22,000 sq ft winery production building would be situated adjacent to the existing 52,000 sq ft winery production building primarily utilizing the existing utility infrastructure and access roads. Access to the proposed winery production building would continue to utilize the existing property entrance on Stage Gulch Road (Highway 116), which contains a left turn lane, deceleration and acceleration lanes.

#### **CEQA Review Background**

A Mitigated Negative Declaration (MND) was prepared and posted for the original project in accordance with CEQA. The Planning Commission held a public hearing on March 1, 2007, and recommended to the Board of Supervisors approval of the proposed project. The Board of Supervisors held a public hearing on April 24, 2007 and adopted the MND and approved the project subject to conditions of approval set forth in Board Resolution No. 07-0330. The Notice of Determination was filed on December 6, 2007.

The CEQA Guidelines have since been amended and went into effect in January 1, 2019. The 2007 MND was adopted before the CEQA Guidelines were revised and does not conform to the amended CEQA Checklist. This Addendum will include an assessment of the request for modification to Use Permit PLP02-0085 (filed under UPE16-0052) for consistency with the Board-adopted 2007 MND and discussion of the new 2019 CEQA Checklist criteria.

### **Addendum to the 2007 MND**

This Addendum addresses the potential for any environmental impacts associated with the proposed winery expansion project, which consists of an increase in wine production, construction of an additional 22,000 sq ft winery production building, elimination of public tours and tastings currently allowed under existing use permit (File No. PLP02-0085), new paved access road, 10 new parking spaces, expanded wastewater treatment system and improvements to stormwater management and site utilities.

An Addendum is defined by CEQA as follows:

#### 15164. Addendum to an EIR or Negative Declaration

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary **or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.**

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Section 15164 (b) specifically indicates an Addendum may be prepared if none of the conditions described in Section 15162 do not exist requiring a subsequent Negative Declaration, as described below:

#### 15162. Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant

effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

In this case, none of the conditions described in Section 15162 (a) exist, as described in this Addendum. Permit Sonoma has determined that no new or significant environmental effects, no substantial changes to circumstances or to previously identified significant effects, no significant revisions to mitigation measures and no new mitigation measures or alternatives would be associated with the proposed winery expansion project. As described in Section 15162 (b), the Lead Agency (Permit Sonoma) has determined that an Addendum, consistent with Section 15164, is the appropriate course to address potential environmental impacts associated with the proposed winery expansion project.

### **2019 Checklist Analysis of Proposed Project Revisions**

The following sections assess the proposed winery expansion project according to the checklist contained in the 2019 Guidelines and the degree to which, if any, the expansion would change the findings of the 2007 MND.

#### **1. Aesthetics**

The 2007 MND included discussion of Aesthetics and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation and monitoring. Mitigation measures included in the 2007 MND (listed below) to mitigate potential impacts to Aesthetics to a less than significant level remain valid for the proposed winery expansion project because the proposed winery production building and associated site improvements (internal access road, parking spaces, etc.) will be located adjacent to existing structures, outside of the scenic corridor and substantially screened from public view sheds, as described in Addendum Section 1(c) below. Additionally, all of the applicable 2007 MND mitigation measures (1a and 1d) have been incorporated into the proposed winery expansion

project conditions of approval, with the exception of mitigation measure 1c which no longer applies. Mitigation measure 1c required review and approval by the Design Review Committee for a Phase II element of the original project that would have remodeled the existing 1,260 sq ft residence and ±4,200 sq ft case goods/winery storage barn for tasting and hospitality uses which was never implemented. As described under Project Description Revision, the proposed winery expansion project does not include a tasting/hospitality component. If the proposed winery expansion project is approved, the Applicant would be forfeiting the ability to engage in any hospitality uses including public tastings, public tours, tastings by appointment, special events, agricultural gatherings and industry-wide events approved as part of the original use permit (PLP02-0085).

**Mitigation Measure 1.a:** *All new construction or existing building renovation shall require Administrative Design Review (ADR). Buildings and access roads shall be placed below ridgelines and should utilize existing topography and vegetation for screening. In addition, the maximum building height for all new construction within 200 feet of Stage Gulch Road shall be 24 feet as measured from the natural grade. Renovation of the existing barn shall require ADR, but is not considered new construction subject to the 24 foot height limit.*

**Mitigation Monitoring:** *No building permits shall be issued on any structures prior to Administrative Design Review approval by Project Review staff. Subsequently, all grading permits shall be reviewed for visual impacts from Highway 116.*

**Mitigation Measure 1.d:** *Prior to issuance of the Building Permit, an exterior lighting plan shall be submitted to the Design Review Committee for review and approval. Exterior lighting is required to be fully shielded, and directed downward to prevent "wash out" onto adjacent properties. Generally fixtures should accept sodium vapor lamps and not be located at the periphery of the property. Flood lights are not allowed. The lighting shall be installed in accordance with the approved lighting plan during the construction phase.*

**Mitigation Monitoring:** *The Permit and Resource Management Department shall not issue the Building Permit until an exterior night lighting plan has been submitted that is consistent with the approved plans and County standards. The Permit and Resource Management Department shall not sign off final occupancy on the Building Permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke the permit. (Ongoing)*

The Aesthetics section of the 2019 Checklist contained one new question that was not addressed in the in the 2007 MND and is discussed below:

**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?**

The original project proposal (PLP02-0085) was approved by the Board of Supervisors on April 24, 2007, with final design review required for the 52,000 sq ft winery building. The project was presented to the Design Review Committee on January 21, 2009, and again on February 18, 2009. The Design Review Committee approved the project design subject to the following comments:

1. Architecture: Utilize earthtone colors and a more monochromatic palette for the exterior wall and roof colors as depicted on the color board in the file.
2. Landscape Architecture: Plant a minimum of 30 – 40 trees along the south and west side of the developed area to screen the building; a minimum of 33% of the trees shall be 24" box size trees and substitute the Prunus parking lot tree with a larger scale.
3. Signs: No signage is proposed with this approval.
4. Lighting: All lighting shall be fully shielded and directed downward.

A portion of the southeastern corner of the property is a designated Scenic Corridor by the Sonoma County General Plan, along Stage Gulch Road. This portion of the property is developed with an existing residence, garage and case goods/winery storage barn all of which are to remain. The existing structures on the property were constructed with an industrial and agricultural theme. The existing roofs are rustic red and the buildings are a light "stone" color. The height of the roof ridgeline of the existing 52,000 sq ft winery building is 34 feet 7 inches.

The proposed 22,000 sq ft winery production building would be located just south of and adjacent to the existing winery building. The proposed winery production building would be designed to match the existing structures on the property. The height of the roof ridgeline of the proposed 22,000 sq ft winery production building would be 33 feet which is 1 foot 7 inches shorter than the existing winery building.

Like many of the existing structures on the property, a portion of the proposed winery production building would be visible to travelers on Stage Gulch Road and to the adjacent properties on County Dump Road. However, the proposed 22,000 sq ft winery production building would be located approximately 380 feet from Stage Gulch Road, entirely outside of the 200-foot Scenic Corridor setback and situated behind the existing structures in the southeastern corner of the property.

The front property line, along the County Dump Road, contains a variety of landscaping including shrubs and mature trees which provide partial screening of existing structures. Existing hillsides and vegetation would screen the proposed winery production building from views of residences on neighboring properties.

Utilizing the County's Visual Assessment Guidelines, Permit Sonoma staff characterized the site's sensitivity as "high" given a portion of the property is within a zoning designation protecting scenic resources. Staff determined the proposed winery expansion project most closely aligns with subordinate visual characteristics which are used to describe projects that are "minimally visible from public view, have weak element contrasts and generally repeat the form, line, color, texture, and night lighting of their surroundings." The architecture of the proposed winery production building will be designed to match the existing winery buildings; i.e., tan stucco siding with a tiled red roof and utilize landscaping to help further blend into the surrounding existing environment.

Based on the thresholds of significance for visual impact analysis in the table below, Permit Sonoma staff determined the proposed winery expansion project would have a less than significant visual impact, subject to the same mitigation as the original use permit, with the exception of mitigation measure 1c which no longer applies.

**Table 1. Thresholds of Significance for Visual Impact Analysis  
PRMD Visual Assessment Guidelines**

Sensitivity	Visual Dominance			
	<i>Dominant</i>	<i>Co-Dominant</i>	<i>Subordinate</i>	<i>Inevident</i>
<i>Maximum</i>	Significant	Significant	Significant	Less than significant
<i>High</i>	Significant	Significant	<b>Less than significant</b>	Less than significant
<i>Moderate</i>	Significant	Less than significant	Less than significant	Less than significant
<i>Low</i>	Less than significant	Less than significant	Less than significant	Less than significant

Significance Level:

Less Than Significant Impact

The Aesthetics findings and mitigation measures contained in the 2007 MND remain valid and no new impacts or increases in previously analyzed impacts have been identified.

## 2. Agriculture and Forest Resources

The 2007 MND included discussion of Agriculture and Forestry Resources. Potential impacts of the project were considered and found to be less than significant. No mitigation was required.

At the time the 2007 MND was prepared, the project site was subject to a Williamson Act Contract. Question b) of the Agriculture and Forest Resources section of the 2019 Checklist is discussed below.

