permit SONOMA

County of Sonoma
Permit & Resource Management Department

Initial Study
Mitigated Negative Declaration

Publication Date: August 14, 2023

Public Review Period: August 14, 2023 to September 13, 2023

State Clearinghouse Number:

Permit Sonoma File Number: PLP20-0007

Prepared by: Jen Chard

Phone: (707) 565-2336

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

Project Name:	Tasting Room at Nunes Farm and Winery at Saralee's Vineyard
Project Applicant/Operator:	Tony Korman and Jackson Family Investments III LLC
Project Location/Address:	3400 Slusser Rd., Windsor, CA 95492
APN:	057-070-047, 057-070-049, 057-070-050
General Plan Land Use Designation:	Land Intensive Agriculture, 60-acre density
Zoning Designation:	Land Intensive Agriculture (LIA) Frozen Lot (B7) with combining districts for Accessory Unit Exclusion (Z), Biotic Habitat (BH), Floodplain (F2), Riparian Corridor with 50 ft and 100 ft setbacks (RC50/25, RC100/50), Scenic Corridor and Scenic Landscape Unit (SR), and Valley Oak Habitat (VOH)
Decision Making Body:	Board of Zoning Adjustments (BZA). Action by BZA is appealable within 10 calendar days.
Appeal Body:	Sonoma County Board of Supervisors
Project Description:	**See Item III, below**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Table 1. Summary of Topic Areas

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

RESPONSIBLE AND TRUSTEE AGENCIES

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

Table 2. Responsible Agencies

Agency	Activity	Authorization
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions	BAAQMD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NOx and CO from Stationary Internal Combustion Engines; and other BAAQMD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines
U. S. Army Corps of Engineers	Wetland dredge or fill	Clean Water Act, Section 401
North Coast Regional Water Quality Control Board (NCRWQCB)	Discharge or potential discharge to waters of the state Wetland dredge or fill	California Clean Water Act (Porter Cologne) – Waste Discharge requirements, general permit or waiver Clean Water Act, Section 404
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Incidental take permit for listed plan and animal species; Lake or streambed alteration	California Endangered Species Act (CESA), Section 2081 of the Fish and Game Code; Section 1600 of the Fish and Game Code
U. S. Fish and Wildlife Service (FWS) and or National Marine Fisheries Service (NMFS)	Incidental take permit for listed plant and animal species	Endangered Species Act
State Division of Aeronautics	Construction in airport safety zone	FAA Form 7460 letter of compliance
Sonoma County Public Infrastructure	Traffic and road improvements	Sonoma County Municipal Code, Chapter 15
Sonoma County Environmental Health	Retail Food Facility Permit	Sonoma County Municipal Code, Chapter 14

ENVIRONMENTAL FINDING:

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

_____

Prepared by: Jen Chard, Project Planner June 29, 2023

Expanded Initial Study

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

I. INTRODUCTION:

Jackson Family Investments III LLC and Tony Korman propose: 1) a Lot Line Adjustment between a 24.28+/- acre parcel and a 108.82+/- acre parcel resulting in a 24.08+/- acre parcel and a 109.01+/- acre parcel; 2) a Use Permit and Design Review for a new 4,530 square foot tasting room (Nunes Farm) with up to 20 events per year with a maximum of 200 attendees on the resulting 24.08+/- acre parcel; and 3) a Use Permit and Design Review for a new winery (Saralee's Vineyard) including a tasting room, a winery building used for production, storage, and administration with an annual production of 95,000 cases and up to 20 events per year with a maximum of 200 attendees and marketing accommodations within an existing building on the resulting 109.01+/- acre parcel. A referral letter was sent to the appropriate local, state, and federal agencies and interest groups who may wish to comment on the project.

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

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

II. EXISTING FACILITY

The subject site is located 3.05 miles northwest of the City of Santa Rosa and 2.75 miles southwest of the Town of Windsor in Unincorporated Sonoma County (Figure 1).

The proposed project will be located on the former Nunes dairy site on both the Nunes parcel (24.28 acres) and the Saralee's parcel (108.82 acres) located on River Road approximately 0.40 mile west of the River Road/Slusser Road intersection. The Nunes cow breeding and feeding operation has not been in operation since the late 1990s. The overall site includes nine structures, including two residences, farm office, barns, and other former cattle support structures, which consist of approximately 74,000 square feet (sf) of building space (approximately 20,000 sf of building is located on the Nunes parcel and 54,000 sf on the Saralee's parcel). These structures are currently used to support and store vineyard maintenance and harvesting equipment. An estimated 17 office employees and seasonal agricultural employees currently work at the site. The two residences include the duplex at the entry to the property on River Road and the Nunes home. The site also includes a 0.27-acre pond on Nunes parcel, maintained landscaping around the two residences, annual/perennial grassland, a created swale, two artificial ponds and channelized stream/wetland ditch that are waters of the state and/or the United States, riparian corridor habitat near Mark West Creek, and several mature trees including valley oak, red maple, black walnut, coastal redwood, box elder, and fig. The project does not propose to significantly impact or convert additional natural resource areas or species habitats and is limited to redevelopment of existing built environments on the project parcels. The project site is embedded in a fully agricultural landscape to the north, east and west with active vineyard operations surrounding it. To the south it is bounded by a major County transportation corridor

(River Road). Previously an active dairy farm, the project, roads and buildings have been actively used to support site management and use and vineyard operations in recent years. Thus, the CEQA baseline for the project is an active agricultural support complex with two residences on site, regular human, vehicular and equipment traffic within and through the site, constant noise from busy River Road traffic patterns, artificial or altered aquatic habitats, isolated remnant grassland areas, and scattered native and non-native trees that could be used as roosting or nesting habitats for migratory. Additionally, buildings proposed to be removed on site have potential for bat roosting or nesting habitat.

The project site is located near the northern end of the Santa Rosa Plains Critical Habitat Area four federally listed flower species but does not contain vernal pools or soil types, or landforms characteristic of the habitats for these plants species and detailed floristic surveys have found no evidence of them in the artificial aquatic resources on site or the remnant grassland areas.

The site is located on an elevated hill that is above the 100-year floodplain of Mark West Creek, which is located along the southern and eastern boundary of Saralee's parcel. There are two existing access points to the site: a southern access to River Road and a northern access that traverses north and east from the site to Slusser Road through a network of vineyard roads. The site also includes an approximately 4-acre open water pond that is used to store recycled water from the City of Santa Rosa that is used for agricultural operations.

Figure 1: Vicinity Map

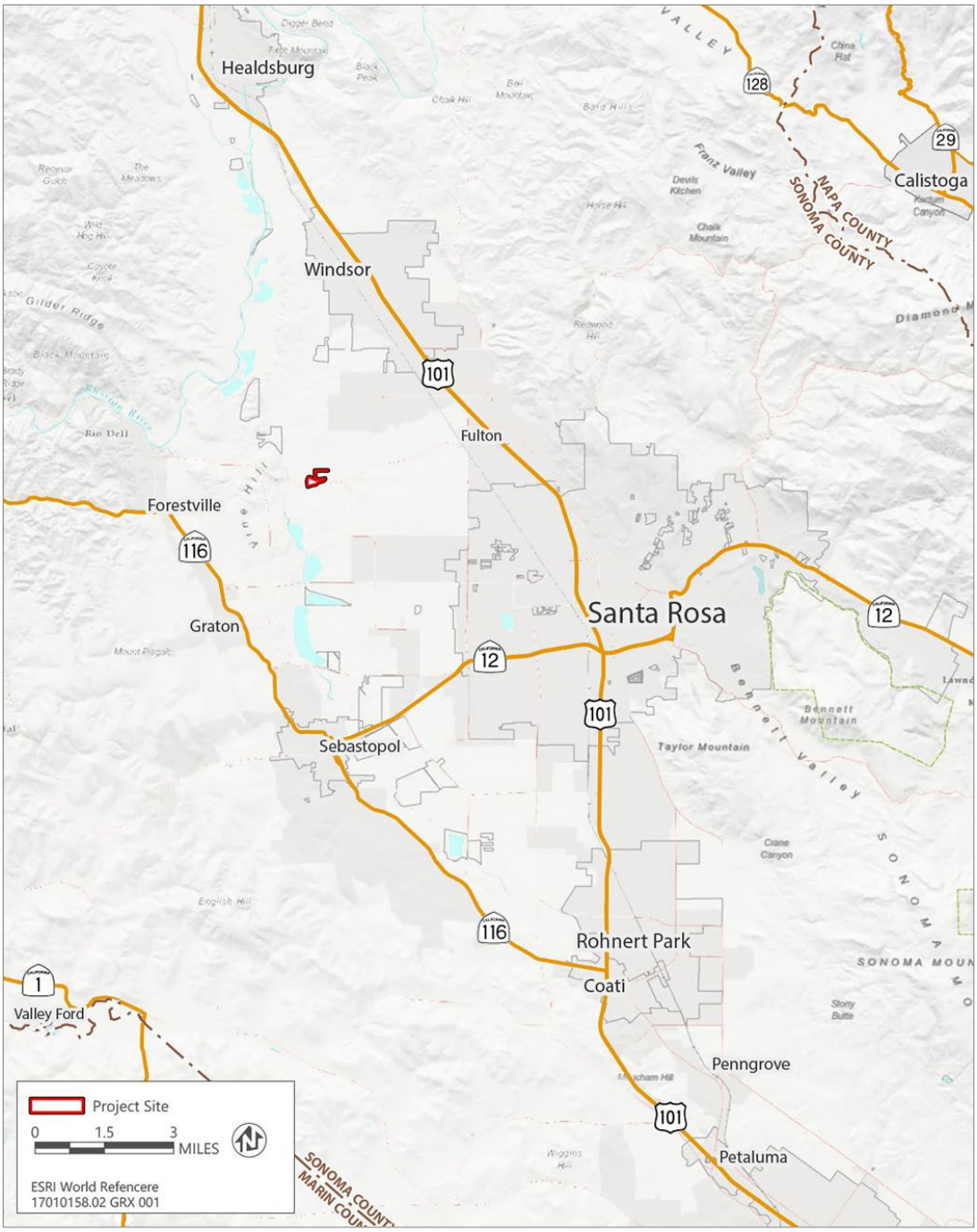
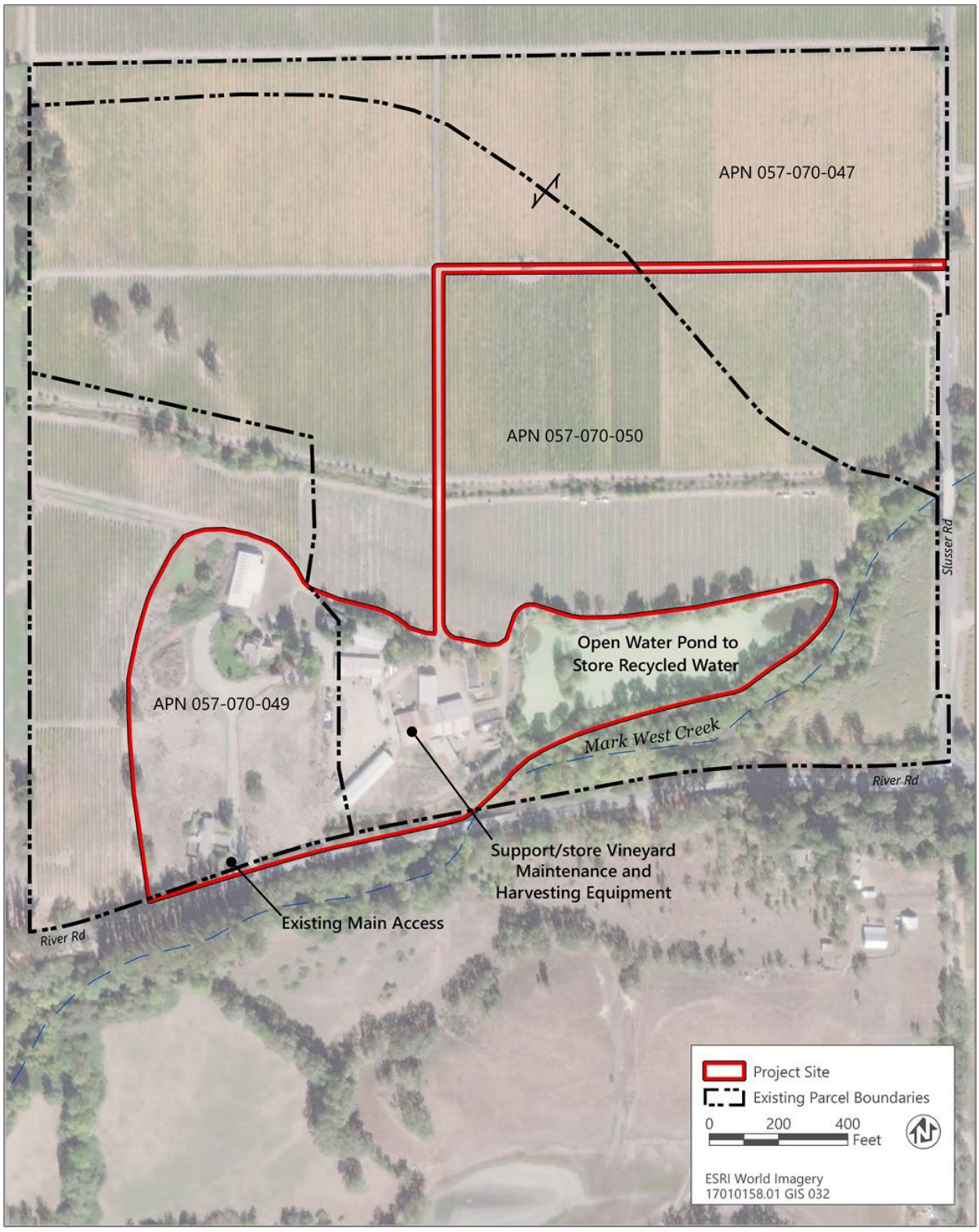


Figure 2: Project Parcels and Surrounding Areas

Figure 3: Aerial of the Parcels and Location of Project



III. PROJECT DESCRIPTION

The project is a request for: 1) a Lot Line Adjustment (Figure 4); 2) Design Review and Use Permit to construct a new 4,530 square foot tasting room building on the resulting Lot A of 24.08 acres (Nunes Farm Site); and 3) Design Review and Use Permit to construct a new 55,000 square foot winery production building and 5,616 square foot tasing room on the resulting Lot B of 109.01 acres (Saralee's Vineyard).