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

The project parcel was previously subject to a multi-parcel 1974 Williamson Act contract recorded under Book 2841, Page 471 of Sonoma County Official Records. The 2007 MND determined the winery project was consistent with the Williamson Act contract and no mitigation was required. On December 3, 2007, recorded Instrument No. 2007-127518 removed the entire project parcel from the Williamson Act contract. The 2007 MND remains valid for the Agriculture and Forest Resources section of the 2019 Checklist, question b) above as the project parcel is still zoned for LEA (Land Extensive Agriculture) which allows wineries with a conditional use permit and the project does not conflict with a Williamson Act contract.

The Agriculture and Forest Resources section of the 2019 Checklist also contained two new questions that were not addressed in the 2007 MND and are discussed below:

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



**section 51104(g))?**

The project site is not 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?**

The proposed winery expansion 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

The Agriculture and Forest Resources findings contained in the 2007 MND remain valid and no new impacts or increases in previously analyzed impacts have been identified.

### **3. Air Quality**

The 2007 MND included discussion of Air Quality and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation. Mitigation measures included in the 2007 MND (listed below) to mitigate potential impacts to air quality to a less than significant level remain valid for the proposed winery expansion project.

Additionally, all applicable 2007 MND Air Quality Mitigation Measures (3.c and 3.e) have been incorporated into the proposed winery expansion project conditions of approval. Note: In an effort to ensure that odors caused by grape crush residues are minimized, Mitigation Measure 3e requires all residues to be removed from the site or spread in adjacent vineyards within two days of processing. Since approval of the original use permit (File No. PLP02-0085), the site has been reconfigured and no longer contains vineyards. However, the applicant will off-haul pomace or disperse on adjacent property pursuant to the Winery Wastewater Disposal Agreement recorded on May 19, 2008 (Instrument No. 2008046033), which meets the intent of original Mitigation Measure 3.e below.

**Mitigation Measure 3.c:** *The following dust control measures will be included in the project:*

- A. *Water or other dust palliative will be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.*
- 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 any visible soil that has been carried onto them from the project site.*

**Mitigation Monitoring:** *Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order. (Ongoing during construction)*

**Mitigation Measure 3.e:** *To ensure that odors caused by grape crush residue are minimized, all residues must be removed from the site or spread in vineyards within two days of processing.*

**Mitigation Monitoring:** *If PRMD receives complaints regarding objectionable odors, staff will investigate the complaint. If its determined by PRMD staff that complaints are warranted, the permit holder shall implement additional odor control measures as determined by PRMD. (Ongoing)*

The Air Quality section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND. The Air Quality findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified. The 2007 MND mitigation measures for air quality (3.c and 3.e) have been incorporated into the proposed winery expansion project conditions of approval.

#### **4. Biological Resources**

The 2007 MND included discussion of Biological Resources and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation. Mitigation measures included in the 2007 MND (listed below) to mitigate potential impacts to Biological Resources to a less than significant level remain valid for the proposed winery expansion project with the exception of the following minor clarification to 4.a.1 below and removal of 4.b.3 which required replanting of the Champlin Creek riparian corridor to prevent construction impacts from Phase II project components, which never commenced.

**Mitigation Measure 4.a.1:** *No new grading or construction shall be permitted within 50 feet of the top of the bank of Champlin Creek to ensure that any potential California red-legged frog habitat within the creek remain undisturbed. The existing barn\* may be rehabilitated, but any new structure or expansion of the barn shall be placed a minimum of 50 feet from the top of the bank of Champlin Creek.*

**Mitigation Monitoring:** *PRMD shall verify that construction plans for the Phase II tasting and hospitality buildings\* do not include encroachment into the 50 foot setback for new grading or construction prior to issuance of Grading or Building permits.*

\*As described in the revised project description, Phase II of the original winery project, which included converting the existing 1,260 sq ft residence and 4,200 sq ft barn to tasting and

hospitality uses, was never implemented. Because the existing barn lies within the riparian corridor of Champlin Creek, Mitigation Measure 4.a.1 was included in the 2007 MND to provide protection for the riparian corridor and the potential occurrence of California Red-Legged Frog (CRLF) in the event the barn was ever rehabilitated to a hospitality use as authorized by Phase II of the original use permit.

The proposed winery expansion project does not include a tasting/hospitality component and, if approved, the Applicant understands they are forfeiting ability to engage in any of the hospitality uses including public tastings, public tours, tastings by appointment, special events, agricultural gatherings and industry-wide events approved under the original use permit (PLP02-0085). No changes to the existing residence or barn are proposed as part of the winery expansion project. However, Mitigation Measure 4.a.1 remains valid for the proposed winery expansion project because it provides protection for the riparian corridor of Champlin Creek and potential CRLF occurrences on the property.

**Mitigation Measure 4.b.2:** *All drainage from the roads, parking areas and buildings shall be directed into vegetative swales, ponds, etc. and allowed to infiltrate into native soils prior to draining into Champlin Creek.*

**Mitigation Monitoring:** *PRMD shall verify that grading and construction plans show drainage swales and other infiltration devices prior to issuance of Grading or Building permits.*

Elements of the proposed winery expansion project include construction of an additional 22,000 sq ft winery production building, internal access road improvements and associated grading. The proposed winery production building would be situated adjacent to the existing winery building and primarily utilize the existing utility infrastructure and access roads. The preliminary grading plan for the proposed winery expansion project indicates a total disturbed area of 78,000 sq ft which includes: 1) ~22,000 sq ft footprint for the proposed winery production building, 2) ~28,635 sq ft footprint for the proposed hardscape (including proposed parking and internal access road improvements) surrounding the proposed winery production building and 3) remaining ~27,365 sq ft footprint for the associated proposed grading.

#### Grading.

The preliminary grading plan estimates site grading would consist of significant cuts (15 to 20 feet) and fills (10 to 15 feet) to achieve the desired pad grades and provide adequate gradients for site drainage. The proposed total cubic yards (cyds) of earthwork/grading is 44,030 cyds which includes 44,764 cyds of cut and 734 cyds fill. Site grading for the proposed winery expansion project would cross the west property boundary onto APN: 142-051-043 as indicated on the proposed site plan. The applicant has obtained a signed letter of approval from the owner of the neighboring property granting permission for the applicant to grade across the property boundary line.

#### Hardscape – Internal Access Road.

The proposed winery expansion project includes a new, paved internal access road which would connect to the existing paved driveway at the existing winery production building, as well as connect down to the existing lower gravel driveway at the existing case goods/winery storage barn. Main access to the proposed new winery production building will remain at the existing winery entrance on County Dump Road off Stage Gulch Road (Hwy 116). There are no new paved driveways being proposed that would provide new access to the proposed new winery production building from the County Dump Road.

#### Hardscape – Parking.

The proposed winery expansion project includes a total of 10 new parking spaces; 9 standard and 1 ADA. The existing 52,000 sq ft winery production building currently provides 16 parking spaces; 14 standard and 2 ADA. The existing 4,250 sq ft casegoods/winery storage barn currently provides 5 parking spaces; 4 standard (in a gravel parking area) and 1 ADA. 10 new parking spaces are proposed at the new, 22,000 sq ft winery production building; 9 standard and 1 ADA. If the proposed winery expansion project is approved, a total of 31 parking spaces would be provided; 27 standard and 4 ADA.

As part of review of the original permit (File No. PLP02-0085) in 2007, Sonoma County staff consulted the California Department of Fish and Game Natural Diversity Database (CNDDDB) and found two reported sightings of the California red-legged frog (CRLF) directly adjacent to the property; one on Champlin Creek and the other on a drainage channel along the east side of County Dump Road. The 2007 MND also referenced Sonoma County Rare Plant Site Identification Study and did not report findings of any rare plants.

In 2007, County staff inspected the project site and found that all of the areas proposed for development had been recently disturbed by grading operations for the reclamation of the quarry area or were already developed with internal access roads. Based on this site visit, county staff also determined that seasonal wetlands do occur nearby in the vineyards of adjacent properties, and would not be affected by the original proposal.

Phase II of the original proposal included renovation of an existing residence and barn to allow for tasting and hospitality uses. Based on the proximity of the existing structures to the Champlin Creek, mitigation measures were included in the 2007 MND prohibiting encroachment into the 50-foot setback from the top of the bank of Champlin Creek. As previously stated, Phase II was never completed, the existing residence and barn never renovated and tasting and hospitality uses never commenced.

In 2021, staff checked CNDDDB again and did not find any new occurrences of special status species on the project site. Permit Sonoma Natural Resources staff confirmed the two reported sightings of the CRLF included in the 2007 MND; one approximately ¼ mile from the project site and the other on Champlin Creek.

The second occurrence of CRLF on Champlin Creek was studied extensively by Caltrans in 2008 due to Hwy 116 roadway improvements and found not to be a CRLF breeding site. CRLF occupies both aquatic and upland terrestrial habitat components. CRLF habitat includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and man-made structures (i.e. culverts, livestock troughs, spring-boxes, treatment ponds etc.).

The proposed new 22,000 sq ft winery production building would be located approximately 250 feet from the CRLF occurrence on Champlin Creek, set back approximately 350 feet from the top of the bank of Champlin Creek and 50 feet from the drainage swale which will be undisturbed.

To enhance the effectiveness of existing Mitigation and Monitoring Measures 4.a.1 and 4.b.2, Permit Sonoma is incorporating the following construction-related best management practices into the project conditions of approval and requiring a, b and c below to be included as a note on all proposed winery expansion project plan sheets:

- a. Prior to building permit issuance, amphibian exclusion fencing must be installed along the outside edge of the riparian corridor of Champlin Creek to ensure that any

dispersing CRLF are excluded from the proposed work area. Photographic documentation or site inspection by Permit Sonoma to ensure compliance will be required.

- b. Prior to building permit issuance, applicant shall arrange for a qualified biologist to be onsite during all initial ground disturbance activities and to halt work if any sensitive wildlife species are found on the project. If sensitive wildlife species are found, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma immediately.
- c. Prior to building permit issuance, applicant shall conduct pre-construction surveys prior to ground disturbance for any special status plant and/or wildlife species to ensure continued absence of rare plants. Surveys must be submitted to Permit Sonoma Planning.

Therefore, staff finds the proposed winery expansion project does not present any new significant impacts or increases in previously analyzed impacts to biological resources and the 2007 MND remains valid.

At the time the 2007 MND was prepared, the project parcel was not subject to any local ordinances protecting biological resources. In 2014, the Board of Supervisors adopted a Riparian Corridor Ordinance which designated a streamside conservation area along Champlin Creek. Question e) of the Biological Resources section of the 2019 Checklist is discussed below.

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

Champlin Creek, a perennial stream that runs through the property's frontage along Hwy 116, is designated as a Riparian Corridor with 50-foot setbacks for new development. The Riparian Corridor 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. The 2007 MND remains valid for the project as Mitigation Measures 4.a.1 and 4.b.2 referenced above prohibit construction and grading activities within 50 feet of the top of bank of Champlin Creek. Therefore, the proposed winery expansion project will not conflict with the Riparian Corridor Ordinance.

The Biological Resources section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND. The proposed winery expansion project does not alter the Biological Resources findings in the 2007 MND. No new impacts or increases in previously analyzed impacts have been identified.

## **5. Cultural Resources**

The 2007 MND included discussion of Cultural Resources and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation. Mitigation measures included in the 2007 MND (listed below) to mitigate potential impacts to Cultural Resources to a less than significant level remain valid for the proposed winery expansion project.

**Mitigation Measure 5.b:** *The following notes shall be included on building or grading plans for ground disturbing activities:*

*“If archaeological materials such as pottery, arrowheads or midden are found, all work shall cease and PRMD staff shall be notified so that the find can be evaluated by a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists). The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit.*

*When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop proper procedures required for the discovery. No work shall commence until a protection plan is completed and implemented subject to the review and approval of the archaeologist and Project Review staff. Mitigation may include avoidance, removal, preservation and/or recordation in accordance with accepted professional archaeological practice.*

*“If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated.”*

**Mitigation Monitoring:** *Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement to cease construction if archaeological materials are found during ground disturbing activities. The project planner shall work with the applicant in reviewing and revising construction plans if archaeological materials are found. (Ongoing during construction)*

A cultural resources records search for the property and a site survey of the project area associated with the original winery project was conducted and documented in a report by ASI Archaeology dated May 21, 2002. At that time, no known archaeological resources were found on the site, but it was noted that the project could uncover such materials during grading and construction.

On July 24, 2018, Permit Sonoma referred the project application to Native American Tribes within Sonoma County to request consultation under Assembly Bill 52 (the request for consultation period ended August 25, 2018). The Native American Tribes were invited to consult on the project pursuant to Public Resources Code sections 21080.3.1 and 21080.3.2. Comments were received from the Federated Indians of Graton Rancheria who did not request further consultation and Cloverdale Rancheria of Pomo Indians who requested the applicant immediately stop construction and notify the appropriate Federal Agency and the local Tribes upon discovery of any archaeological remains or resources. In response to comments received

from Cloverdale Rancheria of Pomo Indians, the 2007 MND Mitigation Measure 5.b above has been incorporated into the project proposal as well as Permit Sonoma's standard condition of approval which requires the following note be placed on all construction plan sets:

*"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."*

In 2018, in response to a Permit Sonoma referral request for the proposed winery expansion project, Northwest Information Center (NWIC) at Sonoma State University recommended a qualified archaeologist conduct further archival and field study for the entire project area to identify archaeological resources. As a result, a second cultural resources evaluation of the project site was prepared by William Roop of Archaeological Resource Service on April 29, 2019. Findings of this evaluation concluded that the project area did not contain any discernible evidence of significant or potentially significant past human use. The evaluation also stated that the soils of the site are not considered likely to cover buried cultural resources concluding that there are no known historic resources on the site.

The Cultural Resources section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND. The proposed winery expansion project does not alter the Cultural Resources findings in the 2007 MND. No new impacts or increases in previously analyzed impacts have been identified.

## **6. Energy**

The Energy section of the 2019 Checklist is a new section and was not contained in the 2007 MND and is discussed below:

**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?**

No, the proposed winery expansion project would not result in a significant environmental impact. Short-term energy demand would result from construction activities related to the project. This would include energy demand from worker and vendor trips and construction equipment usage. Project construction would consume energy from gasoline and diesel fuels, and the proposed project would include measures that would reduce the amount of fuel consumption during construction, such as minimizing idling time of diesel-powered construction equipment. Due to the relatively small size of this project, construction would not be expected to result in a significant impact for demand on Bay Area suppliers of gasoline and diesel fuels. Impacts would be less than significant.

Long-term energy demand would result from winery usage by employees and guests, and from vehicle trips by employees and guests. Operation of the winery would result in energy usage from vehicle usage, electricity for lighting, water conveyance, and natural gas for heating. Operation of the proposed project may increase energy usage relative to existing use of the project site. However, the project would be consistent with California's Building Energy Efficiency Standards; therefore, the project would not constitute a significant impact for demand on fuel, electricity, or natural gas energy resources and would not result in the wasteful, inefficient, or unnecessary use of these resources.

Significance Level:

Less than Significant Impact

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

The proposed project would be required to comply with Title 24, Part 6 of the California Code of Regulations, Building Energy Efficiency Standards. Additionally, the proposed project is not located in an identified area designated for renewable energy productions, nor would the project interfere with the installation of any renewable energy systems. Therefore, the project would be consistent with applicable state and local plans for promoting use of renewable energy and energy efficiency. Impacts would be less than significant.

Significance Level:

Less than Significant Impact

The new Energy section contained in the 2019 Checklist does not result in any new potentially significant impacts being identified with the project and does not require any new mitigation measures. The proposed winery expansion project does not alter this finding.

## **7. Geology and Soils**

The 2007 MND included discussion of Geology and Soils and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation. Mitigation measures included in the 2007 MND (listed below) to mitigate potential impacts to Geology and Soils to a less than significant level remain valid for the proposed winery expansion project.

**Mitigation Measure 6.a.1:** *All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code) and the Uniform Building Code (UBC). All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of*



*PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.*

**Mitigation Monitoring:** *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 requirements.*

**Mitigation Measure 6.b:** *The applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of the Permit and Resource Management Department prior to the issuance of a grading permit. The Plan shall include temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment Control Plan shall include the following measures as applicable.*

- 1. Throughout the construction process, groundwater disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.*
- 2. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms, and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.*
- 3. Material and equipment for implementation of erosion control measures shall be on-site by October 1st. All grading activity shall be completed by October 15th, prior to the onset of the rainy season, with all disturbed areas stabilized and revegetated by October 31st. Upon approval of PRMD, extensions for short-term grading may be allowed. PRMD in conjunction with any specially permitted rainy season grading may require special erosion control measures.*

**Mitigation Monitoring:** *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 erosion control requirement.*

The proposed winery expansion project would be subject to the same geologic and seismic conditions of the original location and adherence to modern design standards would ensure that any potential impact from the proposed change would be less than significant.

The Geology and Soils section of the 2019 Checklist contained one new question that was previously analyzed in the 2007 MND in the Cultural Resources section:

**f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

No, based on a report by ASI Archaeology dated May 21, 2002, and the report prepared by William Roop of Archaeological Resource Service on April 29, 2019, no known archaeological resources were found on the site. However, there is potential for materials to be uncovered during grading/construction. This impact can be reduced to less than significant by incorporating Mitigation Measure 5.b referenced above, under Cultural Resources.

Significance Level:

Less than Significant with Mitigation Incorporated. See Mitigation Measure 5.b.

The proposed winery expansion project does not alter the Geology and Soils findings in the 2007 MND. No new impacts or increases in previously analyzed impacts have been identified.