Figure 4: Lot Line Adjustment Site Plan (Attachment 1)

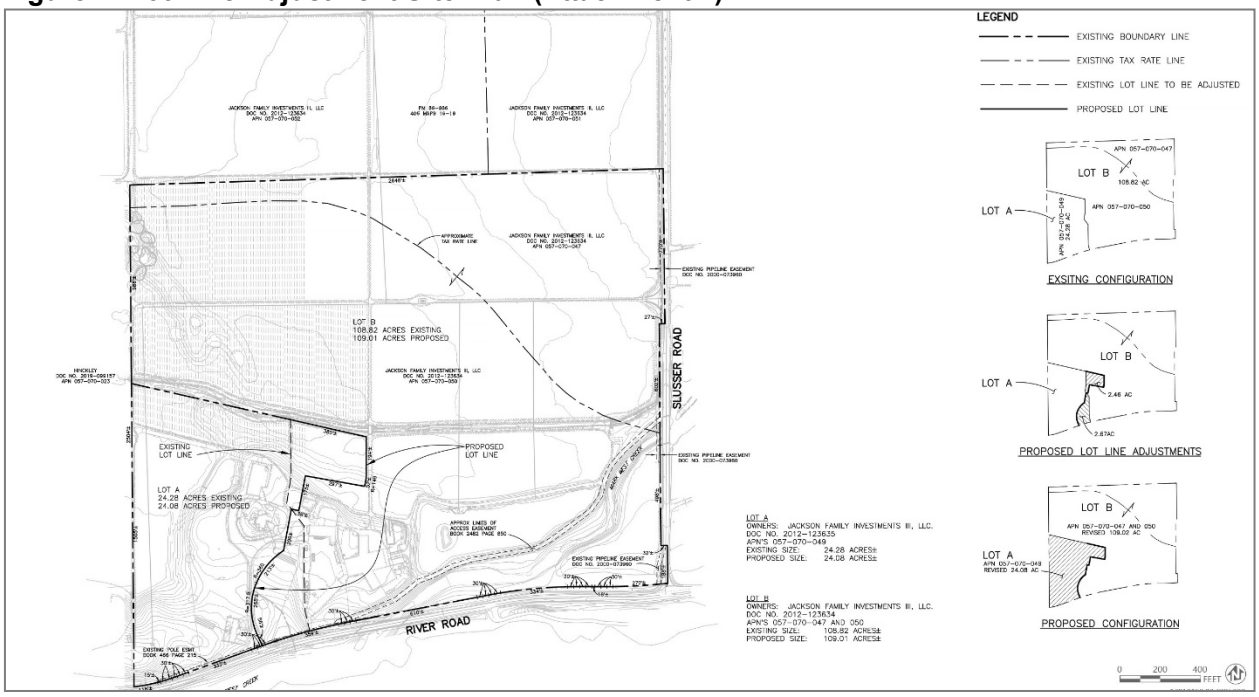
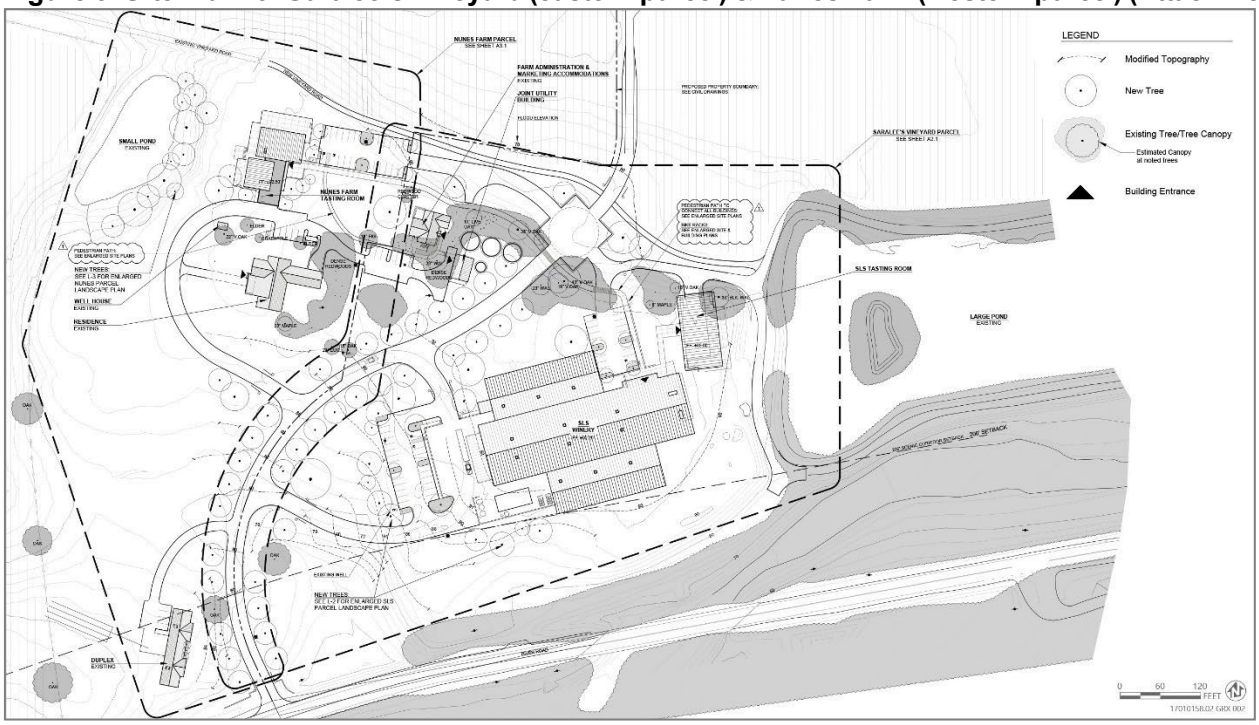


Figure 5: Site Plan for Saralee's Vineyard (eastern parcel) & Nunes Farm (western parcel) (Attachment 2)



Use Permit for Saralee's Vineyard Site (Eastern Parcel – Resulting Lot B):

The Saralee's Vineyard Site's new 55,000 square foot production building will include 47,000 square feet wine production, fermentation, and storage for annual wine production of 95,000 cases per year. The building will also include 6,000 square feet of supporting administration uses and a 2,000 square foot crush pad area. The new 5,616 square foot tasting room will include 1,000 square foot overlook room, 1,000 square foot reserve room, commercial kitchen, cellar, restrooms, administration offices and an 1800 square foot hospitality patio. The site will also retain and remodel of an existing 2,200 square foot with a 300 square foot deck single family dwelling used for vineyard operation staff and marketing accommodations for industry guests. A new parking lot is proposed around the new productions facility and tasting room building and will contain 51 parking spaces (including 4 accessible spaces). 28 of these spaces would have electric vehicle charging capacities (including 9 spaces with electric charging stations). The tasting room is proposed to accommodate 34 employees, 14 seasonal employees and 100 guests a day.

Proposed Hours of Operation:

- *Winery operation* hours - 8:00 am to 5:00 pm, Monday-Friday
- *Winery Harvest* hours - 7:00 am to 9:00 pm, Monday-Saturday
- *Tasting room* hours - 10:00 am to 5:00 pm, 7 days a week
- *Event* hours - 10:00 am to 10:00 pm
- *Tours* of the vineyards for the general public are to be held during normal tasting room hours only.

Proposed Winery Events and Activities:

Event Type	Number of Events	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
Winemaker Dinner	3	30	Weekend	Evening	Onsite	No
Communication Fundraisers	4	100	Weekend	Evening	Catered	Yes
Pick Up Parties	2	100	Weekend	Daytime	Catered	Yes
Industry Events	4	200	Weekend	Daytime	Catered	Yes
Wine Trade Activity Type	**Number of Activities**	**Maximum Attendees**	**Time of Week**	**Time of Day**	**Food Service**	**Amplified Music**
Vendor Meetings	4	50	Weekday	Daytime	Onsite	No
Sales Events	3	30	Weekday	Daytime	Onsite	No

Proposed Food Service:

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

- Food on site will be prepared in the food preparation area within the tasting room building. Food can be provided for occasional employee lunches and employee harvest party. Appetizers or meals featuring local foods and food products may be prepared for occasional marketing or promotional activities that are not open to drop-in guests. Food must be consumed on site.

Proposed Employees:

- *Tasting room, Winery, and Events:* Not to exceed 34 full-time employees
- *Tasting room and Winery during harvest*: 48 full-time employees

Access and Parking:
As described above, vehicular and emergency access to both the Tasting Room at Nunes Farm and the Winery at Saralee's Vineyard sites would be a shared two-lane road from Slusser Road and the secondary access from River Road. Approximately 51 parking spaces for employees and guests would be located in various locations on the Winery at Saralee's Vineyard site. Additional parking to accommodate peak periods and special events would be accommodated by sharing parking with the Nunes Farm site and overflow parking between vineyard rows along project driveways. Sufficient onsite parking is provided for the largest event through sharing parking spaces with the Nunes Farm site and overflow parking between vineyard rows along project driveways. Shuttling is not anticipated to be used to support events. Parking attendants would be used to direct onsite traffic on event days. The driveway from the visitor entrance on Slusser Road to the proposed development is nearly a half mile in length. This would allow for any queuing to happen along the driveway without impacting public roads. On-street parking would not be needed nor convenient for guests and therefore no enforcement of on-street parking restrictions would be necessary.

Circulation:
As described above, the Traffic Impact Study identifies that the operation of the Tasting Room at Nunes Farm and the Winery at Saralee's Vineyard would require the installation of a traffic signal at the River Road/Slusser Road intersection to address County level of service requirements (General Plan Policy CT- 4.2). This will be a condition of approval/mitigation measure for both projects.

Water, Wastewater, and Waste Disposal:
The water supply for the Winery at Saralee's Vineyard would be met through an integrated system that would include the water sources and treatment facilities described below and identified on Figure 5. Potable water demands of the Winery at Saralee's Vineyard would be approximately 4.6-acre feet annually with a peak day water demand of approximately 11,020 gallons per day (gpd).

The Winery at Saralee's Vineyard includes rainwater catchment of runoff from the proposed buildings, which would be piped to storage tanks. Water from these tanks would be treated to potable water standards. Rainwater could supply over 40 percent of the project potable water demands in an average rainfall year. Additional storage volume in the lower portion of rain storage tanks could provide fire protection storage.

An existing on-site groundwater well would provide the balance of potable water demands. The groundwater would be treated onsite to potable water standards.

Treated rainwater and groundwater would be stored in a single potable water storage tank and distributed to all facilities requiring potable water on both parcels.

As noted below, the Winery at Saralee's Vineyard would include an on-site wastewater treatment facility for winery process water to produce recycled water. The recycled water would be used to irrigate landscaped areas for both the Nunes parcel and Saralee's parcel. Landscaped area water demand would
3.1-acre feet annually with a peak demand of 6,700 gpd.

A separate on-site wastewater treatment system would be installed to treat domestic wastewater from the winery, tasting room, and offices/marketing uses. The system would be sized in accordance with the County of Sonoma OWTS Manual. Design flow estimate guidance in the OWTS manual is generally more conservative than a water demand estimate which considers the use of low flow fixtures and appliances. The base design flow is approximately 1,095 gpd. Total design flow including flow from promotional events in accordance with Permit Sonoma Policy 9-2-31 is 1,345 gpd. The system would include at a minimum collection piping from domestic uses in the winery and tasting room, a septic tank and a leach field. The domestic leach field would be constructed in an area northwest of the proposed winery in the existing vineyard and would include an expansion area for future system replacements for a total of 8,400 sf of land area. Leach lines would be installed between vine rows. No vine removal would be required.

The average wastewater flow during the peak month from the winery is estimated to be approximately 7,700 gpd. Process wastewater from winemaking activities would be collected through a network of sink

and floor drains in the winery and flow by gravity to a lift station, which would deliver the collected wastewater to a packaged treatment plant housed in a covered service yard area on the southwest corner of the winery building. To allow for recycling of effluent and use of the existing recycled water storage pond, the plant would produce Title 22 compliant tertiary water. The plant would be designed to accommodate the high biochemical oxygen demand and total suspended solids concentrations typical of winery wastewater, and the highly seasonal nature of winery wastewater flow rates. The preliminary design concept assumes the use of a membrane bioreactor. Biosolids generated by the wastewater treatment plant would be removed by truck and disposed at an appropriate off-site facility. This system would require approvals from the County and the North Coast Regional Water Quality Control Board. Recycled water would be stored in the existing 4-acre pond on the Saralee's parcel.

Energy:
The Winery at Saralee's Vineyard would obtain electrical service from Sonoma Clean Power and would meet the most current requirements for renewable energy use under the California Energy Code (Title 24, Part 6). No natural gas or propane use would be used.

Drainage:
Stormwater that is not captured by the rainwater catchment system would be collected through on-site drainage bioretention planters and swales, culverts, and other facilities and directed to infiltration areas or existing site drainage swales. Site drainage is maintained according to the existing tributary drainage patterns and ultimately reaches Mark West Creek. No new storm drain work, including grading or new drainage outfall, is proposed within the banks or setbacks of Mark West Creek. The drainage facilities would include stormwater treatment and best management practices (BMPs), consistent with Sonoma County and North Coast Regional Water Quality Control Board requirements.

Construction:
The exact timing of construction of the Winery at Saralee's Vineyard is not currently known but the impact analysis assumes no earlier than 2024 as well as the Tasting Room at Nunes Farm. Before commencement of construction activities, the project applicant would be required to obtain construction approvals, including a grading permit and building permits. Existing on-site structures would be removed (Figure 2-5). Existing concrete slabs and asphalt paving not used in the project would also be removed. Materials removed would be recycled or disposed of as appropriate. Next, site work including rough grading and infrastructure (utilities and roadways) would be completed. Finally, construction of buildings would be completed and landscaping. Construction would also include the installation of the River Road/Slusser Road intersection traffic signal improvement. On-site trees would be retained where feasible; however, it is estimated that 27 trees would be removed as part of development. Of the trees to be removed, 10 trees (all of them are sequoia sempervirens - coast redwood) are designated as protected trees under Sonoma County Tree Protection Ordinance. Trees that would be preserved on site would be fenced around their drip line to protect them during construction. Grading activities are anticipated to generally be balanced on the site.

Use Permit for Nunes Farm Site (Western Parcel – Resulting Lot A):

The Nunes Farm Site new 4,530 square foot tasting room will include a commercial kitchen, support offices, restrooms, 900 square foot private reserve room and 1,300 square foot public serving tasting room. The site will also retain and remodel an existing 5,000 square foot single family dwelling and an existing 3,500 square foot duplex. A new parking lot is proposed adjacent to the new tasting room building and will contain 36 parking spaces (including 2 accessible spaces and 4 covered spaces). 17 of these spaces would have electric vehicle charging capacities (including 6 spaces with electric charging stations). The tasting room is proposed to accommodate 26 employees and 100 wine tasters a day.

Proposed Hours of Operation:

- *Tasting room* hours - 10:00 am to 5:00 pm, 7 days a week
- *Event* hours – 10:00 am to 10:00 pm
- *Tours* of the vineyards for the general public are to be held during normal tasting room hours only.

Proposed Winery Events and Activities:

Event Type	Number of Events	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
Winemaker Dinner	3	30	Weekend	Evening	Onsite	No
Communication Fundraisers	4	100	Weekend	Evening	Catered	Yes
Pick Up Parties	2	100	Weekend	Daytime	Catered	Yes
Industry Events	4	200	Weekend	Daytime	Catered	Yes
Wine Trade Activity Type	Number of Activities	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
Vendor Meetings	4	50	Weekday	Daytime	Onsite	No
Sales Events	3	30	Weekday	Daytime	Onsite	No

Proposed Food Service:

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

- Food on site will be prepared in the food preparation area within the tasting room building. Food can be provided for occasional employee lunches and employee harvest party. Appetizers or meals featuring local foods and food products may be prepared for occasional marketing or promotional activities that are not open to drop-in guests. Food must be consumed on site.

Proposed Employees:

- *Tasting room and Events:* Not to exceed 26 full-time employees

Access and Parking:
Vehicular access to both the Tasting Room at Nunes Farm and the Winery at Saralee's Vineyard sites would be from a shared two-lane road from Slusser Road and the secondary access from River Road. The primary public access road from Slusser Road would be 20 feet in width. The road would include an existing bridge which is approximately 19-feet wide and therefore will be used as a one-way bridge. Turnouts and appropriate signage would be provided on either side of the bridge. Directional signage would be provided along River Road and Slusser Road to direct visitors to this access. The secondary (business) access road would be provided from the existing driveway at the southwestern boundary of the site on River Road. Emergency access to both sites would be provided by the driveway to River Road. 32 parking spaces for employees and guests plus 4 covered parking spaces for residents would be located in various locations on the Tasting Room at Nunes Farm site. Additional parking to accommodate peak periods and special events would be accommodated by sharing parking with the Saralee's Vineyard site and overflow parking between vineyard rows along project driveways.

Circulation:
The Traffic Impact study identifies that the operation of the Tasting Room at Nunes Farm and the Winery at Saralee's Vineyard would require the installation of a traffic signal at the River Road/Slusser Road intersection to address County level of service requirements (General Plan Policy CT-4.2). This will be a condition of approval/mitigation measure for both projects.

Water, Wastewater, and Waste Disposal:
The water supply for the Tasting Room at Nunes Farm would be served through an integrated system that would include the water sources and treatment facilities described below and identified on Figure 5. Potable water demands of the Tasting Room at Nunes Farm would be approximately 0.7-acre feet annually with a peak day water demand of approximately 1,930 gallons per day (gpd).

The Tasting Room at Nunes Farm includes rainwater catchment of runoff from proposed buildings, which would be piped to storage tanks. Water from these tanks would be treated to potable water standards. Rainwater could supply over 40 percent of the project potable water demands in an average rainfall year. Additional storage volume in the lower portion of rain storage tanks could provide fire protection storage.

An existing groundwater well on the Saralee's parcel would provide the balance of potable water demands. The groundwater would be treated onsite to potable water standards. Treated rainwater and groundwater would be stored in a single potable water storage tank and distributed to all facilities requiring potable water on both parcels.

The Winery at Saralee's Vineyard would include an on-site wastewater treatment facility for winery process water to produce recycled water pursuant to California Code of Regulations Title 22 standards for disinfected recycled water. The recycled water would be used to irrigate landscaped areas for both the Nunes parcel and Saralee's parcel. Landscaped area water demand would be approximately 3.1-acre feet annually with a peak demand of approximately 6,700 gpd.

An on-site wastewater treatment system would be installed to treat wastewater from all buildings on the Nunes parcel, including the tasting room, single-family dwelling, and duplex. The system would be sized in accordance with the County of Sonoma Onsite Waste Treatments Systems (OWTS) Manual. Design flow estimate guidance in the OWTS manual is generally more conservative than the water demand estimate which considers the use of low flow fixtures and appliances. The base design flow is approximately 1,245 gpd. Total design flow including flow from promotional events in accordance with Permit Sonoma Policy 9-2-31 is 1,495 gpd. The system would include at a minimum collection piping from all buildings, a septic tank, and a leach field. The domestic leach field would be constructed in the location indicated on the plans, south of the proposed tasting room and west of the single-family dwelling.