## **8. Greenhouse Gas Emissions**

The Greenhouse Gas (GHG) Emissions section of the 2019 Checklist is a new section and was not contained in the 2007 MND. The two questions in this new section are discussed below:

### **Regulatory Setting**

#### ***Executive Order S-3-05***

The Governor announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets:

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

#### ***Executive Order B-30-15***

On April 29, 2015, Governor Brown issued Executive Order B-30-15. Therein, the Governor directed the following:

- Established a new interim statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030.
- Ordered all state agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets.
- Directed the California Air Resources Board (CARB) to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

#### ***California Global Warming Solutions Act of 2006 (AB 32)***

In 2006, the California State Legislature adopted Assembly Bill (AB) 32 (codified in the California Health and Safety Code [HSC], Division 25.5 – California Global Warming Solutions Act of 2006), which focuses on reducing GHG emissions in California to 1990 levels by 2020. HSC Division 25.5 defines GHGs as CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub> and represents the first enforceable statewide program to limit emissions of these GHGs from all major industries with penalties for

noncompliance. The law further requires that reduction measures be technologically feasible and cost effective. Under HSC Division 25.5, CARB has the primary responsibility for reducing GHG emissions. CARB is required to adopt rules and regulations directing state actions that would achieve GHG emissions reductions equivalent to 1990 statewide levels by 2020.

A specific requirement of AB 32 was to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020. CARB developed and approved the initial Scoping Plan in 2008, outlining the regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs that would be needed to meet the 2020 statewide GHG emission limit and initiate the transformations needed to achieve the State's long-range climate objectives.

The First Update to the Scoping Plan was approved by CARB in May 2014 and built upon the initial Scoping Plan with new strategies and recommendations. In 2014, CARB revised the target using the GWP values from the IPCC AR4 and determined that the 1990 GHG emissions inventory and 2020 GHG emissions limit is 431 MMTCO<sub>2e</sub>. CARB also updated the State's BAU 2020 emissions estimate to account for the effect of the 2007–2009 economic recession, new estimates for future fuel and energy demand, and the reductions required by regulation that were adopted for motor vehicles and renewable energy.

#### ***Senate Bill 97***

SB 97, enacted in 2007, directed OPR to develop California Environmental Quality Act (CEQA) Guidelines (*CEQA Guidelines*) "for the mitigation of GHG emissions or the effects of GHG emissions." In December 2009, OPR adopted amendments to the *CEQA Guidelines*, Appendix G Environmental Checklist, which created a new resource section for GHG emissions and indicated criteria that may be used to establish significance of GHG emissions. Appendix F of the *CEQA Guidelines* states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F of the CEQA Guidelines further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting, and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives.

#### ***Senate Bill 32 and Assembly Bill 197***

In 2016, Senate Bill (SB) 32 and its companion bill AB 197, amended HSC Division 25.5 and established a new climate pollution reduction target of 40 percent below 1990 levels by 2030, while including provisions to ensure the benefits of state climate policies reach into disadvantaged communities.

#### ***2017 Climate Change Scoping Plan Update***

In response to SB 32 and the 2030 GHG reduction target, CARB approved the 2017 Climate Change Scoping Plan Update (2017 Scoping Plan Update) in December 2017. The 2017 Scoping Plan Update outlines the proposed framework of action for achieving the 2030 GHG target of 40 percent reduction in GHG emissions relative to 1990 levels (CARB, 2017). CARB determined that the target Statewide 2030 emissions limit is 260 MMTCO<sub>2e</sub>, and that further commitments will need to be made to achieve an additional reduction of 50 MMTCO<sub>2e</sub> beyond current policies and programs. The cornerstone of the 2017 Scoping Plan Update is an expansion of the Cap-and-Trade program to meet the aggressive 2030 GHG emissions goal and ensure achievement of the 2030 limit set forth by Executive Order B-30-15.

In the Update, CARB recommends statewide targets of no more than six metric tons CO<sub>2e</sub> per capita by 2030 and no more than two metric tons CO<sub>2e</sub> per capita by 2050. CARB acknowledges

that since the statewide per capita targets are based on the statewide GHG emissions inventory that includes all emissions sectors in the State, it is appropriate for local jurisdictions to derive evidence-based local per-capita goals based on local emissions sectors and growth projections. To demonstrate how a local jurisdiction can achieve their long-term GHG goals at the community plan level, CARB recommends developing a geographically-specific GHG reduction plan (i.e., climate action plan) consistent with the requirements of CEQA Section 15183.5(b). A so-called “CEQA-qualified” GHG reduction plan, once adopted, can provide local governments with a streamlining tool for project-level environmental review of GHG emissions, provided there are adequate performance metrics for determining project consistency with the plan.

### ***Sonoma County Regional Climate Action Plan***

*Climate Action 2020 and Beyond* (CA2020) was the regional climate action plan for Sonoma County, adopted by the Sonoma County Regional Climate Protection Authority (RCPA) on July 11, 2016. CA2020 was not adopted as a qualified GHG reduction plan due to legal challenges and subsequent court decision. However, the underlying GHG emissions analysis and GHG inventory provides the basis for deriving a GHG threshold of significance.

### ***California CEQA Guidelines***

State CEQA Guidelines section 15064.4 specifically addresses the significance of GHG emissions, requiring a lead agency to make a “good-faith effort” to “describe, calculate or estimate” GHG emissions in CEQA environmental documents. Section 15064.4 further states that the analysis of GHG impacts should include consideration of (1) the extent to which the project may increase or reduce GHG emissions, (2) whether the project emissions would exceed a locally applicable threshold of significance, and (3) the extent to which the project would comply with “regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.”

The CEQA Guidelines do not require or recommend a specific analytical methodology or provide quantitative criteria for determining the significance of GHG emissions, nor do they set a numerical threshold of significance for GHG emissions. The 2009 amendments also include a new Subdivision 15064.7(c) which clarifies that in developing thresholds of significance, a lead agency may appropriately review thresholds developed by other public agencies, or recommended by other experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.

The California Natural Resources Agency has also clarified that the amended CEQA Guidelines focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA’s requirements for cumulative impact analysis (see Section 15064(h)(3)). CEQA Guidelines section 15126.4(c) includes the following direction on measures to mitigate GHG emissions, when such emissions are found to be significant:

*Consistent with Section 15126.4(a), lead agencies shall consider feasible means, supported by substantial evidence and subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions. Measures to mitigate the significant effects of greenhouse gas emissions may include, among others:*

- (1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency’s decision;*
- (2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures;*
- (3) Off-site measures, including offsets that are not otherwise required, to mitigate a project’s emissions;*
- (4) Measures that sequester greenhouse gases;*

**Would the project:**

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

The Climate Action 2020 Plan developed by the Sonoma County Regional Climate Plan Authority (RCPA) in 2016 was unable to be formally adopted due to litigation. The Sonoma County Board of Supervisors-adopted May 8, 2018, Climate Change Action Resolution acknowledged the Climate Action 2020 Plan and resolved to "...work towards the RCPA's countywide target to reduce GHG emissions by 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050", consistent with SB32 and AB197 climate pollution reduction targets, as well as adopting twenty goals for reducing GHG emissions including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of goods and services. The Bay Area Air Quality Management District (BAAQMD) has published greenhouse gas significance thresholds for use by local governments in the report titled *California Environmental Quality Act Air Quality Guidelines May 2017*. For projects other than stationary sources, the greenhouse gas significance threshold is 1,100 metric tons (MT) per year of CO<sub>2</sub>e or 4.6 MT of CO<sub>2</sub>e per service population (residents and employees) per year.

To assess potential greenhouse gas emissions related to the project, air quality modeling was performed using the California Emissions Estimator Model, Version 2016.3.2 (CalEEMod). The applicant provided an analysis of projected greenhouse gas (GHG) emissions prepared by Illingworth & Rodkin, Inc., on February 3, 2021. The model accounts for emissions from construction equipment and traffic during construction and traffic, energy usage, water usage, solid waste generation, stationary equipment (i.e., boilers) and off-road equipment (i.e., forklifts).

Construction emissions were based on model CalEEMod default conditions for construction of a 22,000-sf manufacturing building and about 0.66 acre of asphalt surfaces. Construction period GHG emissions are predicted to be 283 metric tons (MT). There are no construction GHG emissions thresholds to compare project construction GHG emissions against.

Project operational emissions of carbon dioxide would result from a combination of traffic, energy usage, water usage, solid waste generation and combustion equipment. Biogenic emissions would be generated by fermentation of grapes to make wine; however, these are considered biogenic and not included in the project total emissions. CalEEMod was used to model direct and indirect land use emissions caused by the project. Annual GHG emissions were computed for the Existing, Permitted, and Proposed operation conditions.

CalEEMod was used to estimate full build- out operational GHG emissions. Unless otherwise noted below, the model defaults for the Sonoma County – San Francisco Bay Area were used. The year 2023 was used for modeling, as this was assumed to be the earliest the project could be fully operational. Annual emissions occurring after 2023 would be lower as vehicle and electricity production emission rates are anticipated to continually decrease.

The results of this assessment show annual operational GHG Emissions (MT CO<sub>2</sub>e/Year) for existing operations at 120 MT, permitted operations at 206 MT and proposed operations at 488 MT. This assessment shows GHG Emissions for the proposed winery expansion project fall below the BAAQMD Threshold of 1,100 MT of CO<sub>2</sub>e/year.

Therefore, the project's GHG emissions would not significantly contribute to a cumulative impact on global climate change.

Additionally, consistent with SB32 and AB197 climate pollution reduction targets and the Climate Action 2020 Plan developed by the Sonoma County Regional Climate Plan Authority (RCPA), the project falls below the 40 percent reduction threshold of 660 MT by 2030 both during construction (construction + existing operations = 403 MT) and when fully operational (488 MT).

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?**

The County's adopted goals and policies include GP Policy OSRC-14.4 to reduce greenhouse gas emissions 25% below 1990 levels by 2015. Sonoma County emissions in 2015 were 9% below 1990 levels, while the countywide population grew 4%. In May 2018, the Board of Supervisors adopted a Resolution of Intent to Reduce Greenhouse Gas Emissions that included adoption of the Regional Climate Protection Agency's goal to further reduce greenhouse gas emissions by 40% below 1990 levels by 2030 and by 80% below 1990 levels by 2050, consistent with SB32 and AB197 climate pollution reduction targets. The Resolution of Intent included the following measures that can further reduce greenhouse gas emissions:

- Increase building energy efficiency
- Increase renewable energy use
- Switch equipment from fossil fuel to electricity
- Reduce travel demand through focused growth
- Encourage a shift toward low-carbon transportation options
- Increase vehicle and equipment fuel efficiency
- Encourage a shift toward low-carbon fuels in vehicles and equipment
- Reduce idling
- Increase solid waste diversion
- Increase capture and use of methane from landfills
- Reduce water consumption
- Increase recycled water and graywater use
- Increase water and waste-water infrastructure efficiency
- Increase use of renewable energy in water and wastewater systems
- Reduce emissions from livestock operations
- Reduce emissions from fertilizer use
- Protect and enhance the value of open and working lands
- Promote sustainable agriculture
- Increase carbon sequestration
- Reduce emissions from the consumption of goods and services

All new development is required to evaluate all reasonably feasible measures to reduce greenhouse gas emissions and enhance carbon sequestration. A standard condition of approval has been incorporated into the project, requiring the applicant submit a Greenhouse Gas Emissions Reduction Plan prior to building permit issuance. The plan shall include all reasonably feasible greenhouse gas emission reduction measures outlined above.

As discussed in section (a) above, the proposed project would not be expected to generate GHG emissions that exceed BAAQMD-recommended CEQA thresholds. The project, therefore,

would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Significance Level:

Less than Significant Impact

The new Greenhouse Gas Emissions section contained in the 2019 Checklist does not result in any potentially significant impacts being identified with the project and therefore does not require mitigation. The proposed winery expansion project does not alter this finding.

## 9. Hazards and Hazardous Materials

The 2007 MND included discussion of Hazards and Hazardous Materials and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation. Mitigation measures included in the 2007 MND (listed below) to mitigate all impacts to Hazards and Hazardous Materials to a less than significant level remain valid for the proposed winery expansion project.

**Mitigation Measure 7.a:** *During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.*

*A concrete washout area such as a temporary pit, shall be designated to clean concrete trucks and tools. At no time shall concrete waste be allowed to enter waterways, including creeks and storm drains.*

*Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.*

*During construction, portable toilets shall be located and maintained to prevent the discharge of pollutants to the environment.*

**Mitigation Monitoring:** *Building/grading permits shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.*

The Hazards and Hazardous Materials section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND. The proposed winery expansion project does not alter the Hazards and Hazardous Materials findings in the 2007 MND. No new impacts or increases in previously analyzed impacts have been identified.

## 10. Hydrology and Water Quality

The 2007 MND included discussion of Hydrology and Water Quality and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation. Mitigation measures included in the 2007 MND (listed below) to mitigate potential

impacts to Hydrology and Water Quality to a less than significant level remain valid for the proposed winery expansion project.

**Mitigation Measure 8.a:** *The project is subject to the National Pollution Discharge Elimination System (NPDES) requirements and coverage under the General Construction Stormwater Permit, as set by the State Water Resources Control Board. A copy of the Notice of Intent (NOI) filed with the SWRCB, as well as the Waste Discharge Identification Number (WDID) issued by that agency; must be submitted to the Drainage Review Section of the Permit and Resource Management Department.*

**Mitigation Monitoring:** *PRMD shall not issue any grading and/or building permits, until the applicant has submitted a copy of the filed NOI and WDID forms to the Drainage Review Section of PRMD.*

**Mitigation Measure 8.c:** *Drainage improvements shall be designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria for approval by the Drainage Review Section of the Permit and Resource Management Department, and shall be shown on the improvement drawings. The engineer shall include a grading plan as part of the required improvement drawings. The grading plan shall include all pertinent details. An erosion control plan is also required, and shall include all pertinent details, notes, and specifications to minimize project's impact to the environment.*

**Mitigation Monitoring:** *PRMD shall not issue any grading permits until the drainage improvements designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria, and shown on the improvement drawings, have been approved by the drainage review specialist.*

The Hydrology and Water Quality section of the 2019 CEQA Checklist contained four new questions that were not addressed in the in the 2007 MND and are discussed below:

**Would the project:**

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

No. Water for process and domestic use and landscape irrigation will be groundwater-supplied by the existing well. Fire protection system water will be stored in a dedicated water tank. These systems will be sufficient to satisfy process, domestic, landscape irrigation and fire protection water requirements at the proposed ultimate level of production.

Storm water runoff from the roofs is being collected in a storm drain system and outlet to gravel basins for subsurface discharge and reduced post-development runoff. Drainage improvements to the site as well as erosion/sediment control measures will be supplemented during construction to handle any increases in storm water runoff. Final drainage improvements will be designed so that the post-development flows do not exceed the pre-development flows. The winery site and access road are not subject to flooding during a 100-year occurrence.



Process wastewater (PW) from the expanded facility will be collected in a plumbing system separate from the sanitary wastewater and treated in the existing PW pond system. Initial treatment will occur via screening, settling tanks and final treatment will occur in an aerobic unit, and the reclaimed wastewater will be discharged to the Winery Wastewater Discharge Area on the adjacent property (APN: 142-051-043) via irrigation as described in the Winery Wastewater Disposal Agreement recorded May 19, 2008, as Instrument No. 2008046033 of the official records of Sonoma County. Projected PW flows and preliminary design information on the process wastewater management system, which includes the installation of a floating baffle and upsizing of surface aerators, is outlined in the Wastewater Feasibility Study prepared for the project by Steve Martin Associates (SMA), Inc., dated June 27, 2016. The existing system with minor alterations will conform to the requirements of the San Francisco Regional Water Quality Control Board (RWQCB) and will continue to be operated under Waste Discharge Requirements with that agency.

Sanitary sewage will continue to be treated in existing septic tanks and disposed of in the existing onsite mound system (SEP08-0834). The primary and 200% expansion/reserve mound systems are indicated on the Overall Site Plan. Detailed background information on the sanitary sewage system is provided in the SMA Wastewater Feasibility Study.

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

Additionally, the project site is located in an area subject to the North Coast RWQCB Municipal Separate Storm Sewer Systems (MS4) Permit. The proposed winery expansion project would involve placement of more than 10,000 sq ft of impervious surface area. Therefore, it must both meet the requirements of the Sonoma County Storm Water Quality Ordinance and incorporate Low Impact Development (LID) Best Management Practices (BMPs) contained in the City of Santa Rosa and County of Sonoma Storm Water Low Impact Development Technical Design Manual.

Therefore, the proposed winery expansion project would not violate any water quality standards or waste water discharge requirements or otherwise substantially degrade surface or groundwater quality resulting in a less than significant impact.

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?**

No, the property falls within two different Groundwater Availability Zones: Zone 1 and 3. The existing well, however, is located within Zone 1 a "major groundwater basin". The existing well has been tested and demonstrated water yield sufficient to support the existing and proposed winery expansion. According to the Groundwater Report prepared for the project by O'Connor Environmental, Inc. (OEI), dated March 7, 2019, the existing winery water use is approximately 1,200,000 gallons per year (3.7 acre feet), and the proposed expanded winery water use is estimated to request approximately 6,259,200 gallons per year (19.2 acre feet). Winery facility water use primarily involves using water to clean equipment and wash down barrels, tanks, floors, etc. twice a day. Water is also used for employees, the production lab, and irrigation. Estimated water use rates are primarily based on the range in wine production services taken from the winery wastewater feasibility report prepared by the applicants, Steve

Martin, PE, and Tamara Martin, REHS (Steve Martin and Associates).

The OEI Groundwater Report provided a water use estimate for the project using values provided in the Process Wastewater Summary prepared by Steve Martin and Associates of 19.2 acre-feet per year. Water use was based off the applicants existing custom crush facility and operation of similar size and scope. The proposed water source for the project is an offsite well on parcel 142-051-029 (Well 3 of the OEI Groundwater Report). The Well 3 was developed in 2016 to a depth of 715 feet and is screened from 260 to 480 and 500 to 700 feet below the ground surface. Well 3 is highly productive and with a reported yield of 500 gallons per minute. The project aquifer consists of fractured volcanic material and was characterized as confined. Given the confined nature of the aquifer, the OEI Groundwater Report found little potential to impact streamflow of nearby Champlin Creek.