There is an existing on-site wastewater treatment system serving the duplex. The condition of this system has not been recently evaluated and therefore it is assumed within the use permit application package that flow from the duplex would be directed to the new system. Before construction, the existing system would be evaluated and may continue to serve the duplex. The existing system serving the single-family residence and office would be removed.

Energy:
The Tasting Room at Nunes Farm would obtain electrical service from Sonoma Clean Power and would meet the most current requirements for renewable energy use under the California Energy Code (Title 24, Part 6). No natural gas or propane use would be used.

Drainage:
The Tasting Room at Nunes Farm would be located on the elevated area above the 100-year floodplain of Mark West Creek. However, the primary and secondary vehicular access roads to the site would be within the 100-year floodplain and would be designed to avoid substantial alteration of existing drainage conditions or reduce the floodplain carrying capacity consistent with County standards. Stormwater that is not captured by the rainwater catchment system would be collected through on-site drainage bioretention planters and swales, culverts, and other facilities and directed to infiltration areas or existing site drainage swales. Site drainage is maintained according to the existing tributary drainage patterns and ultimately reaches Mark West Creek. No new storm drain work, including grading or new drainage outfall, is proposed within the banks or setbacks of Mark West Creek. The drainage facilities would include stormwater treatment and best management practices (BMPs), consistent with Sonoma County and North Coast Regional Water Quality Control Board requirements.

Construction:
The exact timing of construction of the Tasting Room at Nunes Farm is not currently known but the impact analysis in this IS/MND assumes no earlier than 2024.

Before commencement of construction activities, the project applicant would be required to obtain construction approvals, including a demolition permit for the existing structure, a grading permit and

building permits. Existing concrete slabs and asphalt paving not used in the project would also be removed. Materials removed would be recycled or disposed of as appropriate. Next, site work including rough grading and infrastructure (utilities and roadways) would be completed. Finally, construction of buildings would be completed and landscaping. Construction would also include the installation of the River Road/Slusser Road intersection traffic signal improvement. On-site trees would be retained where feasible; however, it is estimated that 10 trees would be removed as part of development. Of the trees to be removed, one tree (coast redwood [Sequoia sempervirens]) is designated as a protected tree under Sonoma County Tree Protection Ordinance. Trees that would be preserved on site would be fenced around their drip line to protect them during construction.

Grading activities are anticipated to generally be balanced on the site. Total cut for both parcels is estimated to be approximately 11,500 CY. Total fill is estimated to be approximately 8,200 CY. Excavated materials will be used as fill where deemed suitable by the geotechnical engineer. Remaining soil materials are assumed to be redistributed elsewhere on the property, unless otherwise deemed unsuitable and properly removed from the site.

IV. SETTING

The subject site is located 3.05 miles northwest of the City of Santa Rosa and 2.75 miles southwest of the Town of Windsor in Unincorporated Sonoma County. The surrounding parcels have similar development build outs, single family dwelling units, accessory structures, agricultural structures vineyards and wineries. Topographic conditions consist of rolling hills and steeper terrain surrounding Mark West Creek. Existing development at the project site is located towards the south side of the property and the proposed new structures will be located in similar locations (Figure 6).

The project does not propose to significantly impact or convert additional natural resource areas or species habitats and is limited to redevelopment of existing built environments on the project parcels. The project site is embedded in a fully agricultural landscape to the north, east and west with active vineyard operations surrounding it. To the south it is bounded by a major County transportation corridor (River Road). Previously an active dairy farm, the project, roads and buildings have been actively used to support site management and use and vineyard operations in recent years. Thus, the CEQA baseline for the project is an active agricultural support complex with two residences on site, regular human, vehicular and equipment traffic within and through the site, constant noise from busy River Road traffic patterns, artificial or altered aquatic habitats that could support amphibian or avifauna species, isolated remnant grassland areas that could potentially, and scattered native and non-native trees that could be used as roosting or nesting habitats for migratory. Additionally, buildings proposed to be removed on site have potential for bat roosting or nesting habitat.

The project site is located near the northern end of the Santa Rosa Plains Critical Habitat Area four federally listed flower species but does not contain vernal pools or soil types, or landforms characteristic of the habitats for these plants species and detailed floristic surveys have found no evidence of them in the artificial aquatic resources on site or the remnant grassland areas.

Standard, protective pre-construction and construction mitigation measures are proposed to address to address any residual potential for impact.

All adjacent parcels share the same Land Intensive Agriculture (LIA) Land Use designation and LIA base zoning district.

Figure 6: Existing Building to be removed, Existing Building to remain and Proposed Buildings (Attachment 3)

V. ISSUES RAISED BY THE PUBLIC OR AGENCIES

A referral packet was drafted and circulated on February 7, 2020. On December 20, 2021 the applicant revised the project by withdrawing the Major Subdivision and General Plan Amendment requests. On January 25, 2022, Permit Sonoma circulated a revised referral packet to inform and solicit comments from selected relevant local, state and federal agencies, local Tribes, neighbors within 300 feet of the project site; and to special interest groups that were anticipated to take interest in the revised project. Comments were received from:

- Permit Sonoma Building Division
- Permit Sonoma Fire Prevention
- Permit Sonoma Natural Resources Division
- Permit Sonoma Grading and Stormwater Division
- Caltrans Aeronautics
- Sonoma County ALUC
- City of Santa Rosa
- SWRCB Division of Drinking Water
- Army Corp of Engineers
- Sonoma Public Infrastructure formerly Department of Transportation of Public Works

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

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

Public Comments on the proposed project have been received, which were entered into the project file. Issues raised as areas of potential environmental concern include violation of the Sonoma County General Plan, Sonoma County Zoning Code, increased traffic, emergency evacuation routes, Winery Events Ordinance, and preservation of rural agricultural character and structures.

VI. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

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

Each question was answered by evaluating the project as proposed, that is, without considering the effect

of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference.

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

1. AESTHETICS:

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

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

Comment: The project site is within the Sonoma County's General Plan Scenic Corridor designation for River Road and the subject site is also within a Scenic Landscape Unit (SLU).

All structures located within scenic corridors established outside of the urban service area boundaries are subject to the setbacks of thirty percent (30%) of the depth of the lot to a maximum of two hundred feet (200 feet) from the centerline of the road (Sec. 26-64-030(a)). All proposed structures are outside the 200-foot Scenic Corridor setback applicable along River Road.

All structures located within a Scenic Landscape Unit are subject to the standards in Zoning Code Section 26-64-020 and General Plan Policy ORSC-2d, which require that all structures within an SLU use natural landforms and existing vegetation to screen them from view from public roads. If necessary, Zoning Code Section 26-64-020 specifies that new landscaping used for screening should be comprised of native, fire resistant plants and trees.

The proposed development would be partially screened by existing vegetation of coast live oaks and native shrubs along River Road. Tree removal is planned within the interior of the site near new building locations. To mitigate for protected tree removal in compliance with the Tree Protection Ordinance (Zoning Code Section 26-88-010(m)) new Redwood tree and coast live oak plantings are proposed along River Road south of the proposed winery building, which would further screen the development from public view along River Road (Attachment 4: Preliminary Landscape Plans). All protected trees proposed for removal will be replaced with new tree plantings of the same species type and of an arboreal value equal to that which is removed.

The project complies with the maximum building height of 35 feet (Attachment 5 Renderings and Designs). The total square footage of building footprint is approximately 13,030 square feet or 0.30 acre for Nunes Farm and 65,816 square feet or 1.50 acres for Saralee's winery. Zoning standards for LIA Zoning provide for a 5% maximum lot (building) coverage; the project will comply with this standard with an approximately less than one percent lot coverage. The project would also meet all zoning setback standards for new buildings from the property lines and the road centerline.

On July 20, 2022, preliminary design review on the project was completed during a public meeting before the Design Review Committee (DRC). The DRC generally supported the project proposal, identifying several design and site planning aspects that needed to be addressed by the applicant, with a requirement to return to the DRC for a Final Design Review. DRC comments (Attachment 6) focused on the following:

General –

- DRC supports the preliminary design proposal and recommends in favor of the project approval provided the following items return for final review after Board of Zoning Adjustments approval.

Site Plan –
- Include two site sections demonstrating relationship of main winery building and for adjacent westerly parking area to River Road.
- Consider lightly adjusting Sara Lee Vineyard tasting room footprint to align with northerly vineyard rows.
- See comments below under Parking/Circulation and Landscaping sections.

Architecture –
- Recommended for approval as proposed.

Parking Design –
- Adjust layout of Sara Lee Vineyard tasting room parking to provide separation from and addition planning opportunity along adjacent east elevation of winery building.

Landscaping –
- Submit final planning and irrigation plan, including:
  - Selected planting materials for added planter area between Sara Lee Vineyard tasting room parking lot and adjacent winery building.
  - Additional native tree selections to provide sufficient screening of winery main parking area from River Road.

Colors / Materials –
- Submit color and materials board details for final review.

Lighting –
- Submit lighting plan details for final review, including specifics on down-lit fixtures for pathway lighting.

Signage –
- Submit proposed signage elevations and color and material details for final review, if applicable.

The applicant has indicated their intent to address the DRC comments as part of their final design action, subsequent to Board of Zoning Adjustments action on the project Use Permits. Pending the future final Design Review action, staff finds that the proposed design is generally consistent with the applicable Design Guidelines and design provisions within County Code, provided final project design plans address preliminary DRC comments. To ensure compliance with the Zoning Code's criteria for developing in a Scenic Landscape Unit, standard Conditions of Approval have been incorporated into the project requiring final DRC approval on the project site plan, building elevations, colors and materials, signage, lighting plan, landscaping and irrigation plans prior to any grading and building permit issuance.

Significance Level:
Less than Significant Impact

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

Comment:
The parcel is not located on a site visible from a state scenic highway and is not within the HD (Historic District) combining zoning district.

Significance Level: No Impact

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

Comment:
The character of the 133.1-acre site and surrounding lands is agricultural and rural development. Using the County's Visual Assessment Guidelines, staff characterized the project site as having High visual sensitivity because it is located in the Scenic Resources Combining District and classified as a Scenic Landscape Unit. The project's visual dominance can be categorized as Subordinate because the existing and proposed landscape will make the projects minimally visible from public view and the colors and building shapes will make the element contrasts weak. Utilizing the Visual Assessment Guidelines' matrix (Attachment 7), the project's visual impact will be less than significant.

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

As discussed under item 1.a above, a standard condition of approval has been incorporated into the project that requires the site plan, building elevations, walls and fences, signage, lighting plan, landscaping and irrigation plans receive final design review approval by the Design Review Committee to ensure compliance with the Zoning Code criteria for building in a Scenic Landscape Unit prior to issuance of building permits. With final Design Review, the project will not cause a significant visual impact.

Significance Level:
Less than Significant Impact

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

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

The following standard condition of approval has been incorporated into the project: "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."

The project will require exterior lighting as necessary to comply with the California Building Code. A standard condition of approval requires "All new exterior lighting to be dark sky compliant, low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill

over onto adjacent properties or into the night sky. Flood lights are not permitted. Lighting shall shut of automatically after closing and security lighting shall be motion sensor activated. Prior to final occupancy of the cave portal, the applicant is required to demonstrate compliance with exterior lighting requirements by providing PRMD photograph documentation of all exterior light fixtures installed". By incorporating standard conditions of approval, the project will not result in a new source of substantial light or glare with would adversely affect day or nighttime view in the area.

Significance Level:
Less than Significant Impact

2. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

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

Comment:
The site currently contains approximately 81 acres of vineyard. According to the Sonoma County Important Farmlands Map, the project site is designated as a combination of Prime, Local Importance, Unique and Other land. There are currently approximately 130 acres of important farmland on the site. The project proposes to redevelop the former dairy building and parking areas which are designated as "Other Land". The project involves a new winery and two tasting rooms and is consistent with the permitted uses of the General Plan and Zoning Code, provided that a Use Permit is obtained. The primary use of the site would remain in agricultural production with related agricultural processing and agricultural promotional visitor serving uses. All existing vineyards will remain intact, and no designated farmland will be converted to non-agricultural use. Therefore, the project would not convert a significant amount of important farmland to non-agricultural use and therefore potential impacts are less than significant.

Significance Level:
Less than Significant Impact

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

Comment:
In 2013, a Notice of Non-Renewal of the Williamson Act contract was recorded for the project parcels. Phase out completed in 2022 and therefore the project site is no longer subject to a Williamson Act contract.

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

Applicable Zoning Requirements:

Section 26-18-030 Ag Processing:
LIA, LEA, DA, AR zones: the use must be sized to accommodate, but not exceed, the needs of the on-site growing or processing operation. (general plan policy AR-5c). The proposed Winery at

Saralee's does not propose any storage areas that would exceed the needs of the proposed 95,000 case production.

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

Section 26-18-210 Tasting Rooms:
Shall not require the extension of sewer and water.
Must be consistent with general plan policy AR 6-d and AR 6-f. (see discussion in Planning and Land Use section)

Section 26-18-260 Winery Definitions and Standards (Attachment 8):
Despite the pipeline provision in place the applicants for this proposed project are committed to adhering to the operating standards outlined in this newly adopted section of the code.

The project has been determined to be consistent with the Zoning Ordinance as the project proposes a 95,000-case winery that processes grapes grown onsite and from Sonoma County. The proposed wine tasting rooms and events promote products processed on site and from the local area, is secondary and incidental to the agricultural production activities on site and are compatible with existing uses in the area. The winery and tasting uses will not be detrimental to the rural character of the area.

Significance Level:
No impact

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

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

Significance Level:
No Impact

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

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

Significance Level:
No Impact

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

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

Significance Level:
No Impact

3. AIR QUALITY:

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

Would the project:

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

Comment:
The project is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which is currently designated as a nonattainment area for state and federal ozone standards, the state PM 10 standard, and the state and federal PM 2.5 standard. The District has adopted an Ozone Attainment Plan and a Clean Air Plan in compliance with Federal and State Clean Air Acts. These plans include measures to achieve compliance with both ozone standards. The plans deal primarily with emissions of ozone precursors (nitrogen oxides (NOx) and volatile organic compounds, also referred to as Reactive Organic Gases (ROG)). The project will not conflict with the District's air quality plans because the proposed use is well below the emission thresholds for ozone precursors or involve construction of transportation facilities that are not addressed in an adopted transportation plan (see discussion in 3 (b) below).

Significance Level:
Less than Significant Impact

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

Comment:
The project will not have a cumulative effect on ozone because it will not generate substantial traffic which would result in substantial emissions of ozone precursors (ROG and NOx_x). The project will have no long-term effect on $PM_{2.5}$ and PM_{10}, because all surfaces will be paved gravel, landscaped, or otherwise treated to stabilize bare soils, and dust generation will be insignificant. However, there could be a significant short-term emission of dust (which would include $PM_{2.5}$ and PM_{10}) during construction. These emissions could be significant at the project level and could also contribute to a cumulative impact.

Although the project will generate some ozone precursors from new vehicle trips, Saralee's Vineyards and Nunes Farm will have cumulative average daily new trips of 392, the project will not have a cumulative effect on ozone because it will not generate substantial traffic resulting in significant new emissions of ozone precursors (ROG and NOx, See tables below). See discussion in 3 (a) above. The full Air Quality Assessment is Attachment 9.

First Full Year of Operational Emissions for the Nunes Farm Tasting Room

Emissions Source	lb/day			
	ROG	NO_X	PM_{10}	PM_{25}
Area Sources[1]	<1	<1	<1	<1
Propane Combustion[2]	0	0	0	0
Mobile Sources[3]	2	2	1	<1
Total Average Daily Emissions	2	2	1	<1
BAAQMD Thresholds of Significance	54	54	82	54

First Full Year of Operational Emissions for Saralee's Vineyard Winery

Emissions Source	lb/day			
	ROG	NO_X	PM_{10}	PM_{25}
Area Sources[1]	<1	<1	<1	<1
Propane Combustion[2]	0	0	0	0
Mobile Sources (Vehicle Trips)[3]	<1	2	1	<1
Total Average Daily Emissions	1	4	1	<1
BAAQMD Thresholds of Significance	54	54	82	54

Significance Level:
Less than Significant with Mitigation Incorporated

This impact would be reduced to less than significant by including dust control measures as described in the following mitigation measure:

Mitigation Measure AIR-1: The following note shall be printed on all construction plans:

NOTE ON MAP: "All construction shall implement the following dust control measures:

a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.

b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads or will keep the loads at least two feet below the level of the sides of the container or will wet the load sufficiently to prevent dust emissions.

c. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site."

Mitigation Monitoring AIR-1: Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above notes are printed on all construction plans including plans for building and grading.

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:
Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. The nearest sensitive receptor is a residential area located approximately 900 feet away from project site.

A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure or acute and/or chronic noncancer health effects. A toxic substance released into the air is considered a toxic air contaminant by CARB and as a hazardous air pollutant by the EPA. Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. Toxic air contaminants are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles or diesel emissions from trucks; and area sources, such as landfills. Adverse health effects associated with exposure to toxic air contaminants may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced either on short-term (acute) or long-term (chronic) exposure to a given toxic air contaminants.