The OEI Groundwater Report found that groundwater storage (3,722 acre feet) and average year recharge (345 acre feet/year) are greater than foreseeable water demands (326 acre feet) of the cumulative impact area under current zoning. The project water supply well and nearby wells exhibit characteristics of a confined aquifer with two of the four wells reporting artesian conditions and two reporting static water levels. The project well recharge area contains eight wells – the two wells that supply the project site and six irrigation wells for nearby vineyard and grazing land. There are no other wineries located within the project well recharge area. The report concludes there is little potential to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters. Permit Sonoma's Natural Resource Geologist found the analysis in the OEI Groundwater Report sufficient and of appropriate detail and effort to support the findings.

On January 27, 2023, OEI prepared an Addendum to supplement and update the OEI groundwater report prepared in 2019. The OEI Addendum acknowledges that since the preparation of the 2019 OEI groundwater report, there have been additional years of low rainfall and critical regional drought conditions, as well as the development of the Sonoma Valley Groundwater Sustainability Plan. The OEI Addendum concludes that *“Groundwater use in the project recharge area, which has not changed since 2019, is equivalent to 65% of the estimated mean annual groundwater recharge of 345.6 acre-ft/yr, indicating a reasonable balance between groundwater use and available groundwater. Declining groundwater level trends have been identified in monitoring wells accessing the deep aquifer in the SVGB. The existing permit condition to install a monitoring well is believed to be an appropriate means to evaluate potential future effects of the project on aquifers in the SVGB.”* Permit Sonoma Geologist Robert Pennington found the OEI Addendum to be acceptable and accurate, and modified project Condition of Approval No. 63 to require completion of the groundwater monitoring well prior to any expansion of existing use or building permit issuance.

A standard condition of approval for the proposed winery expansion project requires a separate, dedicated monitoring well be constructed and developed for the project solely for the purpose of monitoring groundwater (Permit Sonoma Policy 8-1-3 Monitoring Guidelines). Groundwater levels and quantities of groundwater extracted for the project will be required to be measured monthly and data reported to Permit Sonoma annually. In the event that average water use over 3 years exceeds 20 acre-feet per year, Permit Sonoma would require the project go back to the Board of Zoning Adjustments for review of additional measures to reduce net groundwater use.

The proposed winery expansion project will not substantially deplete groundwater supplies or interfere with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. Therefore, the proposed winery expansion project

would cause a less than significant impact.

Significance Level:

Less Than Significant Impact

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

No. The proposed winery expansion project site is not located within a flood hazard, tsunami or seiche zone, therefore no risk of pollutants due to project inundation would occur.

Significance Level:

No Impact

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

No. The proposed winery expansion project is located on a property split between a Class 1 (Major groundwater basin) and a Class 3 (Marginal groundwater) Groundwater Area. Discretionary projects reliant on groundwater in Class 3 groundwater areas require a hydrogeologic study that details potential impacts to groundwater resources according to General Plan Policy WR-2e. Permit Sonoma Policy and Procedure #8-1-14 provides guidelines for hydrogeologic studies.

A letter dated August 10, 2018, from Robert Pennington, P.G., Permit Sonoma, Natural Resources, requested a hydrogeology report and groundwater pump test from the applicant. In response, the applicant provided a hydrogeologic report prepared by O'Connor Environmental Inc., dated March 7, 2019 (OEI Groundwater Report).

The OEI Groundwater Report was reviewed by Permit Sonoma's Natural Resources Geologist (Robert Pennington, P.G.) and found to be sufficient and of appropriate detail and effort to support the findings. However, a letter dated March 29, 2019, from Mr. Pennington requested additional information: 1) the easement or other agreement that grants well water to the project parcel, 2) monitoring well for monitoring of groundwater, once approved, 3) a map of the monitoring well site, and 4) a map showing areas to be used to dispose of process wastewater. See discussion on the OEI Addendum to the 2019 groundwater report under section 10.b above.

In response, the applicant provided a "Winery Wastewater Disposal Agreement" recorded on May 19, 2008 (Instrument No. 2008046033), for the maintenance and disposal of winery wastewater from the project parcel on the portions of nearby parcels (068-040-010 and 142-051-029) sufficient to reasonably guarantee that adequate wastewater disposal area is available to the project.

The applicant also provided "Assignment and Assumption Agreement" recorded on December 21, 2018 (Instrument No. 2018086808), for the maintenance of pipeline and well, and annual use of 8 million gallons (24.55 acre feet) per year from the project well.

Based on this information, on September 4, 2019, Permit Sonoma's Natural Resources Geologist drafted conditions of approval required prior to building permit issuance, prior to vesting the use permit and including other operational requirements. These conditions of approval reduce the potential for impacts to hydrology and water quality associated with the proposed winery expansion project to a level of less than significant.

The proposed winery expansion project does not alter the Hydrology and Water Quality findings

in the 2007 MND. No new impacts or increases in previously analyzed impacts have been identified.

Significance Level:  
Less Than Significant Impact

## 11. Land Use Planning

The 2007 MND included discussion of Land Use Planning. Potential impacts of the project were considered and found to have no impact. No mitigation was required.

The Land Use Planning section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND.

The Land Use Planning findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.

## 12. Mineral Resources

The 2007 MND included discussion of Mineral Resources. Potential impacts of the project were considered and found to be less than significant. No mitigation was required.

The Mineral Resources section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND.

The Mineral Resources findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.

## 13. Noise

The 2007 MND included discussion of Noise and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation and monitoring.

Mitigation measures included in the 2007 MND (listed below) to mitigate potential impacts related to Noise to a less than significant level remain valid for the proposed winery expansion project.

**Mitigation Measure 11.a:** *Noise shall be controlled in accordance with Table NE-2 of the Noise Element of the Sonoma County General Plan as measured at the exterior property line of any affected residential or sensitive land use:*

Maximum Exterior Noise Level Standards, dBA

<i>Cumulative Duration of Noise Event in any one-hour Period</i>	<i>Daytime (7 a.m. to 10 p.m.)</i>	<i>Nighttime (10 p.m. to 7 a.m.)</i>
<i>30-60 Minutes</i>	<i>50</i>	<i>45</i>
<i>15-30 Minutes</i>	<i>55</i>	<i>50</i>
<i>5-15 Minutes</i>	<i>60</i>	<i>55</i>
<i>1-5 Minutes</i>	<i>65</i>	<i>60</i>

- a. *If the ambient noise level exceeds the standard, adjust the standard to equal the ambient level.*
- b. *The applicable standards shall be reduced by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.*
- c. *The applicable standards shall be reduced by 5 decibels if they exceed the ambient level by 10 or more decibels.*

**Mitigation Monitoring:** *Any noise complaints will be investigated by PRMD staff. If such investigation indicates that the appropriate noise standards have been or may have been exceeded, the permit holders shall be required to install, at their expense, additional professionally designed noise control measures.*

*Failure to install the additional noise control measure(s) will be considered a violation of the use permit conditions. If noise complaints continue, PRMD shall investigate complaints. If violations are found, PRMD shall seek voluntary compliance from the permit holder and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate. (Ongoing)*

The Noise section of the 2019 Checklist contained one new question that was not addressed in the in the 2007 MND and is discussed below:

**Would the project:**

- a) **Generate 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?**

The proposed 22,000 sq ft winery production building and elimination of public tours and tastings will not increase the ambient noise levels in the surrounding area above existing traffic and aircraft noise levels. While the proposed winery expansion project may generate a temporary increase in ambient noise levels during construction, these levels would not be excessive or significant as they would be limited to a short construction period. Otherwise there are no other activities or uses associated with the proposed winery expansion project that would generate a substantial temporary or permanent increase in ambient noise levels resulting in a less than significant impact.

The Noise findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.

Significance Level:

Less Than Significant Impact

## 14. Population and Housing

The 2007 MND included discussion of Population and Housing. Potential impacts of the project were considered and found to have no impact to population and housing. No mitigation was required.

The Population and Housing section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND.

The Population and Housing findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.

## **15. Public Services**

The 2007 MND included discussion of Public Services. Potential impacts of the project were considered and found to have a less than significant and/or no impact to Public Services. No mitigation was required.

The Public Services section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND.

The Public Services findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.

## **16. Recreation**

The 2007 MND included discussion of Recreation. Potential impacts of the project were considered and found to have no impact to recreation. No mitigation was required.

The Recreation section of the 2019 CEQA Checklist does not contain any new questions that were not addressed in the 2007 MND.

The Recreation findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.

## **17. Transportation/Traffic**

The 2007 MND included discussion of Transportation and found potential construction-related impacts could occur that could be reduced to less than significant with mitigation and monitoring.

The proposed winery expansion project will eliminate the public tasting room traffic, increase production, reduce the overall number of employees and as a result, reduce the overall traffic associated with the original PLP02-0085 approved project. The original winery project is permitted for up to 90 tasting room visitors per day (estimated 78 daily trips), 24 employees (estimated 51 daily trips), and 250,000 annual case production (estimated 9 daily truck trips) which amounts to an average total of 138 daily trips. However, the hospitality uses approved by the original project never commenced. W-trans estimates the existing winery production facility generates an average of 45 daily employee trips and 3 daily truck trips in their 2019 trip generation comparison memo. Note, W-trans' memo incorrectly described the original winery project's permitted daily employee and truck trips. See discussion below for more detail.