Toxic Air Contaminants do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach. According to the Air Quality Study provided by the applicant (Attachment 8) the project's estimated average daily exhaust emissions of PM2.5, which is

considered a surrogate for diesel PM, could reach to less than one lb/day during construction and to less than one lb/day during operation if the projects were to be implemented separately or together, which is below the 54 lb/day threshold recommended by BAAQMD.

Considering the highly dispersive properties of diesel PM, the relatively low mass of diesel PM emissions that would be generated during both project construction, distance from sensitive receptors (approximately 900 feet from the edge of the site) and the relatively short period during which PM—emitting construction activity would take place, construction-related TACs would not expose sensitive receptors to an incremental increase in cancer risk that exceeds 10 in one million or a hazard index of 1.0 or greater. As a result, this impact would be less than significant if the projects are implemented separately or together.

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

Significance Level:
Less than Significant Impact with Mitigation Incorporated

Mitigation:
See Mitigation Measure AIR-1 and Mitigation Monitoring AIR-1 above.

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

Comment:
BAAQMD's CEQA Air Quality Guidelines (2017) identifies land uses associated with odor complaints to include, but are not limited to, wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants.

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

The proposed Tasting Room at Nunes Farm use is not a land use that typically generate odors. This would not generate objectionable odors affecting a substantial number of people, and the impact would be less than significant.

The proposed Winery at Saralee's Vineyard includes an on-site wastewater treatment facility for winery operations. Wastewater treatment facilities can create nuisance odors. Wineries may generate objectional odors due to the pomace from grape crushing which can create objectionable odors if not handled properly. This impact is potentially significant unless mitigated. The following Mitigation Measures were identified in the Air Quality Study provided by the applicants.

Significance Level:
Less than Significant with Mitigation Incorporated

This impact would be reduced to less than significant by including odor controls as described in the following mitigation measures:

Mitigation Measure AIR-2:
Implement Odor Controls for Wastewater Treatment Facilities
The final design of the on-site tertiary wastewater treatment system shall identify odor control features to ensure that no nuisance odors occur off site. Such features may include chemical treatment of pre-treated effluent, filtration of exhaust vents, no outdoor storage of biosolids, or any other feature to mitigate odor.

Mitigation Monitoring AIR-2: Permit Sonoma staff to verify installation of odor control measures

prior to final occupancy. If Permit Sonoma receives complaints regarding objectionable odors, staff will investigate the complaint. If it's determined by Permit Sonoma staff that complaints are warranted, the permit holder shall implement additional odor control measures as determined by Permit Sonoma. (Ongoing)

Mitigation Measure AIR-3:
Implement Odor Controls for Winery Operations
Pomace and other waste products from processing of grapes shall be disposed of within two days of processing in a manner that does not create nuisance odor conditions or attract nuisance insects or animals. Disposal options include composting and land applied and disked into the soil on vineyards or agricultural land owned or controlled by the project applicant or immediate off-site disposal (no storage of waste product on site).

Mitigation Monitoring AIR-3: Permit Sonoma staff to verify installation of odor control measures prior to final occupancy. If Permit Sonoma receives complaints regarding objectionable odors, staff will investigate the complaint. If it's determined by Permit Sonoma staff that complaints are warranted, the permit holder shall implement additional odor control measures as determined by Permit Sonoma. (Ongoing)

4. BIOLOGICAL RESOURCES:

Regulatory Framework

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

Federal

Federal Endangered Species Act (FESA)

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

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

The Migratory Bird Treaty Act of 1918 (MBTA)

The U.S. MBTA (16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for

shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof…" In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit incidental take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

The Clean Water Act (CWA)

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

Section 404.

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

Section 401.

Any applicant for a federal permit to impact waters of the U.S. under Section 404 of the CWA, including Nationwide Permits where pre-construction notification is required, must also provide to the USACE a certification or waiver from the State of California. The "401 Certification" is provided by the State Water Resources Control Board through the local Regional Water Quality Control Board (RWQCB). The RWQCB issues and enforces permits for discharge of treated water, landfills, storm-water runoff, filling of any surface waters or wetlands, dredging, agricultural activities and wastewater recycling. The RWQCB recommends the "401 Certification" application be made at the same time that any applications are provided to other agencies, such as the USACE, USFWS, or NOAA Fisheries. The application is not final until completion of environmental review under the CEQA. The application to the RWQCB is similar to the pre-construction notification that is required by the USACE. It must include a description of the habitat that is being impacted, a description of how the impact is proposed to be minimized and proposed mitigation measures with goals, schedules, and performance standards. Mitigation must include a replacement of functions and values, and replacement of wetland at a minimum ratio of 2:1, or twice as

many acres of wetlands provided as are removed. The RWQCB looks for mitigation that is on site and in-kind, with functions and values as good as or better than the water-based habitat that is being removed.

State

California Endangered Species Act (CESA)

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

Fish and Game Code 1600-1602

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

Nesting Birds

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

Non-Game Mammals

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

California Fully Protected Species and Species of Special Concern

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

"take" of these species. In 2003, the code sections dealing with "fully protected" species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

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

California Natural Plant Communities and Sensitive Natural Plant Communities

The CDFW maintains a comprehensive list of natural plant communities found in the state of California and also which of these communities are considered "sensitive natural plant communities" that receive special consideration under CEQA Checklist Question IVb (https://wildlife.ca.gov/data/vegcamp/natural-communities).

Porter-Cologne Water Quality Control Act

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

Local

Sonoma County General Plan

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

Riparian Corridor Ordinance

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

Valley Oak Habitat (VOH) Combining District

The VOH combining district is established to protect and enhance valley oaks and valley oak woodlands and to implement the provisions of *Sonoma County General Plan 2020* Resource Conservation Element

Section 5.1. Design review approval may be required of projects in the VOH, which would include measures to protect and enhance valley oaks on the project site, such as requiring that valley oaks shall comprise a minimum of fifty percent (50%) of the required landscape trees for the development project.

Sonoma County Tree Protection Ordinance

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

Project Analysis

Would the project:

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

Comment:

Special-Status Species

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

Endangered Species Act

The Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 *et seq*.) was enacted to provide a means to identify and protect endangered and threatened species. Under the Section 9 of the ESA, it is unlawful to take any listed species. "Take" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting a listed species. "Harass" is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. "Harm" is defined as an act which actually kills or injures fish or wildlife and may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering. Actions that may result in "take" of a federal-listed species are subject to The Service or National Marine Fisheries Service (NOAA Fisheries) permit issuance and monitoring. Section 7 of ESA requires federal agencies to ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued

existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat for such species. Any action authorized, funded, or carried out by a federal agency or designated proxy (e.g., Army Corps of Engineers) which has potential to affect listed species requires consultation with The Service or NOAA Fisheries under Section 7 of the ESA.

Critical Habitat

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

Essential Fish Habitat

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

Staff Analysis:
A Biological Resource Assessment (Attachment 10) was prepared by Charles A. Patterson in December 2022 for the proposed project. The study finds potential impacts to Special Status Plant Species, Western Pond Turtle, nesting birds, bats, Riparian Corridor, identified wetland and protected trees as discussed further below. In response to resource agency comments from CDFW dated July 24 2023, additional reports were submitted by the applicant's consultants in July 2023: Memorandum of Possible Burrowing Owl Occurrence at or Near Project Vicinity of the Tasting Room at Nunes Farm and Winery at Saralee's Vineyard (Ted Winfield & Associates, 31 July 2023) (Winfield 2023); Habitat Assessment for Listed Plant Species at the Tasting Room at Nunes Farm and Winery at Saralee's Vineyard (Charles A. Patterson, Plant Ecologist, 31 July 2023) (Patterson 2023).

<u>Special Status Plant Species and Sensitive Natural Plant Communities</u>

There are a number of rare, endangered, threatened, and/or otherwise sensitive plants that are generally known from this region, most of which grow in rocky, serpentine, chaparral, or wooded habitats (which are not present here), or in wetland habitats, ranging from perennial marshes to vernal pools and other seasonal wetlands. In particular, there are four state and federally listed vernal pool plants that have known in the Santa Rosa Plains although extant populations or habitats are not known from project vicinity. These include Burke's goldfields (*Lashtenia burkei*), Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*), and many-flowered Navarretia (*Navarretia plieantha*). The meadowfoam typically/historically doesn't occur on this northern part of the SRP, while the other three do, or have in the past. The nearest rare plant locations are historic records for Burke's goldfields along Airport Blvd., Herb Road and the north end of Starr Road in NW Windsor, and the SE quadrant of the intersection of Highway 101 and Shiloh Road (currently in vineyard), all of which are more than two miles away, with major urban barriers in

between, and most of which are extirpated. The Navarretia was reported (discovered by this investigator in 1984) at one parcel near the County Airport, but has not been seen elsewhere on the SRP, nor has it been seen at that unique location. All of these species are generally vernal pool obligate species although they have been found occasionally in other wetland habitat contexts.

Three spring floristic surveys in 2016 (March through May) did not detect any evidence of the listed SRP flowers nor habitats typical of these species (Patterson 2023). In fact, soils, landforms, landscape position, prior agricultural development and location on the SRP are not indicative that the listed SRP flowers would be expected to be found on or near the project site. Wetland survey and floristic work in 2022 identified the artificial or altered wetlands discussed above but also did not observe evidence for typical habitat for these species.

Comments from CDFW (24 July 2023) stated that if suitable habitat for CESA-listed plants is present within the project site *and would be directly or indirectly impacted* (emphasis added), two-year protocol-level surveys should be performed following CDFW's 2018 botanical survey protocols. However, the project does not propose direct or indirect impacts to any of the artificial or altered wetland habitats on the site, therefore no suitable habitat is present, and even if it were, no impacts are proposed to that habitat, protocol-level surveys are not needed to confirm the absence of these species.

Other than the artificial and altered wetland habitats on the site, the main remnant natural habitat are two grassland areas on the southerly side of the project buildings and north of River Road. Floristic surveys of the remnant grasslands showed them generally dominated by non-native grass and ruderal weedy species, however, several native grassland species were observed scattered in the grassland area (Biological Assessment for "Tasting Room at Nunes Farm and Winery at Saralee's Vineyard, Charles A. Patterson 22 December 2022) (Patterson 2022). Patterson (2022) states, "These areas are typical non-native annual grassland, dominated by ruderal (weedy) introduced grasses (*Lolium multiflorum, Vulpia bromoides, Bromus mollis* and *B. rigidus, Avena, Hordeum leporinum* and *H. hystrix*), weeds (*Rumex acetosellus, Picris echioides,Cirsium, Hypochaeris, Plantago lanceolata, Carduus, Polygonum aviculare, Raphanus, Brassica,Geranium, Erodium, Anagallis,* and others), and historically seeded forage plants (*Trifolium, Medicago, Melilotus, Vicia*). Because of the severe degree of use (grazing, haying) and invasion by exotic species, these areas generally support little or no native plant species." However, Patterson (2022) also found the following: "Only a few native grasses and herbs were observed in these areas, including a very small number of individual plants of California poppy (*Eschscholzia*), two common lupines (*Lupinus bicolor* and *L. nanus*), two tarweeds (*Hemizonia fitchii* and *H. lutescens*), and bird's-foot trefoil (*Lotus purshianus*). *Native grasses observed onsite (but which are not abundant) include blue wildrye (Elymus glaucus), purple needlegrass (Stipa pulchra), a native brome (Bromus carinatus), and California oatgrass (Danthonia californica); these generally occur in very small numbers (i.e., not enough to constitute a 'natural grassland community'), and in areas of lesser disturbance, such as along fences and beneath oak trees (*Emphasis added)*."*

But, in coming to this conclusion Patterson (2022) did not provide areal cover data of the native grass and forb species coverage. Under CDFW and other coastal prairie guidelines, as little as 5-10% native grass or forb cover is required to be considered a native grassland (https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities). However, grasslands on site are not proposed for further development or conversion and implementation of Mitigation Measure BIO-1 would avoid any potential impacts on special status plants or sensitive natural plant communities to a less-than-significant level by requiring construction fencing and signage practices and pre-construction surveys ensure that measures recommended by the biologist or CDFW to avoid sensitive habitat or species are followed.

Special Status Wildlife Species

Western Pond Turtle

Western pond turtle is a CDFW species of special concern. This species can be found in many

different aquatic habitats, including ponds (natural or human-made), marshes, rivers, and irrigation ditches. Western pond turtle uses upland habitat for basking and egg-laying. Western pond turtle is known to occur within Mark West Creek, which flows along the southern boundary of the Tasting Room at Nunes Farm site (CNDDB 2021). Potentially suitable aquatic habitat for western pond turtle is present within Mark West Creek, the human-made pond on the site, and the irrigation ditch approximately 200 feet north of the site. The Sonoma County General Plan 2020 requires 100-foot setbacks from riparian corridors, which would prevent the majority of impacts to Mark West Creek. A portion of the site is within the 100-foot setback; however, site plans do not include any construction within this 100-foot setback. Additionally, site plans include riparian revegetation within the 100-foot riparian setback. While implementation of a 100-foot riparian setback would significantly reduce the likelihood of impacts to western pond turtle, this species could occur and nest within the site beyond the 100-foot buffer. Project activities within the site, including ground disturbance, vegetation removal, and grading during construction of parking areas, and buildings; specifically, within approximately 0.3 mile of any aquatic feature; could result in the disturbance or direct loss of western pond turtles, if present.

Implementation of Mitigation Measure BIO-2 would reduce potential impacts on western pond turtle to a less-than-significant level by requiring preconstruction surveys and the protection of western pond turtles from construction-related injury, mortality, or other disturbance.

Special-Status Fish Species

While not expected to occur on the site, Mark West Creek supports three species of anadromous salmonid species: Central California Coast steelhead, Central California Coastal coho salmon and the California Coastal Chinook salmon. A segment of upper Mark West Creek is designated as critical habitat for the central California coast distinct population segment of steelhead and the stretch of the creek from where it flows into the Russian River upstream to the mountains to the east, which includes the project site, is considered critical habitat for the central California coast coho salmon.

Mark West creek supports three anadromous salmonid species: Chinook salmon (California coastal ESU), coho salmon (central California coast ESU), and steelhead (central California coast DPS Project implementation may include construction activities, including ground disturbance, grading, and vegetation removal, adjacent to Mark West Creek. The Sonoma County General Plan requires 100-foot setbacks from riparian corridors, which would prevent the majority of impacts on Mark West Creek. A portion of the site is within the 100-foot setback; however, site plans do not include any construction within this 100-foot setback. As further addressed in, “Hydrology and Water Quality,” groundwater pumping associated with the site would not result in flow reductions in Mark West Creek that could impact fisheries.

Because the 100-foot riparian setback is incorporated into site plans, it is unlikely that construction activities outside of the setbacks would result in direct impacts on Mark West Creek or inadvertent discharge of sediment into the creek. Because direct and indirect affects would be avoided, impacts on special-status fish as a result of project implementation would be less than significant.

Nesting Raptors, Special-Status Birds, and Birds

Habitat for four of special-status bird species occurs in the vicinity of the project site: Cooper’s hawk, white-tailed kite, tri-colored blackbird, and burrowing owl. Although Cooper’s hawk, white-tailed kite, and tricolored blackbird have not been observed at the project site or within three miles of the site, there is some potential suitable nesting habitat for the Cooper’s hawk, white-tailed kite, and tricolored blackbird at the project site in the riparian corridor along Mark West Creek and foraging habitat in the grasslands at the project Site.

Specific comments were made by CDFW with regards to potential burrowing owl wintering habitat on the project site. In response, an additional burrowing owl analysis was prepared by the applicant (Winfield 2023). This analysis concluded that while wintering burrowing owls have been occasionallyobserved in the SRP, it is very uncommon overall and given that the remnant annual/perennial grassland areas on the project site are small and degraded and embedded in a largely, developed agricultural landscape, it is very unlikely that burrowing owls would utilize or be

detected on the project site. There is also a high degree of ambient noise and human activity from existing usage of the project site, surrounding vineyard operations, and River Road traffic and these indirect impacts are already part of the CEQA baseline for the project. Finally, the project does not propose conversion of the remnant annual/perennial grassland habitat on the site that could potentially be used by wintering burrowing owls. For all these reasons, potential impacts to this species would be less-than-significant.

Tree removal and ground disturbing activities, including grading, trenching, or vegetation removal within the site, could result in the disturbance or direct loss of Cooper's hawk, white-tailed kite, and tricolored blackbird, or other nesting raptors and birds if present on the site. Additionally, presence of heavy machinery or construction crews could result in indirect disturbance to nesting special-status birds, if present. These activities could potentially result in nest abandonment, nest failure, or mortality of chicks or eggs.

Implementation of Mitigation Measure BIO-3 would reduce impacts on nesting raptors, special-status birds, and other birds to a less-than-significant level because preconstruction surveys would be conducted, and active raptor and other bird nests would be protected from construction activities.

Special-Status Bat Species

Bats, in general, are known to utilize a vast variety of habitat types for foraging and several types of structures for nesting and roosting including trees, cliffs, rock outcrops, buildings, bridges, caves and mines. The pallid bat occurs in a variety of habitats, including grasslands, shrublands, woodlands and forested areas, including cavities in trees and behind exfoliated sections of bark. The trees on the project site and along nearby Mark West Creek provide possible habitat for the pallid bat, but disturbance associated with landscaping activity on the project site likely make the trees less desirable as habitat. Townsend's big-eared bat occurs throughout California in a variety although it is associated primarily with mesic habitats characterized by coniferous and deciduous forests and riparian habitat. This bat will also inhabit man-made structures but is especially sensitive to activities near roosting site and there is a low likelihood that the Townsend's big-eared bat would be present at the project site due to the continual activities at the site and within the existing buildings. The nearby riparian corridor along Mark West Creek could provide suitable habitat for the bat but the buffer area between the project site and the riparian corridor could minimize the disturbance to Townsend's big-eared bat or other bats that may inhabit the riparian corridor. This bat species gleans its food from shrubs and trees, and along habitat edges. The western red bat prefers riparian habitat hear water, roosting in the foliage of riparian trees, such as sycamore, cottonwood, ash and elder trees, but may also inhabit fruit trees and possibly other trees along habitat edges. This bat forages in a number of different habitat types, including grasslands, shrublands, open woodlands and forests, and agricultural croplands. The riparian habitat along Mark West Creek provides potential habitat for the western red bat and, if present, the grassland areas at the project site would provide suitable foraging habitat. Tree removal, building removal, or disturbance to roosts within existing buildings could result in disturbance or direct loss of special-status bat roosts or individuals.

Implementation of Mitigation Measure BIO-4 would reduce impacts on special-status bats to a less-than-significant level because preconstruction surveys would be conducted, and active bat roosts would be protected from construction activities.

American Badger

No signs of the American badger (e.g., burrowing activity) has been observed at the grasslands that are part of the project site or within three miles of the project site, but suitable habitat is present adjacent to the project site, especially to the west of the site. The field review for the project site determined that the area proposed is already farmed, paved, graveled, and maintained by staff on a daily basis preventing the American Badger from burrowing in the area and no habitat for this species is present at the project site. Impacts would be less than significant.

Special-status Invertebrates

The western bumble bee and obscure bumble bee are the only two special-status invertebrate

species reported to occur in the region that could possibly occur at the project site, but neither of these two species have been reported to occur within three miles of the site. There is only one observations of the western bumble bee on the Santa Rosa Plain reported in the CNDDB, which is dated 1986, and this bee was reportedly observed in Santa Rosa, just north of Rohnert Park. The one record for the obscure bumble bee is from 1947 but the exact location is unknown. The non-native grassland habitats in and around the project site have been so heavily altered that the abundance of native wildflowers the bees favor and depend on are largely absent now, displaced by dense non-native annual grasses and forbs. The onsite pockets of nonnative grasslands are almost devoid of wildflowers, and do not provide the type of foraging (or nesting) habitat required by these bees, and only a small area of non-native grassland habitat, which is currently used to graze sheep, will be affected by the project. Based on the one dated (1986) CNDDB record, the lack of good onsite habitat, and the CDFW's own statement that this bee is "…mostly restricted to high meadows and coastal environments," it appears unlikely that this species still occurs in the vicinity of the project site or would be adversely impacted by the project. Thus, impacts to special-status invertebrates would be less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation Measure BIO-1a1:
Special Status Plant Species Surveys. A qualified biologist shall conduct a pre-construction survey of the project site prior to construction activities for *Lasthenia burkei* (April-June), *Blennosperma bakeri* (March-April), *Limnanthes vinculans* (April-May), and *Navarretia plieantha* (April-June), and for other CESA-listed species. Surveys shall be either focused or protocol-level surveys and follow methodologies outlined in relevant agency protocols. If special-status plants are observed, their locations shall be mapped and Permit Sonoma and CDFW shall be contacted to determine if additional protective measures are needed to avoid impacts on the species.

Mitigation Measure BIO-1a2:

Mitigation Measure BIO-1b1:
No later than 7 days prior to initiation of construction, and throughout the construction process for the project, orange construction fencing and a double-row of staked wattles shall be installed around the construction facing perimeters of the altered the artificial wetland ponds (Wetlands 1 and 4), the seasonal wetland swale (Wetland No. 2), wetland ditch/stream (Wetland No. 3) and signs posted at least every 50 feet that state (DO NOT ENTER, HABITAT AREA).

Mitigation Measure BIO-1b2:
No later than 7 days prior to initiation of construction and throughout the construction process for the project, orange construction fencing, and a double row of staked wattles shall be installed around the construction facing perimeters of the remnant annual/perennial grassland and signs posted every 50 feet that state (DO NOT ENTER, HABITAT AREA).

Mitigation Measure BIO-1c:
Prior to occupancy, permanent metal signs shall be posted around the perimeter of the remnant annual/perennial grassland areas stating (GRASSLAND HABITAT AREA, DO NOT DISTURB).

Mitigation Monitoring BIO-1d:
Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of construction fencing, sign installation and pre-construction surveys and ensure that measures recommended by the biologist or CDFW to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

Mitigation Measure BIO-2:
Western Pond Turtle Surveys. A Qualified Biologist shall conduct a pre-construction survey for the western pond turtle and their nests within 48 hours of the commencement of project activities. If western pond turtle or their nests are detected at any time CDFW shall be notified immediately, and the Qualified Biologist shall relocate the turtle to appropriate habitat within the stream it was found. The project shall prepare and implement a Western Pond Turtle Habitat Improvement

Plan, if western pond turtle or their nests are found, if required and approved by CDFW.

Mitigation Monitoring BIO-2:
Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the western pond turtle surveys have been completed and, if any western pond turtles are found, CDFW has been notified and a Western Pond Turtle Habitat Improvement Plan has been prepared and implemented prior to starting Project activities.

Mitigation Measure BIO-3:
The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

(a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.

(b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. In addition, the qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest on the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (e.g., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted on the project site and within 100 feet of the construction limits for nesting non-raptors and 500 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting bird survey shall be performed.

(c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 100 feet of non-raptor nests and 500 feet of raptor nests. Monitoring by a qualified biologist shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project construction activity, as determined by the qualified biologist, shall be monitored daily during the duration of project construction for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice-weekly monitoring may need to be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged, or the nest site is otherwise no longer in use. Following completion of pre-construction nesting bird surveys (if required), a report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction related activities that have the potential to disturb any active nests during the nesting season.

Mitigation Monitoring BIO-3:
Permit Sonoma staff will not issue permits for ground disturbing activities between February 1st and August 31st until the site has been surveyed by a qualified biologist to ensure proper fencing and buffers are in place prior to issuance.

Mitigation Measure BIO-4:
Bat Protection: Prior to any tree or building removal, a qualified bat biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 days prior to tree or building removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, or exfoliating bark for colonial species, and suitable canopy for foliage-roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. Trees may be removed only if: a) presence of bats is presumed, or documented during the surveys described below, in trees with suitable bat habitat, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified bat biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or complete visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under direct supervision and instruction by a qualified bat biologist with experience conducting two-step tree removal limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Mitigation Monitoring BIO-4:
Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the results of the bat habitat assessment have been submitted to CDFW for written acceptance prior to starting Project activities.

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

Comment:
All blueline streams shown on the USGS maps are designated for protection in the Sonoma County General Plan. Streamside Conservation Areas have been established in the riparian corridor overlay zone to protect riparian habitat. Removal of vegetation must comply with General Plan and Riparian Corridor Ordinance policies that govern riparian corridors for a distance of 50 or 100 ft. from the top of the highest bank.

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

Table 1. Riparian Corridor (RC) Setback Distances

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

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

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

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

The riparian corridor of Mark West Creek runs along the site's southern edge, sandwiched between the wastewater/irrigation holding pond and River Road. This is a major regional stream, with the local

reach having a channel of roughly 20+ feet wide, with an OHW line at approximately 24 inches above the bed. The bed is largely bare silt, sand, and cobbles, with abundant downed trees, branches, and blackberry brambles on the banks. Just beyond the immediate scoured channel (which is essentially unvegetated), the ultimate creekbanks are generally between six and ten feet high.

This stream corridor supports a dense (although relatively narrow because of the adjacent local uses) riparian woodland of native and naturalized trees and shrubs, dominated by native riparian trees, including willows (*Salix lasiolepis, S. hindsiana, S. laevigata*), oaks (*Quercus lobata, Q. agrifolia, Q. kelloggii*), California bay (*Umbellularia californica*), buckeye (*Aesculus californicus*), Oregon ash (*Fraxinus latifolia*), box-elder (*Acer negundo*), Fremont cottonwood (*Populus fremontii*), and (escaped/cultivated/hybridized) walnuts (*Juglans* sp.). Understory is thick with a mix of young trees and shrubs, the latter including poison oak (*Toxicodendron diversilobum*), snowberry (*Symphoricarpos albus*), honeysuckle (*Lonicera h*ispidula), blackberries (*Rubus* spp.), coyote brush (*Baccharis pilularis*), and volunteer *Prunus* saplings (i.e., escaped peach, plum, apple variants). In areas with lesser tree canopy, the resulting (somewhat) sunny openings support an assortment of common perennial herbs including stinging nettle (*Urtica*), mugwort (*Artemisia*), small stands of poison hemlock (*Conium maculatum*) and fennel (*Foeniculum*), mixed with extensive blackberry thickets (both introduced species and native), and other naturalized shade tolerant herbs and weeds (e.g., *Daucus, Torilis, Galium, Convolvulus, Carduus*). The section of this creek parallel to the roadway is also paralleled by (and very close to) an existing electric power line, which involved substantial pruning and localized tree cutting recently (by PG&E for fire hazard reduction) at the southern edge of (and partially within) the study area.

While Mark West Creek is generally a perennial waterway, it can dwindle to a series of barely connected pools in the summer/fall of dry years. Still, in addition to the dense riparian woodland, it supports abundant aquatic wildlife, from amphibians, crayfish, turtles, and numerous invertebrates to small fish (e.g., sticklebacks, mosquito-fish), possibly salmonids and/or Pacific freshwater shrimp. A segment of upper Mark West Creek is designated as critical habitat for the central California coast distinct population segment (DPS) of steelhead, and the reach from where it flows into the Russian River, upstream to the mountains to the east (which includes the project site), is considered critical habitat for the central California coast coho salmon Evolutionarily Significant Unit (ESU). Thus, this local stream is regarded as a highly valuable regional resource and is afforded relatively strong protection at state, local, and federal levels of land management. While this is an important riparian corridor, historically it has been significantly reduced and squeezed by agriculture; it ranges in width (between adjacent vineyards, pastures, etc.) from about 80 feet to roughly 150. While this stream and its associated resources are of high value and regulatory concern, it does not actually occur within the study area and will be fully avoided and protected.

The proposed new construction for the project is outside the 100 ft Riparian Corridor setback but the demolition of one of the existing barns will occur within the setback. Mitigation Measure BIO-5 and Conditions of Approval requiring Best Management Practice during the demolition and grading associated with the removal of the barn will reduce the impact to less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation Measure BIO-5:
No vegetation will be pruned or removed in the 100-foot setback of the Riparian Corridor along Mark West Creak that is necessary to construct the project. Where possible, vegetation will be tied back in lieu of cutting. Native vegetation that must be removed will be cut at or above grade to facilitate re-growth. Any pruning that is done, including for utility line clearance, will conform to the American National Standard for Tree Care Operation Tree, Shrub, and Other Woody Plant Maintenance Standard Practices, Pruning (ANSI A300 Part 1)-2008 Pruning), and the companion publication Best Management Practices: Tree pruning (ISA 2008). Roots will only be unearthed when necessary. Once demolition is completed, the disturbed area from the demolition shall be replanted to restore herbaceous, shrub and tree riparian vegetation.

Mitigation Monitoring BIO-5:
Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the Riparian Corridor is identified on the building, grading, and improvement plans and plans for the restoration of the areas disturbed by demolishing the building are submitted to Permit Sonoma for review.

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

Comment:

Regulatory Framework

The Army Corps of Engineers (Corps) regulates "Waters of the United States", including adjacent wetlands, under Section 404 of the federal Clean Water Act. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. Potential wetland areas are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act. Areas that are inundated for sufficient duration and depth to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as "other waters" and are often characterized by an ordinary high water mark (OHWM). The discharge of dredged or fill material into a Waters of the U.S. (including wetlands) generally requires a permit from the Corps under Section 404 of the Clean Water Act. On January 26, 2022 the Army Corp of Engineer's requested a delineation for the wetland be conducted. The biological study incorporated a delineation and Mitigation Measures BIO-6 and BIO-7 address this request.

There is a small ephemeral drainage swale (approximately 0.15 acres in size) that drains the open pasture areas in the southwestern part of the project site west of the entrance to the site from River Road (Figure 3-9). Drainage from the fields west of the existing entry driveway sheet flows toward the entrance driveway where it is collected and goes beneath the paved driveway in a small culvert. East of the driveway the water flowing through the small culvert enters a small drainage swale that drains downslope to the lower pasture's fence line and project site boundary just north of River Road. The vegetation observed in the swale included common primarily weedy facultative wetland species including pristly oxtongue, curly dock, bird's-foot trefoil (*Lotus corniculatus*), Italian ryegrass, barley (*Hordeum marinum* ssp. *gussoneanum*), and several species that occur primarily in wetlands, including two non-native weedy wetland species loosestrife (*Lythrum hyssopifolia*) and pennyroyal (*Menta pulegium*) and the native tall flatsedge. This feature meets the definition of a water of the United States.

Potential jurisdictional wetland features near project improvements is limited to an ephemeral drainage swale along the southeastern edge of the site that project would avoid. Implementation of Mitigation Measures BIO-6, BIO-7 and BIO-8 would prevent direct impacts on the ephemeral drainage swale. This impact would be less than significant. No significant impacts to state or federally protected wetlands are expected to occur associated with the signal improvements to the River Road/Slusser Road intersection as these improvements would occur within the existing paved and disturbed area with road right-of-ways.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation Measure BIO-6:
The applicant shall obtain Army Corp of Engineers' and other applicable agency's permits and approval of final project plans that may affect the ephemeral drainage swale for construction activities associated with improvements and landscaping for the project driveway to River Road. Construction activities will include the use of temporary fencing and water quality controls to protect this feature.

Mitigation Monitoring BIO-6:

Building/grading permits shall not be approved for issuance by Permit Sonoma staff until clearance from the Army Corp of Engineer's and other applicable agencies or proof of permitting is provided.

Mitigation Measure BIO-7:
The applicant shall identify in final project plans the 50-foot setback or appropriate approval from Army Corp of Engineers and any other applicable agencies for a modification to this setback from the ephemeral drainage swale for construction activities associated with improvements and landscaping for the project driveway to River Road. Construction activities will include the use of temporary fencing and water quality controls to protect this feature.

Mitigation Monitoring BIO-7:
Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the ephemeral drainage swale and 50 ft setback are identified on the building, grading, and improvement plans or proof of exception is provided.

Mitigation Measure BIO-8:
Prior to the issuance of building permits, grading permits, or advertising for construction bids, and appropriate disposal site shall be identified. The contractor will be required to provide evidence to the County that the site does not affect wetlands or other protected resources such as trees or rare plant communities. Surplus concrete rubble or pavement that cannot be reused at the project site shall either be disposed of at an acceptable and legally permitted disposal site or taken to a permitted concrete and/or asphalt recycling facility.

Mitigation Monitoring BIO-8:
Building/grading permits shall not be approved for issuance by Permit Sonoma staff until contractor provides evidence of appropriate disposal locations and plans.

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

Comment:
The property is located within a much larger tract of agricultural/viticultural and lightly developed land southwest of urban development in Windsor. The property boarders and includes a portion of Mark West Creek and the creek and the surrounding Riparian Corridor presumably serves as a movement and habitat corridor for an array of wildlife and provides a linkage between the baylands of Sonoma and Napa Counties and other rural areas to the north.

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

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

The previous Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7 and BIO-8 will reduce impacts to a level that would be less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7 and BIO-8

Mitigation Monitoring
See Mitigation Monitoring BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7 and BIO-8

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

Comment:

Tree Protection Ordinance

Chapter 26, Article 88. Sec. 26-08-010 (m) of the Sonoma County Code contains a tree protection ordinance (Sonoma County 2013). The ordinance designates 'protected' trees as well as provides mitigation standards for impacts to protected trees. While this ordinance is not applicable to County Public Works projects, it is used as a guide for determining impacts and appropriate mitigation measures.

Sonoma County General Plan

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

Riparian Corridor Ordinance

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

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation Measure BIO- 9:
The applicant shall provide a final landscape plan demonstrating compliance with the County's Tree Protection Ordinance, including tree replacements consistent with Ordinance requirements.

Mitigation Monitoring BIO-9:
The applicant shall provide the final landscape plan prior to issuance of a grading permit, with tree plantings confirmed by Permit Sonoma site inspection prior to issuance of an occupancy permit.

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

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

Significance Level:
No Impact

5. CULTURAL RESOURCES:

Would the project:

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

Comments:
A Historical Resource Study was performed by Eileen Barrow, M.A. of Tom Origer and Associates on June 1, 2018 (Attachment 11). The Nunesdale Dairy complex is a mid-20th century dairy farm consisting of a house and garage, office building, milking barn, hay barn, feed barn, holding pens, three manure pits, and a duplex. These buildings have various construction dates ranging from 1935 to 1999. A May 2017 survey included the six buildings of historic age (over 50 years) located on the site. The evaluation of the site found that while the Nunesdale Dairy complex appeared to meet the Criterion 1 for listing in the California Register of Historical Resources (CRHR) the dairy did not maintain its integrity and is therefore not eligible for the CRHR.

Under CRHC Criterion 1, the Nunesdale Dairy complex is associated with one of the most important aspects of Sonoma County's economy. Dairy farming played a major role in the county's agricultural development and continues to make significant contributions. The Nunesdale Dairy complex meets Criterion 1 for its association with this important aspect of Sonoma County's history. This property does not meet Criterion 2 because while Tom Nunes is a locally notable person, his contributions to the dairy and cattle breeding industries are on par with other local farmers and do not elevate him to a position of significance. The buildings on this property are common agricultural buildings and are not architecturally distinguished; therefore, Criterion 3 is not met. Criterion 4 typically applies to archaeological sites and to resources where the physical study of construction could yield important information. This property does not meet Criterion 4.

The Nunesdale Dairy complex has undergone bouts of remodeling that impacted the main house and second residence/office. In addition, several of buildings that would have existed during the period of significance have been removed and newer buildings constructed. Those actions detract from the dairy's integrity of design, setting, materials, workmanship, and feeling by creating a complex that appears relatively modern. It does not convey the sense of an early to mid-20th century complex associated with Sonoma County dairy farming through 1970. Therefore, the site is not eligible for listing in the CRHR.

As a result, the buildings on the sites are not considered historical resources for the purposes of CEQA. No other historic-age buildings or structures were identified on the sites. Therefore, the development of the Tasting Room at Nunes Farm and Winery at Saralee's Vineyard would have less-than-significant impact on historical resources.

Significance Level:
Less than Significant Impact

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

Comment:
On January 25, 2022 Permit Sonoma referred the project application to Native American Tribes within Sonoma County to request consultation under AB-52 (the request for consultation period ended February 8, 2022). No requests for consultation were received.

There are no known archaeological resources on the site, but the project could uncover such materials during construction. Consistent with the CEQA Guidelines the following mitigation measure has been incorporated into the project.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measure TCR-1

Mitigation Monitoring
See Mitigation Monitoring TCR-1

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

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

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measure TCR-1

Mitigation Monitoring
See Mitigation Monitoring TCR-1

6. ENERGY:

Would the project:

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

Comment:
The project will not result in significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Standard construction practices will be used.

Construction:

Energy would be required to operate and maintain construction equipment and transport construction materials. The one-time energy expenditure required to construct the infrastructure associated with the projects would be nonrecoverable. Most energy consumption would result from operation of off-road construction equipment and on-road vehicle trips associated with commutes by construction workers and haul trucks trips.

The table below summarizes the levels of energy consumption associated with the construction of each project separately, and a total energy use for both projects. Most of the construction-related energy consumption would be associated with off-road equipment and the transport of equipment and waste using on-road haul trucks for all phases of construction.

Construction Energy Consumption

Project	Gasoline (Gallons)/year	Diesel (Gallons)/year
Tasting Room at Nunes Farm	151	3,910
Winery at Saralee's Vineyard	131	4,703
Total	282	8,613

Notes: Gasoline gallons include on-road gallons from worker trips. Diesel gallons include off-road equipment and on-road gallons from worker and vendor trips.

The energy needs for project construction would be temporary and are not anticipated to require additional capacity or substantially increase peak or base period demands for electricity and other forms of energy. Associated energy consumption would be typical of that associated with winery projects of this size in a rural setting. Although the one-time energy expenditure required to construct the project would be nonrecoverable, it would not be consumed in a wasteful, inefficient, or unnecessary manner.

Operational:
The projects would increase electricity consumption in the region relative to existing conditions. However, the projects would be built according to the latest Title 24 Building Energy Efficiency Standards). Increased energy use would occur as a result of increased electricity for building and facility operations and vehicle-based visitation to the project sites. The table below summarizes the levels of energy consumption associated with the operation of the projects for the first full year of operations, for each project separately and their total combined energy use.

Operational Energy Consumption for First Full Year of Operations (2024)

Energy Type	Energy Consumption	Units
Tasting Room at Nunes Farm		
Electricity[1]	31	MWh/year
Gasoline[2]	50,693	gal/year
Diesel[2]	1,501	gal/year
Winery at Saralee's Vineyard		
Electricity[1]	31	MWh/year
Gasoline[2]	75,076	gal/year
Diesel[2]	2,223	gal/year
Total		
Electricity[1]	62	MWh/year
Gasoline[2]	125,769	gal/year
Diesel[2]	3,724	gal/year

Notes: MWh/year = megawatt-hours per year; gal/year = gallons per year.

[1] Each project assumes photovoltaic solar generation to cover 50 percent of each project's electricity use.

[2] Gasoline and diesel fuel use is estimate based on the combined implementation of the Tasting Room at Nunes Farm and Winery at Saralee's Vineyard.

Operation of the projects would be typical of tasting room and winery operations requiring electricity for lighting, and climate control, and miscellaneous appliances. Transportation energy demand from the implementation of the projects would be reduced by federal and State regulations including the Low Carbon Fuel Standard, Clean Car Standards, and Low Emission Vehicle Program. The sites would also include onsite renewable energy generation from photovoltaic solar panels to generate 50 percent of the project's energy demand as well as EV charging facilities. Any additional energy use would be supplied by SCP, which provides increased levels of renewable energy sourced energy from typical energy supplied by an investor-owned utility. Furthermore, the projects would use water from onsite rainwater catchment and recycled wastewater systems to reduce the energy use for the delivery from offsite water sources and would not use natural gas or propane as an energy source. Thus, the projects' energy consumption from construction, building operation, and transportation would not be considered wasteful, inefficient, or unnecessary.

Significance Level:
Less Than Significant Impact

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

Significance Level:
Less Than Significant Impacts

7. GEOLOGY AND SOILS:

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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

Comment:
The site is not located in an Alquist-Priolo fault zone or on a known fault based on the Safety Maps in the Sonoma County General Plan. The Uniform Building Code has been developed to address seismic events in California and development which complies with the Code will result in buildings which should withstand the most severe reasonably anticipated seismic event.

Significance Level:
Less than Significant Impact

ii. Strong seismic ground shaking?

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

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation GEO-1:
All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code). All construction activities shall meet the California Building Code regulations for seismic safety. Construction plans shall be subject to review and approval of Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by Permit Sonoma and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Mitigation Monitoring GEO-1:
Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about code requirement.

iii. Seismic-related ground failure, including liquefaction?

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

Significance Level:
Less than Significant Impact

iv. Landslides?

Comment:
Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials landslides are a hazard. According to the Geotechnical Review (ATT 12) the project includes structures located within a landslide hazard area. Building or grading could destabilize slopes resulting in slope failure. All structures will be required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. Implementation of Mitigation Measures GEO-1 above would reduce any impacts to less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measure GEO-1

Mitigation Monitoring
See Mitigation Monitoring GEO-1

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

Comment:
The project includes grading, cuts, and fills which require the issuance of a grading permit. Unregulated grading, both during and post construction, has the potential to increase the volume of runoff from a site which could have adverse downstream flooding and further erosion impacts, and increase soil erosion on and off site which could adversely impact downstream water quality.

County grading ordinance design requirements, adopted County grading standards and best management practices (such as silt fencing, straw wattles, construction entrances to control soil

discharges, primary and secondary containment areas for petroleum products, paints, lime, and other materials of concern, etc.), mandated limitations on work in wet weather, and standard grading inspection requirements, will be applied to the project, and are specifically designed to prevent soil erosion and loss of topsoil.

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

Significance Level:
Less than Significant Impact

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

Comment:
The project site is subject to seismic shaking and other geologic hazards as described in item 6.a.ii, iii, and iv, above. Refer back to appropriate mitigation measures.

Significance Level:
Less than Significant with Mitigation Incorporated
Mitigation
See Mitigation Measure GEO-1

Mitigation Monitoring
See Mitigation Monitoring GEO-1

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

Comment:
Potential impacts will be addressed through appropriate structural design and construction standards. Soil stability is further addressed in the project preliminary geotechnical study, prepared by Brain R. Hasick with Trans Tech Consultants on April 28, 2022 (Attachment 12), which found that, based on subsurface borings and soils testing, that soils on the project site are relatively granular and not considered expansion. The project will also be conditioned to require building permits to be approved in compliance with Building Code standards.

Significance Level:
Less than Significant Impact

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

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

Significance Level:
No Impact

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

Comment:
A Historical and Archeological Resources Survey was prepared for the project by professional archaeologists on June 1, 2018 (Attachment 11).

Significance Level:
No Impact

8. GREENHOUSE GAS EMISSIONS:

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 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 CO2, CH4, N2O, HFCs, PFCs, and SF6 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 MMTCO2e. 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 MMTCO2e, and that further commitments will need to be made to achieve an additional reduction of 50 MMTCO2e 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 CO2e per capita by 2030 and no more than two metric tons CO2e 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?

Comment:
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% below 1990 levels by 2030 and 80% 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 per year of CO_2e or 4.6 metric tons of CO_2e 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 CalEEMod Version. The applicant provided an analysis of projected greenhouse gas (GHG) emissions (Ascent Environment, Air Pollutant and GHG Emissions Modeling, April 2023, Attachment 9). The analysis determined that GHG emissions would be emitted directly and indirectly by the project. Sources of these emissions would include traffic and indirect emissions from electrical usage. Included in the indirect emissions are those associated with the conveyance of water and wastewater, and handling and storage of solid waste. The majority of emissions for the project are expected to come from traffic and energy usage.

Based on the values inputted into calculation tools, the proposed project would generate approximately 70 metric tons of GHG emissions from construction equipment during project construction. While the

project's GHG emissions would be measurable, they would be less than the significant threshold of 1,100 MT CO2e/yr. and would be limited to the project construction period.

Minimization measures included in Mitigation Measure AIR-1 – Greenhouse gas emissions minimization measures from BAAQMD have been incorporated into the project design and/or would be used during construction to ensure that project related impacts would remain below the significant threshold.

The analysis evaluated the GHG emissions of the proposed project through computer modeling following guidance provided by BAAQMD. The results presented in the table below show that the proposed project, Tasting Room at Nunes Farm would have total direct and indirect emissions of 472 MT CO2e/year, below the GHG operational threshold of 1,100 MT of CO2e per year as recommended by BAAQMD for new projects. Therefore, the project's GHG emissions would not significantly contribute to a cumulative impact on global climate change.

Estimated Annual Operational GHG Emissions for the Tasting Room at Nunes Farm

Emissions Source	GHG Emissions ($MTCO_2e$/year)
Area	<1
Electricity	4
Propane	0
Mobile	460
Solid Waste	5
Water and Wastewater	1
Total	472

Notes: $MTCO_2e$ = metric tons of carbon dioxide equivalent

Source: calculations by Ascent in 2023

The results presented in the table below show that the proposed project, Winery at Saralee's Vineyards would have total direct and indirect emissions of 1,017 MT CO2e/year, below the GHG operational threshold of 1,100 MT of CO2e per year as recommended by BAAQMD for new projects. Therefore, the project's GHG emissions would not significantly contribute to a cumulative impact on global climate change.

Estimated Annual Operational GHG Emissions for the Winery at Saralee's Vineyard

Emissions Source	GHG Emissions ($MTCO_2e$/year)
Area	<1
Electricity	71
Propane	0
Mobile	668
Solid Waste	25
Water and Wastewater	6
Total	1,017

Notes: $MTCO_2e$ = metric tons of carbon dioxide equivalent

Source: calculations by Ascent in 2023

Significance Level:
Less than Significant Impact

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

Comment:
The County'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 specific measures that can further reduce greenhouse gas emissions.

All new development is required to evaluate all reasonably feasible measures to reduce greenhouse gas emissions and enhance carbon sequestration. The following greenhouse gas emission reduction measures were incorporated into the project by the applicant and are included as a condition of approval:

- 50% of energy use will be obtained through solar generation.
- Electrical Service will come from Sonoma Clean Power.
- No on-site natural gas or propane usage.
- Rain Catchment, storage, and treatment to potable water standards.
- On-site wastewater treatment facility to produce recycled water.
- Total of 45 of the 87 parking spaces for both sites will be equipped with EV charging capabilities.
- Priority hiring from local employee workforce.
- Priority hiring from local contractors and subcontractors.
- Construction to CalGreen Standards or higher.

Significance Level:
Less Than Significant Impact.

9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

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

Comment:
The project uses do not involve the routine transport, use, or disposal of hazardous materials However, it is possible that improper handling or storage could result in minor spills or drips of hazardous materials such as oil, fuel or paint during or after construction. To address this possibility, the project is required to comply with all applicable hazardous materials handling and storage requirements and would use qualified contractors for construction.
During operations, the storage, use, and disposal of hazardous materials would be associated with household hazardous materials such as household cleaners, paint, pool maintenance chemicals, and landscape maintenance chemicals. Hazardous materials similar to those used during construction could also be used periodically as part of operation, maintenance, and repair of the utilities, infrastructure, and facilities.

Dissolved methane was determined to be present within the pond on the eastern portion of the Saralee's parcel. This could result in increased flammability of the pond water. However, access to the pond area would be discouraged through the use of signage and protective fencing. Further, before a use permit for the Winery at Saralee's Vineyard would be issued, the pond would be re-tested to determine if levels of methane are still present.

The project applicant, builders, and contractors would be required to use, store, and transport hazardous materials in accordance with local, state, and federal regulations, including Cal/OSHA and

DTSC requirements and manufacturer's instructions.

Significance Level:
Less Than Significant Impact

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

Comment:
See Item 8 (a) discussion above.

Significance Level:
Less than Significant Impact

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

Comment:
The closest schools to the sites are located over 0.25 miles away.

Significance Level:
No Impact

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

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

Significance Level:
No Impact

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

Comment:
The project was reviewed by the Sonoma County Airport Land Use Commission on June 20, 2023. The Commission found that the project would be consistent with the Comprehensive Airport Land Use Plan. Their comments are attached under Attachment 13.

Significance Level:
Less than Significant Impact

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

Comment:
There is no separate emergency evacuation plan for the County. Furthermore, the project would not

cause an interference with emergency evacuations. The Fire Marshall will review the building plans to ensure that the winery and tasting rooms will have adequate fire protection. The primary entrance off of River Road includes a looped driveway system to provide for emergency vehicle ingress and egress.

Significance Level:
No Impact

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

Comment:
According to the Safety Element of the General Plan, the project site is not located in a high wildland fire hazard area. The construction of new structures in accordance with current building standards would decrease the fire risk to structures on the project parcel. The County Fire Marshal's fire safe requirements require that new structures be installed with fire sprinklers with the intent to contain or prevent fires from spreading. In addition, standard conditions of approval include that the facility operator shall develop an emergency response plan consistent with Chapter 4 of the 2013 California Fire Code with safety plans, emergency procedures, and employee training programs; shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during an emergency; shall provide emergency water supply for fire protection available and accessible in locations, quantities and delivery rates as specified in the California Fire Code; and establish defensible space. All of the fire safe conditions of approval will ensure that the winery and tasting rooms projects would reduce the exposure of people and property to fire hazards to a degree the risk of injury or damage is less than significant. The project would not expose people to significant risk from wildland fires.

Significance Level:
Less than Significant Impact

10. HYDROLOGY AND WATER QUALITY:

Would the project:

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

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

Project conditions require that an application for additional wastewater discharge requirements be filed by the applicant with the North Coast Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water

Quality Control Board must be submitted to the Project Review Health Specialist prior to building permit issuance. In addition, prior to building permit issuance and occupancy, the applicant shall have a capacity/wastewater flow analysis by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system's ability to accommodate the peak flows from all sources granted.

The project site is located in an area subject to the North Coast RWQCB Municipal Separate Storm Sewer Systems (MS4) Permit. The proposed project would involve placement of more than 10,000 square feet 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.