The original project approval required the left turn lane on Stage Gulch Road be completed prior to occupancy of any winery or hospitality related structures. Caltrans completed the Route 116 Stage Gulch Road Curve Improvement and Realignment Project in 2012 which realigned the road to smooth out the winding road alignment. The new left turn lane at County Dump Road was

incorporated into the Caltrans project. The new left turn lane was designed to handle the increased truck traffic related to the County's waste transfer facility and was designed to improve safety at the intersection. The 2007 adopted MND determined that the left turn lane could also accommodate the traffic resulting from the PLP02-0085 winery project.

Sonoma Public Infrastructure or SPI (formerly Transportation and Public Works) evaluated the UPE16-0052 use permit modification project under PLP02-0085 and requested the applicant prepare a trip generation comparison memo for the use permit modification request. The 2019 W-trans trip generation comparison memo compared the trips for the proposed winery expansion UPE16-0052 project to the original PLP02-0085 project. Note, W-trans incorrectly described the original winery project's permitted employee trips as 72 daily trips (instead of 51) and permitted truck trips as 19 daily trips (instead of 9). SPI confirmed these errors do not affect the SPI's findings on the winery expansion project.

W-trans estimates the UPE16-0052 use permit modification request will generate an average of 60 daily employee traffic trips and 63 daily truck traffic trips during harvest season (August, September, October) for a total of 123 daily trips. Off harvest season, W-trans estimates an average of 45 daily employee trips and 23 daily truck traffic trips for a total of 68 daily trips. Daily truck trips were determined based on the amounts of fruit grown on-site as well as the amount of juice, fruit, bottles, barrels, and other supplies that are required to produce the bottled wine as well as shipping the finished goods. The requested ten-fold increase in production is not a direct ratio to increase in traffic. The estimated traffic resulting from the project is based on the range of production services requested:

- 55,000 cases - full production (crush, fermenting, barrel storage, and bottling).
- 289,000 cases - crush and bulk off haul of juice (grapes crushed onsite but fermented/ barrel-aged offsite).
- 1,056,000 cases - crush, fermentation and bulk off haul wine
- 300,000 cases - Lees wine (a fermentation byproduct that is further pressed and filtered)
- 800,000 cases bottling only (bulk wine import for bottling onsite)

W-trans found that the existing left turn lane and road conditions are adequate for the queuing anticipated with the increase in truck traffic. Most of project-generated trucks would be a result of the grape importation. Grapes are typically picked at night and early in the morning. W-trans' memo finds that these inbound fruit truck trips would therefore occur at off-peak times for the roadway. SPI reviewed and accepted W-trans findings on estimated trip generation for the winery expansion project. SPI did not require a new traffic study for the winery expansion because the proposal would increase current trip conditions by adding 20 new Passenger Car Equivalent (PCE) daily trips during the peak hour (or 6 truck trips during the peak hour), which is below Sonoma County's Traffic Study Guidelines threshold of 25 new PCE trips during the critical peak hour. SPI confirmed all requirements were already met by work on the prior PLP02-0085 project and no new project Conditions of Approval nor any new mitigation measures were required for traffic related impacts. SPI finds the infrastructure at the project intersection already exists for truck traffic as there is adequate sight distance, the intersection is wide with a left turn lane and wide shoulders on both sides of the road.

Mitigation and monitoring measures for the original winery project are listed below and have either been fulfilled or are no longer applicable.

***Mitigation Measure 15.a.1:*** *The left turn lane on Stage Gulch Road at the intersection of County Dump Road is considered a part of the project and shall be*

*installed prior to issuance of a certificate of occupancy for any wine production buildings/operations at the winery.*

**Mitigation Monitoring:** *No occupancy of any structures shall be granted until the left turn lane has been installed and is operational to Caltrans satisfaction.*

**Mitigation Measure 15.a.2:** *Public wine tasting shall not be permitted nor shall building permits be issued for the construction or renovation of wine tasting/hospitality buildings prior to the installation of the left turn lane on Stage Gulch Road.*

**Mitigation Monitoring:** *Construction and installation of the left turn lane on Stage Gulch Road shall be completed and operational prior to issuance of any building permits for wine tasting/hospitality uses or for any public wine tasting on the site.*

**Mitigation Measure 15.a.3:** *The applicant/developer shall contribute a "fair share" toward the County of Sonoma's financial obligation to Caltrans for the future left turn lane on Stage Gulch Road (Highway 116). The left turn lane and access road improvements shall be constructed by Caltrans. The "fair share" amount shall be considered a percentage of the Sonoma County contribution as required by Caltrans solely for the construction of the left turn lane. Additionally, the "fair share" contribution is based only on the cost of design and construction of the left turn lane and based upon the project's use of the access road. The Department of Transportation and Public Works shall determine the actual cost from a study performed by the Department of Transportation and Public Works. The developer shall enter into a written agreement with the County for payment of the developer's share of the County's obligation of the deferred left turn/access road costs. The County will deposit these funds into an account to pay for construction of the left turn improvements on Stage Gulch Road (Hwy 116) in the future.*

**Mitigation Monitoring:** *The fair share shall be determined by the Department of Transportation and Public Works based upon the project's "fair share" and shall be paid prior to issuance of building permits.*

**Mitigation Measure 15.a.4:** *Prior to the completion of the left turn lane on Stage Gulch Road, all winery related construction traffic shall be limited to right-turn-in and right-turn-out movements. Signage shall be placed at the intersection of the project driveway and County Dump Road and at the corner of County Dump Road and Stage Gulch Road indicating that all winery traffic be restricted to right turns only.*

**Mitigation Monitoring:** *Prior to issuance of grading or building permits for construction of the winery and associated improvements, the right turn only signs shall be installed subject to the review and approval of PRMD. Said signage shall be removed once the left turn lane on Stage Gulch Road is completed and operational.*



**Mitigation Measure 15.a.5:** *Public wine tasting shall be restricted to between the hours of 10:00 a.m. to 4:00 p.m., Monday through Friday to avoid the PM peak hours on the highway.*

**Mitigation Monitoring:** *Any reported violation of the time restrictions for the tasting room shall open up the use permit for review by PRMD and possible revocation hearings on the winery.*

**Mitigation Measure 15.f:** *A minimum of eleven parking spaces shall be provided for the tasting room.*

**Mitigation Monitoring:** *PRMD shall not issue building permits for the tasting room until a revised site plan has been provided with adequate parking and found consistent with the approved use permit and County Design Standards. PRMD shall not sign off the building permit for occupancy of the tasting room until a site inspection of the property has been conducted to determine that all site improvements have been installed according to the approved plans and conditions.*

Mitigation Measures 15.a.1, 15.a.2, 15.a.3 and 15.a.4 were related to the left-hand turn lane on Stage Gulch Road at the intersection of County Dump Road, which was part of Caltrans Route 116 Stage Gulch Road Curve Improvement and Realignment Project which was completed by Caltrans in 2012. Mitigation Measures 15.a.5 and 15.f were related to public tasting room hours and associated parking, a Phase II component of the original winery project that never commenced, and are no longer applicable.

The proposed winery expansion project does not include a tasting/hospitality component and, if approved, the Applicant understands the ability to engage in any tasting/hospitality uses approved under the original use permit is forfeited.

DTPW did not propose any new mitigation measures for the proposed winery expansion project and no additional traffic mitigation fees are required.

The Transportation/Traffic section of the 2019 Checklist contained two new questions that were not addressed in the 2007 IS/MND and are discussed below:

**Would the project:**

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

No, the proposed winery expansion project does not conflict with any program, plan, ordinance, or policy addressing the circulation system including transit, roadways, bicycle and pedestrian facilities. Additionally, the proposed winery expansion project will eliminate public tours and tastings which reduces the overall traffic associated with this project.

Significance Level:

No Impact

**b) Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?**

Assessment of transportation require a vehicle miles traveled analysis. CEQA Guidelines §15064.3 requires Lead Agencies to adopt thresholds of significance for vehicle miles traveled

(defined as “the amount and distance of automobile travel attributable to a project”). Statewide compliance with §15064.3 began July 1, 2020. CEQA Guidelines §15064.3, subdivision (b)(3) includes criteria for qualitative analysis:

*If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project’s vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.*

The threshold of significance adopted for Sonoma County is 110 Daily Vehicle Trips. The project applicant completed a traffic study in January 2019. The applicant prepared an addendum to the traffic study in January 2021 to assess VMT, which became a required CEQA component in July 2020. The winery currently has 10 full-time employees (during non-harvest) and 14 additional seasonal employees (during the harvest season and bottling) for a total maximum of 24 employees. The proposed winery expansion project would increase the number of full-time employees (during non-harvest) from 10 to 15 and reduce the number of seasonal employees (during harvest season and bottling) from 14 to 5, for a total maximum allowable number of 20 employees.

Transportation-based VMT assessments consider only the VMT generated by passenger vehicles and light duty trucks per the OPR Technical Advisory. Based on the trip generation table shown in Table 1 of the July 2019 traffic study, the project currently generates 45 trips per day associated with the current 15 employees. If the proposed winery expansion project is approved, an additional five employees would be onsite during the three-month fall harvest period, increasing total employment to 17 employees on an annualized average basis with a corresponding 51 daily employee trips. Comparing proposed to current trip generation levels, the project would be expected to increase automobile travel by six trips per day on average.