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. In addition, construction activities which involve disturbing 1 or more acres of ground, including the project site and any off site staging or disposal areas, are subject to the requirements of the State Water Resources Control Board (SWRCB) NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). Construction activities include clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. Applicants of construction projects must file for coverage under the General Construction Permit by submitting a complete Notice of Intent (NOI) package to the SWRCB; and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must contain a site map that shows the construction site perimeter; existing and proposed buildings, lots, roadways, and storm water collection and discharge points; general topography both before and after construction; and drainage patterns across the project site. The SWPPP must include the Best Management Practices (BMPs) that the applicant will use to protect the quality of storm water runoff and the placement of those BMPs.

Significance Level:
Less than Significant Impact

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

Comment:
The project is located in the Santa Rosa Plain groundwater basin that is managed by the Santa Rosa Plain Groundwater Sustainability Agency in accordance with the Sustainable Groundwater Management Act. The Groundwater Sustainability Agencies are currently developing Groundwater Sustainability Plans which will got into effect January 31, 2027 and will provide a regulatory framework for managing groundwater use. The County requires preparation of a groundwater study to assess impact of projects that include new groundwater use.

A Groundwater Resource Impact Assessment (Attachment 14) was performed by Formation Environmental on December 15, 2021 and accepted by Robert Pennington On July 8, 2022.

The study concluded the proposed Tasting Room at Nunes Farm and Winery at Saralee's Vineyard would have a total potential water demand of 8.7 acre-feet annually (afy). Proposed rainwater harvesting (4.6 afy under average water year conditions), water recycling of winery process water (3.4 afy to meet irrigation water demands), and 3.0 afy of groundwater pumping would meet water demands under average year conditions. Existing uses on the overall site have generated an existing/historic groundwater demand of 2.9 acre-feet annually (afy) that would be retired when the sites are developed. When factoring the retirement of existing groundwater demands and septic

discharges, and considering groundwater recharge from onsite project septic systems and deep percolation of irrigation water, implementation of the overall project would result in a net average increase in groundwater storage of 0.1 afy under average water years.

Streamflow depletion to Mark West Creek flows and its associated impact to riparian and aquatic habitat is also not expected to occur because modeling does not identify a groundwater drawdown at the creek and that project operations are expected to increase groundwater storage by a nominal 0.1 afy under average year conditions. In addition, recharge from the project would occur at the water table, attenuating drawdown that may interact with Mark West Creek consistent with the Groundwater Sustainability Plan(GSP).

The project use of the existing onsite well would be covered under an overlying groundwater right, subject to approval under Sonoma County's General Plan Policy WR-2e and the Sustainable Groundwater Management Act. Policy WR-2e requires that the project demonstration that 1) groundwater supplies are adequate and would not be adversely affected by the cumulative amount of development and uses allowed in the area, 2) the proposed use would not cause or exacerbate an overdraft condition in a groundwater basin or subbasin, and 3) the proposal would not result in groundwater overdraft, land subsidence, or saltwater intrusion. Additionally, the proposed use must not result in a critical reduction in flow in directly connected surface waters or cause adverse effects to groundwater dependent ecosystems (such as wetlands and riparian areas). Compliance with Policy WR-2e is accomplished through the preparation of a project specific Hydrogeologic report prepared by a qualified professional and including effects of the project relative to existing development and future development, and evaluation effects to neighboring wells and interconnected surface waters. The sustainability goals of the Sustainable Groundwater Management Act align with Policy WR-2e and it is reasonable to assume that compliance with Sonoma County policy would also result in compliance with the GSP.

As described above, preliminary hydrogeologic studies prepared for the Tasting Room at Nunes Farm and Winery at Saralee's Vineyard projects indicate that under worst-case groundwater pumping scenarios no offsite wells would be affected. Additionally, the potential effects to Mark West Creek under worst-case pumping scenarios would not result in impacts to stream flows. Finally, the hydrogeologic studies prepared for the project would be subject to review and approval by the Sonoma County Water Agency to ensure that the project meets the provisions Sonoma County General Plan Policy WR-2e and does not result in a local or cumulative adverse effect to groundwater. For these reasons, the potential for the Tasting Room at Nunes Farm to result in a substantial decrease in groundwater supplies or interfere substantially with groundwater recharge such that the project impedes the sustainable groundwater management of the basin would be less than significant.

Significance Level:
Less than Significant Impact

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

i. would result in substantial erosion or siltation on- or off-site?

Comment:
The Tasting Room at Nunes Farm and Winery at Saralee's Vineyard would be located on a rise above the surrounding flood plain. All buildings (including the winery wastewater treatment facility) would be located above the 100-year floodplain. Some internal roadways, access roadway to Slusser Road, and landscaped areas would be situated within the 100-year floodplain. However, no facilities that could be a source of contamination to water quality would be located within the 100-year floodplain. In accordance with Sonoma County Code section 7B-7, the project would be required to demonstrate that the proposed floodplain development, combined with all other existing and anticipated development would not increase the water surface elevation of the base flood event by more than one foot at any point. Additionally, for any

grading permit within a flood hazard area, the application must provide certification by a registered engineer or architect that development in the floodplain meets county flood proofing standards, including the use of materials that are resistant to flood damage. Because the only flood plain development implemented by the project would be roadways and inert structures designed to meet County flood management and flood proofing standards, the potential for project elements to release pollutants due to inundation during a flood event would be less than significant.

Significance Level:
Less than Significant Impact

ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

Comment:
As described above in (a), the projects would comply with Sonoma County LID standards requiring 100 percent onsite infiltration of the design storm (1 inch of rain over 24 hours). The infiltration features incorporated in the site designs would capture the stormwater runoff for most small to moderate precipitation events throughout the year as shown in Appendix A. In accordance with Sonoma County Code (Section 36.16.030) the projects drainage systems would be designed to maintain pre-project drainage patterns and to convey the 25-year design storm without causing on or offsite flooding. The drainage systems would be engineered to the specification of the Sonoma County Flood Management Design Manual (SCWA 2019a) and would undergo a comprehensive review by the Sonoma County Water Agency before permit approval. This review would ensure that the hydrologic analysis for the project considers the prescribed design storm, local precipitation rates, rainfall intensity, and runoff coefficients, and that the applicant has used and appropriate hydrologic baseline. The proposed drainage improvements must also demonstrate that the projects would not cause adverse flooding or drainage effects to existing or proposed structures or to adjacent properties. Because the Sonoma County permitting process includes protections through the drainage system design and review, the potential for the potential for the projects to result in on or offsite flooding would be less than significant.

Significance Level:
Less than Significant Impact

iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Comment:
See (a) and (c)(i) above.

Significance Level:
Less than Significant Impact

iv. Impede or redirect flood flows?

Comment:
See (c)(i) and (c)(ii) above.

Significance Level:
Less than Significant Impact

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

Comment:
The County used FEMA Flood Insurance Rate Maps to map flood hazard areas in General Plan 2020 in order to guide the placement of housing outside of flood and other natural hazard areas. According

to Figure PS-1e of the General Plan, the proposed project site is outside of the 100-year Flood Hazard Area.

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

The proposed project creates 9,462 sf of new impervious surface, which could affect the quantity and/or quality of storm water run-off. However, the proposed project has been designed and/or conditioned to prevent and/or minimize the discharge of pollutants and waste after the proposed project is constructed (post-construction). There are numerous post-construction storm water best management practices that can be utilized to accomplish this goal. These range from project designs and/or Low Impact Development best management practices that minimize new impervious surfaces, disperse development over larger areas, and/or that create areas that allow storm water to be detained, infiltrated, or retained for later use. Other post-construction storm water best management practices include storm water treatment devices based on filtering, settling, or removing pollutants.

Low Impact Development is a site design strategy that seeks to mimic the pre-development site hydrology through infiltration, interception, reuse, and evapotranspiration. Low Impact Development techniques include the use of small-scale landscape-based Best Management Practices such as vegetated natural filters and bioretention areas (e.g. vegetated swales and raingardens) to treat and infiltrate storm water runoff. Low Impact Development also requires preservation and protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable trees, flood plains, woodlands, native vegetation, and permeable soils. The applicant provided an Initial Storm Water Impact Development Submittal (Attachment 17)

The proposed project has been designed to address water quality through storm water treatment Best Management Practices and to also address water quantity through storm water flow control best management practices. Storm water treatment best management practices shall be designed to treat storm events and associated runoff to the 85-percentile storm event. Storm water flow control best management practices shall be designed to treat storm events and associated runoff to the channel forming discharge storm event which is commonly referred to as the two-year 24-hour storm event. Storm water treatment best management practices and storm water flow control best management practices are subsets of post-construction storm water best management practices. However, there is overlap between the two subsets. Post-construction storm water best management practices should utilize Low Impact Development techniques as the first priority.

The County has identified the preliminary location, type and approximate size of post-construction storm water treatment and flow control best management practices necessary for the proposed project. The location of the storm water best management practices is site specific and predicated by the development. The type and approximate size of the selected storm water best management practices are in accordance with the adopted Sonoma County Storm Water Low Impact Development Guide.

Proper operation and maintenance of post-construction storm water best management practices is needed to achieve the goal of preventing and/or minimizing the discharge of pollutants. The following mitigations will ensure the proper maintenance and operation of post-construction storm water best management practices.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation HYD-1:
The owner/operator shall maintain the required post-construction Best Management Practices for the life of the development. The owner/operator shall conduct annual inspections of the post-construction Best Management Practices to ensure proper maintenance and functionality. The annual inspections shall typically be conducted between September 15 and October 15 of each year.

Mitigation Monitoring HYD-1:
Permit Sonoma would verify post-construction storm water Best Management Practices installation and functionality, through inspections, prior to finalizing the permit(s).

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

Comment:
As discussed in (a) and (b) above this project is expected to be consistent with the requirements of the Sustainable Groundwater Management Plan and Groundwater Sustainability Plan.

Significance Level:
Less than Significant Impact

11. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

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

Significance Level:
No Impact

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

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

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

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

Significance Level:
Less than Significant Impact

12. MINERAL RESOURCES:

Would the project:

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

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

Significance Level:
No Impact

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

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

Significance Level:
No Impact

13. NOISE:

Would the project:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Comment:
A noise monitoring survey was performed at the site in December 2022, conducted for the applicant by Ascent Environmental (Attachment 15). The study included on-site noise monitoring and modeling for projected noise conditions based on the proposed project. The study specifically measured noise levels at two sensitive receptors (single family dwellings) at 900 and 1,700 feet from the project site. The study found that the existing noise environment at the site results primarily from vehicular traffic along River Road. Local traffic along the other nearby roadways also contributes to the ambient noise environment. The future noise environment at the project site would continue to result primarily from traffic along River Road and agricultural operations.

Key findings of the noise study in consideration of the proposed project follow:

- Projected traffic increases, including the project, would result in a noise level increase of 0.2-1 dBA.

- Parking lot noise levels during Special Events will not exceed the County's daytime or nighttime NE-2 noise standard at the nearby residences.
- HVAC equipment noise levels during will not exceed the County's daytime or nighttime NE-2 noise standard at the nearby residences.
- Outdoor Special Events with Amplified Music will not exceed the County's daytime or nighttime NE-2 noise standard at the nearby residences.
- Winery Operation noise levels will not exceed the County's daytime or nighttime NE-2 noise standard at the nearby residences.
- Wastewater Treatment System Pump noise levels will not exceed the County's daytime or nighttime NE-2 noise standard at the nearby residences.
- Truck loading and unloading noise levels will not exceed the County's daytime or nighttime NE-2 noise standard at the nearby residences.
- Emergency Generator noise levels will not exceed the County's daytime NE-2 noise standard at the nearby residences.
- Emergency Generator noise levels will exceed the County's nighttime NE-2 noise standard at the nearby residences. Mitigation Measure required.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation Measure NOISE-1:
Emergency generators shall be located and designed such that noise generated would not exceed the County's stationary noise source criteria established in this analysis (noise standards for single family residential uses of 50 dB L50 between the hours of 7:00 a.m. and 10:00 p.m. or 45 dB L50 between the hours of 10:00 p.m. to 7:00 a.m.) at any existing noise sensitive receptor. As part of the design process, a specialized noise study will be completed to evaluate the specific design and ensure compliance with County noise standards. Reduction of emergency generator noise can be achieved by the generator as far away as possible from noise sensitive land uses, constructing noise barriers between the generator and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses.

Mitigation Monitoring NOISE-1:
Final design, location, and orientation shall be dictated by findings in the noise study and compliance with County code shall be demonstrated by an onsite noise measurement, with results submitted to Permit Sonoma, prior to issuance of occupancy permit.

With application of the mitigation measure outlined above, noise impacts would be less than significant.

In addition, there will be short-term noise impacts from the construction activities.

Therefore, reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction material, are necessary as Best Management standard Conditions of Approval to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life.

The County shall require that the construction crew adhere to the following, but not limited to, best management practices as a standard condition to reduce construction noise levels emanating from the site and minimize disruption and annoyance of existing sensitive-noise receptors in the project vicinity.

- Noise-generating construction activities should be restricted to between the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday. No construction activities should occur on weekends or holidays. If work is necessary outside of these hours, the County should require the contractor to implement a construction noise monitoring program and, if feasible, provide additional mitigation as necessary (in the form of noise control blankets or other temporary noise barriers, etc.) for affected receptors. A sign(s) shall be posted on the site regarding allowable hours of construction.

- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment when located within 200 feet of adjoining sensitive land uses. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Equipment shall be properly maintained and turned off when not in use.

- Unnecessary idling of internal combustion engines should be strictly prohibited.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- Pile driving activities shall be limited to 7:00 a.m. to 5:00 p.m. weekdays only.

- Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.

- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise and take prompt action to correct the problem. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

The implementation of the reasonable and feasible standard Best Management controls outlined above would reduce construction noise levels emanating from the site by 5 to 10 dBA in order to minimize disruption and annoyance. With the implementation of these controls, and considering that construction is temporary, the impact would be reduced to a less-than-significant level.

Since these noise sources are temporary, limited in frequency and limited to daytime hours, they are not considered significant due to the implementation of standard Best Management Practices. Conditions of approval limit hours for site grading and construction to reduce any potentially significant impacts to less than significant.

b) Generation of excessive ground borne vibration or ground borne noise levels?

Comment:
The project includes construction activities that may generate minor ground borne vibration and noise. These levels would not be significant because they would be short-term and temporary and would be limited to daytime hours. There are no other activities or uses associated with the project that would expose persons to or generate excessive ground borne vibration or ground borne noise levels.

Significance Level:
Less than Significant Impact

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

Comment:
The project was reviewed by the Sonoma County Airport Land Use Commission on June 20, 2023. The Commission found that the project would be consistent Comprehensive Airport Land Use Plan (CALUP) Noise Policies because the project site is not in a designated CNEL Noise Contour for the Sonoma County Airport.

Significance Level:
No Impact

14. POPULATION AND HOUSING:

Would the project:

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

Comment:
The project would not include construction of a substantial amount of homes, businesses or infrastructure and therefore would not induce substantial population growth.

Significance Level:
No Impact

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

Comment:
No housing will be displaced by the project and no replacement housing is proposed to be constructed.

Significance Level:
No Impact

15. PUBLIC SERVICES:

Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered

governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

Comment:
The project would not increase residents or employees such that governmental services and/or facilities will have to be expanded. Generally, any potential impact the project may have on the provision of public services and/or expansion of governmental facilities will be offset by development fees.

Significance Level:
Less than Significant Impact

i. Fire protection?

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

Significance Level:
Less than Significant Impact

ii. Police?

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

Significance Level:
Less than Significant Impact

iii. Schools?

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

Significance Level:
Less Than Significant Impact.

iv. Parks?

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

Significance Level:
Less Than Significant Impact.

v. Other public facilities?

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

Significance Level:
Less Than Significant Impact.

16. RECREATION:

Would the project:

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

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

Significance Level:
No Impact

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

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

Significance Level:
No Impact

17. TRANSPORTATION:

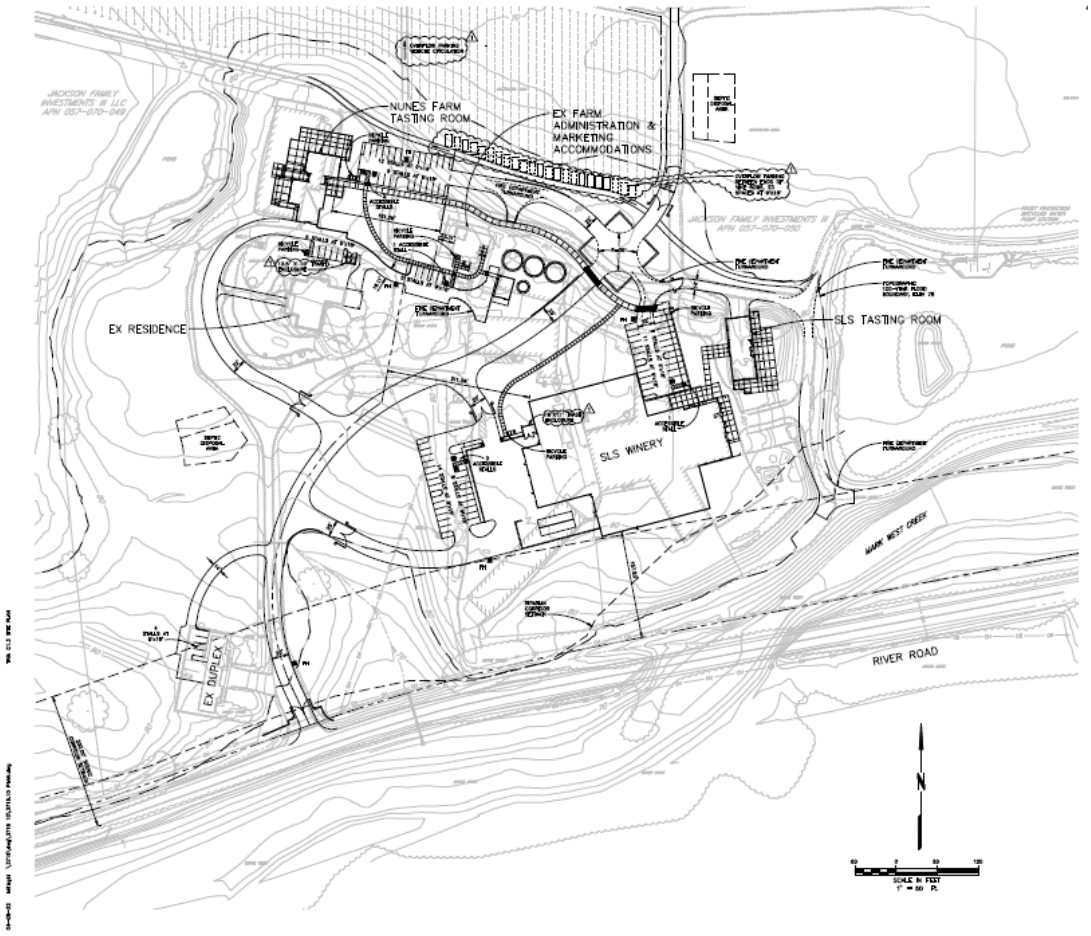
Would the project:

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

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

The Nunes Farm Winery and Saralee's South Winery driveways would provide two connections to the surrounding roadway network, one along River Road and another along Slusser Road. These driveways and the on-site circulation network would be designed to provide adequate right of way and access (Figure 7). The parking lots for the proposed project would provide 83 parking spaces in surface lots, with 32 at the Nunes Tasting Room and 51 at the Saralee's South Winery. There would be two covered spaces for the duplex building and two covered spaces for the existing single-family dwelling, for 87 total permanent parking positions. Additional parking for 23 vehicles can be accommodated along the site's driveways or in the ends of rows of vines when needed on a temporary basis.

Figure 7 Parking and Driveway Designs (Attachment 19)



In January 2023, in response to County peer and staff review of a previous traffic study for the project prepared by W-Trans traffic engineers, an updated traffic analysis for the project was submitted by W-Trans on behalf of the applicant and was subject to TPW peer review. The project analysis included the following traffic and circulation findings:

- Construction of the project would result in an anticipated average daily trip generation of 386 new trips, including 62 during the weekday p.m. peak hour. During the weekend p.m. peak hour, 307 trips would be generated by the project. The project site would host a variety of special events; the largest peak hour trip generation would be expected for a 100-person wine pick-up party during the weekend p.m. peak hour, which would generate an estimated 40 peak hour trips.

- The analysis considered six intersections in the project area:
  1) River Road/Slusser Road
  2) River Road/Fulton Road
  3) River Road/US 101 South Ramps
  4) River Road/US 101 North Ramps

- The project would have a less-than-significant impact on off-site, frontage, and internal pedestrian facilities.

- The project would have a potentially significant impact on the availability of right-of-way along the River Road frontage for future widened Class II bicycle lanes, and a less-than-significant impact in terms of bicycle parking given that sufficient facilities are identified on the site plan.

- The project would have a less-than-significant impact on transit facilities given the distance to the nearest transit stops.

- It is expected that the project would have a less-than-significant impact on VMT given the site's proximity to the Town of Windsor and City of Santa Rosa, which would reduce the lengths of potential employee and tourist trips compared to the Bay Area and Countywide averages, respectively.

- Sight distance would be adequate from the River Road and Slusser Road driveways. Turn lanes and tapers would not be warranted at either driveway. The project would therefore have a less-than-significant impact on safety.

- The project would have a less-than-significant impact on queuing as turn-lane queues that would be within stacking capacity without the project would not extend outside the turn lane with the addition of project traffic, and queues that would extend beyond the turn lane without project traffic would not be extended into a visually restricted area with project traffic added.

- A traffic signal is warranted at River Road/Slusser Road under existing volumes and the need would be exacerbated through the addition of project generated traffic, indicating a potentially significant safety impact.

- The project would be expected to have a less-than-significant impact on emergency access as it would have a minimal effect on response times and would be reviewed by the County of Sonoma and responsible emergency service agencies upon submittal of final project design for compliance with applicable standards.

- The project would increase the control delay at the study intersections within acceptable limits, except at River Road/Slusser Road where the addition of project traffic would have an adverse effect on operations. Installation of a traffic signal, which is warranted without or with project traffic, would improve operation to LOS A or B under all study scenarios.

- The addition of project traffic to River Road would not increase percent time spent following or decrease speeds to a deficient extent.

- The project site plan and description include 87 permanent parking spaces and 23 temporary spaces, which equal to the 110 spaces needed for a maximum-sized event. The temporary parking would be made available through an informal supply along driveways and at the ends of rows of vines. Three covered spaces for the residential uses are required by the County Municipal Code, and four would be provided.

Based on the findings, the traffic analysis provided two recommendations:

- Sufficient right-of-way along the project's frontage on River Road should be dedicated to accommodating any widening associated with future Class II bicycle lane enhancements.

- A traffic signal should be installed at River Road/Slusser Road to address a safety impact and achieve acceptable operations without or with the addition of project traffic.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation Measure TRAF -1:
To minimize potential inconsistencies with planned Class II bicycle facilities, project plans shall include sufficient right-of-way along River Road. Detailed plans along the project's River Road frontage shall be submitted to the Sonoma County Transportation Authority for review and approval prior to the issuance of building permits on the site.

Mitigation Monitoring TRAF -1:
Detailed plans along the project's River Road frontage shall be submitted to the Sonoma County Transportation Authority for review and approval prior to the issuance of building permits on the site.

Mitigation Measure TRAF -2:
Installation of a traffic signal at the River Road/Slusser Road intersection to address County level of service requirements (General Plan Policy CT-4.2).

Mitigation Monitoring TRAF -2:
Detailed plans along the project's River Road frontage shall be submitted to the Sonoma County Transportation Authority for review and approval prior to the issuance of building permits on the site. Installation must take place before final occupancy.

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

Comment:
A Traffic Study was performed by W-Trans was prepared in May 2022. A third-party peer review was performed by GHD and comments were submitted to the applicants December, 2022. In response to the comments an update traffic study was submitted in January 2023 addressing the third-party review comments. Sonoma County Public Infrastructure (SPI) provided comments to the applicants in response to the updated referral packet that was circulated in March 2022. The applicant resolved comments with SPI and Michael Kalua with SPI accepted the Traffic Study in September 2022 and provided Conditions of Approval in June 2023. The project's employment component is anticipated to generate 8.1 VMT per employee, which falls below the applied significance threshold of 14.4 VMT per Employee (i.e., 85 percent of the regional average rate of VMT per employee). It is noted that while the project site is located in an agricultural area, it is also close to the Town of Windsor and City of Santa Rosa, which positively influences employee commute distances, and results in per-employee VMT levels that are lower than winery and tasting room facilities in more distant locations of the County. Tourism-related trips generated by the proposed project are anticipated to have an average length of 14.1 miles, which falls below the applied significance threshold of 18.4 miles per vehicle trip (15 percent or more below the countywide tourism average trip length). Accordingly, the project is expected to have a less-than- significant impact on VMT for both employment and patron-related travel.

Significance Level:
Less than Significant Impact

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

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

Significance Level:
No Impact

d) Result in inadequate emergency access?

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

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

Significance Level:
Less than Significant Impact

e) Result in inadequate parking capacity?

Comment:
As discussed in the traffic study recommendations and conclusions above in section 17 (a), the proposed parking is adequate.

Significance Level:
Less than Significant Impact

18. TRIBAL CULTURAL RESOURCES:

Would the project:

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

Assembly Bill 52 Project Notifications were sent to the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Torres Martinez Desert Cahuilla Indians, Mishewal Wappo Tribe of Alexander Valley, Middletown Rancheria Band of Pomo Indians, Lytton Rancheria of California, Kashia Pomos Stewarts Point Rancheria and Federated Indians of Graton Rancheria. These Native American tribes were invited to consult on the project pursuant to Public Resources Code sections 21080.3.1 and 21080.3.2.

There are no known archaeological resources on the site, but the project could uncover such materials during construction. Consistent with the CEQA Guidelines the following mitigation measure has been incorporated into the project.

Mitigation Measure TCR-1:
All building and/or grading permits shall have the following note printed on grading or earthwork plan sheets:

NOTE ON MAP:
NOTE ON PLANS: “During construction activities, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds pursuant to Government Code Section 15064.5. 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). Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, fire pits, or house floor depressions whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than 50 years of age including trash pits older than fifty years of age. 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."

In the event that human remains are unearthed during construction, state law requires that the County Coroner be contacted in accordance with Section 7050.5 of the State Health and Safety Code to investigate the nature and circumstances of the discovery. If the remains were determined to be Native American interment, the Coroner will follow the procedure outlined in CEQA Guidelines Section 15065.5(e).

A standard condition of approval requires the following language be printed on the grading and building plans:

NOTES ON PLANS: "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 TCR-1:
Building/grading permits shall not be approved for issuance by Permit Sonoma - Project Review Staff until the above notes are printed on the building, grading and improvement plans.

Significance Level:
Less than Significant with Mitigation Incorporated

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.

Assembly Bill 52 Project Notifications were sent to the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Torres Martinez Desert Cahuilla Indians, Mishewal Wappo Tribe of Alexander Valley, Middletown Rancheria Band of Pomo Indians, Lytton Rancheria of California, Kashia Pomos Stewarts Point Rancheria and Federated Indians of Graton Rancheria. These Native American tribes were invited to consult on the project pursuant to Public Resources Code sections 21080.3.1 and 21080.3.2.

There are no known tribal cultural resources on the site, but the project could uncover such materials during construction. Consistent with the CEQA Guidelines the following mitigation measure has been incorporated into the project.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measure TCR-1

Mitigation Monitoring
See Mitigation Monitoring TCR-1

19. UTILITIES AND SERVICE SYSTEMS:

Would the project:

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

Comment:
The proposed water, wastewater, stormwater drainage, electrical, and other related project infrastructure improvements necessary to serve the Tasting Room at Nunes Farm and Winery at Saralee's Vineyard sites would be located onsite or along the associated roadway frontage and would not necessitate offsite improvements that could result in environmental impacts. The environmental impacts of the construction of onsite infrastructure improvements are addressed in Section 10 Hydrology and Water Quality.

Significance Level:
No Impact

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

Comment:
Sufficient water supplies available, see section 10 for a more detailed analysis.

Significance Level:
Less than Significant Impact

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

Comment:
The domestic wastewater systems for both sites would be sized in accordance with the County of Sonoma OWTS Manual. The system would include at a minimum collection piping from all buildings, septic tanks, and leach fields. The onsite septic would have sufficient capacity to treat the maximum domestic daily demand generated by the Tasting Room at Nunes Farm and the Winery at Saralee's Vineyard.
The onsite wastewater treatment plant would have sufficient capacity to treat the maximum daily demand generated by the winery and would meet Title 22 disinfected tertiary water requirements. No connections to municipal wastewater collection or treatment services would be required. In addition, tertiary-treated effluent would meet Title 22 disinfected tertiary water (recycled water) requirements.

Significance Level:
Less than Significant Impact

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

Comment:
The Tasting Room at Nunes Farm and Winery at Saralee's Vineyard projects would result in temporary solid waste generation during construction of the onsite improvements. Once operational, the projects would result in approximately 96.66 tons per year of solid waste from processing and from tasting room operations. The County's Central Disposal Site is permitted to receive a maximum of 2,500 tons per day and has a total capacity of 32,650,000 cubic yards. In May 2012, the landfill's remaining capacity was 9,076,760 cubic yards and the estimated closure year was 2034. Solid waste generated by the project would be minimal and would not be more than the capacity of local infrastructure. In addition, the project would comply with all policies, ordinances, and regulations related to solid waste diversion, including composting and recycling. The project would not impair the attainment of solid waste reduction or diversion goals.

Significance Level:
Less than Significant Impact

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

Comment:
See discussion above under item (d).

Significance Level:
Less than Significant Impact

20. WILDFIRE:

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

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

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?

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?

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

Comment:
According to the Safety Element of the General Plan, the project site is not located in a high wildland fire hazard area.

The project is located in a Local Responsibility Area and is outside of the wildland high and very high fire hazard zones mapped by Wildland Fire Hazard Areas Figure PS 1-g of the Sonoma County General Plan 2020. The project is located in a relatively flat area and surrounded by developed agricultural row crops, some open lands, riparian corridors and rural residential uses. The winery and tasting rooms would add population to the site in the form of guests and employees. However, the

site is roughly five miles from the Sonoma County Fire District Station #7, ensuring rapid response times in the event of an emergency. To facilitate locating an emergency and to avoid delays in emergency response, the project has been conditioned to require the site provides for safe access for emergency fire apparatus and civilian evacuation concurrently, and unobstructed traffic circulation during an emergency. Additionally, project conditions of approval require the project installs fire hydrants for fire suppression, and develop fire safety and emergency plans, as well as employee training programs consistent with the requirements of the 2013 California Fire Code and Sonoma County Code. New construction on the site must conform to County Fire Safe Standards building requirements. Fire Safe Standards include building requirements related to fire sprinklers, stairways to roofs, fire apparatus access roads, door panic hardware, fire resistant stairway enclosures, emergency water supply, and defensible space. The construction of new structures in accordance with current building standards should decrease the risk to structures on the project parcel and ensure that the resort project would reduce the exposure of people and property to fire hazards. See section 9.g above for additional conditions of approval to reduce the risk of injury or damage from wildfire.

There is no separate emergency evacuation plan for the County. Furthermore, the project would not cause an interference with emergency evacuations. The Fire Marshall will review the building plans to ensure that the hotel and restaurant will have adequate fire protection. The primary entrances off of River Road and Slusser Road includes a driveway system to provide for emergency vehicle ingress and egress.

Significance Level: Less Than Significant Impact.

21. MANDATORY FINDINGS OF SIGNIFICANCE:

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

Comment: Potential project impacts on special status plant and fish/wildlife species and habitat are addressed in Section 4. Implementation of the required mitigation measures (Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, Bio-7, BIO-8 and BIO-9) would reduce these potential impacts to a less-than-significant level. Potential adverse project impacts to cultural resources are addressed in Section 5. A standard condition of approval to ensure that cultural or archaeological resources are protected if unearthed during ground disturbing activities is provided in Section 18a. Implementation of this standard condition of approval would reduce any potential impacts to a less-than-significant level.

Significance Level: Less than Significant Impact

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

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

Significance Level: Less than Significant Impact

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

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

Significance Level: Less than Significant Impact

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26. Sonoma County Water Agency, Santa Rosa Plain Groundwater Management Plan, 2014. http://www.water.ca.gov/groundwater/docs/GWMP/NC-5_SRP_SonomaCoWaterAgency_GWMP_2014.pdf

27. Ascent, Patrick Angell, Draft Initial Study/Mitigated Negative Declaration for JFI III Application, Tasting Room at Nunes Farm and Winery at Saralee's Vineyard Project, May 2023. (Attachment 18)

Attachments

*Available upon request

1. Figure 4 Lot Line Adjustment Site Plan
2. Figure 5 Site Plan
3. Figure 6 Existing Buildings with proposed Building Overlay
4. Preliminary Landscape Plans
5. a. Design Renderings and Material Board for Saralee's Winery

   b. Renderings and Material Board for Nunes Farm
6. DRC Action 7.20.22 - PLP20-0007
7. Visual Assessment Guidelines
8. Section 26-18-260 Winery Definitions and Standards
9. Air Quality and GHG Assessment
10. Biological Resources Study
11. Historical Resources Study
12. Preliminary Geotechnical Review-revised
13. ALUC Response_6-20-23
14. Groundwater Resources Impact Assessment
15. Noise Study
16. Traffic Study
17. SWLID Plan
18. Draft Initial Study/Mitigated Negative Declaration for JFI III Application, Tasting Room at Nunes Farm and Winery at Saralee's Vineyard Project
19. Figure 7 Parking and Driveway Designs