The OPR Technical Advisory identifies several criteria that may be used by jurisdictions to identify certain types of projects that are unlikely to have a VMT impact and can be “screened” from further VMT analysis. One of these screening criteria pertains to small projects, which OPR identifies as generating fewer than 110 new vehicle trips per day. As described above, the proposed winery expansion project is anticipated to generate approximately six additional daily automobile trips compared to baseline conditions, which falls well below the OPR threshold. As a result, it is reasonable to conclude that the proposed winery expansion project would have a less-than-significant impact on VMT.

It is noted that while transportation-related CEQA analyses exclude VMT associated with trucks and heavy vehicles, the proposed winery expansion project would still fall below the small project screening threshold if trucks were included in the tabulations. The daily trips and VMT generated by the winery expansion project as currently proposed would be also lower than that generated by full implementation of the 2007 Use Permit which included tasting room functions.

Therefore, no new impacts or increases in previously analyzed transportation/traffic impacts have been identified.

Significance Level:

Less Than Significant Impact

## **18. Tribal Cultural Resources**

The Tribal Cultural Resources section of the 2019 Checklist is a new section and was not contained in the 2007 MND. However, the 2007 MND included discussion related to cultural resources that is relevant to this section. See Section 5 – Cultural Resources.

The single question in this new section is discussed below:

- a) 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.**

Efforts to identify tribal cultural resources that could be affected by the proposed winery expansion project consisted of a records search of the Regional Office of the California Historical Resources Information System, literature review, contact with the Native American Heritage Commission to determine the presence or absence of listed Sacred Lands within the project area, contact with all appropriate Native American organizations or individuals designated by the Native American Heritage Commission as interested parties for the project area, a surface reconnaissance of all accessible parts of the project area to locate any visible signs of potentially significant historic or prehistoric cultural deposits and preparation of a Cultural Resources Evaluation.

On July 24, 2018, the following tribal organizations were contacted via electronic email or letter sent via the U.S. Postal Service to inquire about Sacred Sites within or near the Project Area and to invite further consultation regarding traditional, cultural, and religious heritage values associated with the project area that could be impacted by the proposed winery expansion project:

- Torres Martinez Desert Cahuilla Indians
- Cloverdale Rancheria of Pomo Indians
- Dry Creek Rancheria Band of Pomo Indians
- Federated Indians of Graton Rancheria
- Kashia Band of Pomo Indians of the Stewarts Point Rancheria
- Lytton Rancheria
- Middletown Rancheria
- Mishewal-Wappo Tribe of Alexander Valley

Comments were received from the Federated Indians of Graton Rancheria who did not request further consultation and Cloverdale Rancheria of Pomo Indians who requested the applicant immediately stop construction and notify the appropriate Federal Agency and the local Tribes upon discovery of any archaeological remains or resources.

In response to comments received from Cloverdale Rancheria of Pomo Indians, the 2007 MND Mitigation Measure 5.b has been incorporated into the project proposal as well as Permit Sonoma's

standard condition of approval which requires the language in Mitigation Measure 5.b to be placed on all construction plan sets.

The new Tribal Cultural Resources section contained in the 2019 Checklist does not result in any new potentially significant impacts being identified, does not increase impacts related to cultural resources previously identified and does not require any new mitigation measures.

The standard condition of approval related to inadvertent discovery of archaeological features that was included in the 2007 MND to ensure any potential impacts to Cultural Resources would be reduced to a less than significant level is also applicable for Tribal Cultural Resources and remains valid for the proposed winery expansion project. See Mitigation Measure 5.b and Mitigation Monitoring.

Significance Level:

Less Than Significant Impact

## 19. Utilities and Service Systems

The 2007 MND included discussion of Utilities and Service Systems. Potential impacts of the original winery project were considered and found to have less than a significant and/or no impact.

The Utilities and Service Systems section of the 2019 CEQA Checklist contained three new questions that were not addressed in the 2007 MND and are discussed below:

**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?**

No, the proposed winery expansion project would not require any of the above-mentioned facilities. Domestic and commercial waste water disposal for the existing use is provided by on-site septic systems. Primary electrical power will be supplied by the existing service on the property. The new electrical from the existing panel to the proposed 22,000 sq ft winery production building will be routed underground. The original winery project has sufficient on-site facilities to accommodate the proposed winery expansion project resulting in a less than significant impact.

Significance Level:

Less Than Significant Impact

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

Yes, the project site falls within two different Groundwater Availability Zones: Zone 1 and 3. The main water supply well, however, is located within Zone 1, a “major groundwater basin”. The existing well has been tested and demonstrated water yield sufficient to support the existing and proposed winery expansion project.

Based on the Groundwater Report prepared by O’Connor Environmental, Inc. on March 7, 2019, there is a surplus of groundwater resources in the project recharge area and, given the magnitude of the surpluses, the proposed winery expansion project is unlikely to

result in significant reductions in groundwater levels or depletion of groundwater resources over time.

Significance Level:

Less Than Significant Impact

**c) 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?**

No, private haulers will remove normal winery trash, debris and rubbish. Waste glass and cardboard from the winery will be recycled. Additionally, the proposed winery expansion project is required to comply with environmental health standards and be permitted for waste disposal, as such the project would be screened to comply with the State or local standards which would result in a less than significant impact.

Significance Level:

Less Than Significant Impact

The proposed winery expansion project does not alter the Utilities and Service Systems findings in the 2007 MND. No new impacts or increases in previously analyzed impacts have been identified.

## 20. Wildfire

The Wildfire section of the 2019 Checklist is a new section and was not contained in the 2007 MND and is only applicable for projects that are located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project site is located in a State Responsibility Area (SRA) and within a California Department of Forestry and Fire Protection High Fire Hazard Severity Zone.

The four questions in this new section are applicable to this project and are discussed below:

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

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

No, the proposed winery expansion project would not impair implementation of an adopted emergency response plan. There is no adopted emergency evacuation plan for the County, and the proposed winery expansion project would not change existing circulation patterns or effect emergency response routes. The proposed winery expansion project would be required to be reviewed by a Department of Fire and Emergency Services Fire Inspector during the building permit process to ensure adequate emergency access is provided to the site.

Significance Level:

No 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?**

No, wildfire risk is dependent upon existing environmental conditions, including but not limited to the amount of vegetation present, topography, and climate. The project site is developed and surrounded by rural development (including access roads, light industrial facilities, commercial facilities, vineyards, agricultural land, and residences) and does not

contain slopes that are likely to significantly exacerbate wildfire risk.

The winery is located on County Dump Road less than one quarter of a mile off of Stage Gulch Road/State Highway 116. The main entrance to the winery is approximately 700 feet from the intersection of County Dump Road and Stage Gulch Road/State Highway 116 making the site easily accessible. The County Dump Road has been providing access to a variety of commercial uses (the winery, rock quarry and Sonoma County Refuse) for many years and meets minimum standards for commercial development.

According to the Wildland Fire Hazard Area map in the Sonoma County General Plan, the project site is located in the State Responsibility Area, and is designated as a High Fire Hazard Severity Zone. Projects located in High and Very High Fire Severity Zones are required by state and county code to have a detailed vegetation management plan developed and reviewed by the Sonoma County Fire Prevention Division before a building permit can be issued. Additionally, all construction projects must comply with County Code Fire Safe Standards (Chapter 13), including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site, all of which would reduce the potential hazard of wildfires.

The tasting and hospitality uses associated with the existing winery project (PLP02-0085) never commenced. The applicant understands they would be relinquishing their vested right to engage in any future tasting and hospitality uses with the proposed winery expansion project (UPE16-0052). Therefore, the project would have a less than significant impact regarding exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

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?**

No, the proposed winery expansion project does not propose any major infrastructure improvements as the site is already fully developed. However, the proposal does include a new paved access road, 11 new parking spaces including two ADA parking spaces and expansion of the existing process wastewater treatment system. The proposed winery expansion project is not anticipated to exacerbate fire risk or result in temporary or ongoing environmental impacts related to fire-fighting infrastructure.

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?**

No, the project site is not located in an area at high risk for flooding, such as a 100-year flood hazard area or floodprone urban area. Additionally, drainage patterns at the project site would remain the same as under existing conditions. Therefore, operation of the proposed winery expansion project would not substantially alter drainage patterns or increase runoff which would expose people or structures to significant downslope flooding.

The project site is not located within a deep-seated landslide hazard area or on a mapped

landslide complex or debris flow source area. It is unlikely that a landslide would occur on-site as a result of runoff, post-fire slope instability, or drainage changes. Therefore, it is not anticipated that the project would expose people or structures to significant risks including flooding or landslides as a result of runoff, post-fire instability, or drainage changes.

Significance Level:

Less Than Significant Impact

The new Wildfire section contained in the 2019 Checklist does not result in any new potentially significant impacts being identified and does not require any mitigation measures.

## **21. Mandatory Findings of Significance**

The proposed winery expansion project is required to meet the project objectives of the original project. No new, collective or cumulative impacts have been identified with the entirety of the proposed winery expansion project that cannot be mitigated to a level of less than significant with mitigation measures contained in the 2007 MND.

No impacts associated with the entirety of the proposed winery expansion project would trigger a mandatory finding of significance. The findings contained in the 2007 MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified.