



Proposed Initial Study/Mitigated Negative Declaration

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

Publication Date: December 15 2023
Public Review Period: 12/15/2023 to 01/16/2024
State Clearinghouse Number:
Permit Sonoma File Number: **UPE19-0029**
Prepared by: Claudette Diaz at
Phone: (707) 565-7387

Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Mitigated 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: WesMar Equestrian Center
Project Applicant/Operator: WesMar Equestrian, LLC
Project Location/Address: 112 McBrown Road, Petaluma, CA 94952
APN: 113-030-073 (formerly -052)
General Plan Land Use Designation: Rural Residential (RR) 3 (Density)
Zoning Designation: Agricultural Residential (AR) B6 3 (Density), NONE
Decision Making Body: Sonoma County Board of Zoning Adjustments (BZA)
Appeal Body: Sonoma County Board of Supervisors (BOS)
Project Description: See Item III, below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Table 1. Summary of Topic Areas

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

RESPONSIBLE AND TRUSTEE AGENCIES

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

Table 2 list the agencies and other permits that will be required to construct and/or operate the project. Leave this section out if there are no permits required.

Table 2. Agency	Activity	Authorization
Sonoma County Permit and Resource Management Department (Permit Sonoma)	Requires that grading, septic and building permits be obtained for development of this site	
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI

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. Fish and Wildlife Service (FWS) and or National Marine Fisheries Service (NMFS)	Incidental take permit for listed plant and animal species	Endangered Species Act

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.



12.15.2023

Prepared by: Claudette Diaz

Date



Expanded Initial Study

Sonoma County Permit and Resource Management Department
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I. INTRODUCTION:

The WesMar Equestrian, LLC, proposes a members-only, commercial stable for equine training and boarding. 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 Claudette Diaz, Project Review Planner with the Sonoma County Permit and Resource Management Department, Project Review Division. Information on the project was provided by WesMar Equestrian, LLC. Technical studies provided by qualified consultants are attached to this Initial Study to support the conclusions. Other reports, documents, maps and studies referred to in this document are available for review at the Permit and Resource Management Department (Permit Sonoma).

Please contact Claudette Diaz, Planner, at (707) 565-7387, for more information.

II. EXISTING FACILITY

The project site is comprised of a single parcel +/-5.0 acres in size. The parcel is located at 112 McBrown Road, APN 113-030-073 (formerly 113-030-052), and is currently developed with a single family residence and residential accessory structures. The project site will receive access through McBrown Road through a 25 foot access easement located on the adjacent parcel, APN 113-030-053.

III. PROJECT DESCRIPTION

WesMar Equestrian, LLC proposes a Use Permit for an equestrian club for the boarding and training of horses on a 5.0 acre parcel zoned Agriculture and Residential (AR). Proposed improvements include two open round pens, a 12,200 sq ft covered arena, an open arena, a 3,570 square foot covered hay barn, and a 11,520 square foot covered double breezeway horse barn. A total of 40 horses would be boarded on-site. The site would be accessed via McBrown Rd. A maximum of 6 employees would be on-site daily from 7:00 am to 7:00 pm (at varying times). An expected 5-10 clients would visit per day, each staying a maximum of 2 hours. The proposed project includes 4 events per year, with a maximum of 60 attendees and 6 employees, occurring on Saturdays between 3:00 pm – 10:00 pm. All event parking is located on-site.

Site Characteristics and Zoning:

The project site is approximately 5.00 acres in size and is located in unincorporated Sonoma County, approximately 3 miles northwest of the City of Petaluma city limits. The subject parcel is zoned Agricultural Residential (AR) with a 3 acre density (B6 3).

Surrounding Land Use and Zoning:

The area is predominately zoned Agricultural Residential (AR), 3 acre density. Parcels located north of the project site, off of Liberty Road, are zoned Land Extensive Agriculture (LEA) and Rural Residential (RR).

The existing uses in the surrounding areas is mostly residential and agricultural operations. These agricultural operations include chicken ranches, egg suppliers, farm animal ranches and horse training facilities and arenas are located in the surrounding areas.

The surrounding parcels range in size from +/- 0.50 acres to +/- 70.00 acres.

Hours of Operation:

WesMar Equestrian Club: 7:00 am to 7:00 pm, 7 days per week.

A maximum of 4 events would occur on site. Events will take place primarily on the weekends and conclude no later than 10:00 pm.

Events:

A maximum of four (4) events, including riding clinics and charity events, are proposed operating from 8:00 am to 10:00 pm with a maximum of 60 guests. No amplified noise is proposed , including use of a Public Address (PA) system is proposed.

Design Style:

Building siding would be constructed from wood and all roofs would be made from a charcoal-colored composite, which includes the horse boarding buildings, and round pens. The covered arena would be open-sided and constructed purely of steel. The design colors for the horse boarding buildings, and round pens are white with black details.

Figure 1- View of the proposed covered arena



Figure 2-View of the proposed horse barn



Driveway, Access, and Parking Improvements:

The McBrown property is accessed via a 25-foot private easement off McBrown Road, and the driveway and access to the property will be improved to meet fire safe standards. Most on-site circulation would be on foot, with the exception of riders on horseback.

Thirty (30) visitor and employee parking spaces will be provided, including one accessible parking space compliant with ADA standards for Accessible Design.

Vector and Manure Management:

All stalls, bedding, and manure will be cleaned twice daily and emptied into a manure container. The manure container will be hauled off the property three times per month by the West Marin Compost Company.

Vector control strategies include adding mosquito fish in the water troughs, automatic fly spray systems in the barn, maintaining landscaping, planting lavender and rosemary throughout the property, and cleaning water troughs monthly.

Solid Waste

Solid waste generated by the stable will be emptied into Recology Sonoma-Marín bins, which will be moved to the end of the driveway each week for pick up. A covered dump trailer located on-site will be used for larger or any excess waste, which will be taken to local dumps at capacity. Garbage and recycling bins will be located throughout the property in high traffic areas, including the barns, arenas, and sitting areas.

Water and Wastewater disposal

The project will be served by two private wells and an on-site septic system.

Dust Management:

Dust control will be managed and reduced through the use of wet suppression, woodchips, wind barriers, landscaping, gravel, synthetic materials, speed control, material selection and eco-friendly additives.

Construction:

Construction: Project construction is anticipated to occur over 6-8 months with work hours from 7:00 am to 7:00 pm, Monday-Saturday as weather permits, and no construction grading or heavy construction is to occur during holidays.

Proposed Buildings and Uses:

1. Covered Arena: 12,200 square feet in size.
Covered, located between the open arena and the gravel parking lot
2. Horse Barn: 11,520 square feet in size
Covered, located north of the septic leach field area, east of the round pen
3. Hay Barn: 3,570 square feet in size (2,490 square foot building footprint)
Covered, located south of the covered arena
4. Open Arena: 15,000 square feet in size
Open, located between the covered arena
5. Two (2) Round Pens
Open, used for walking horses.

IV. SETTING

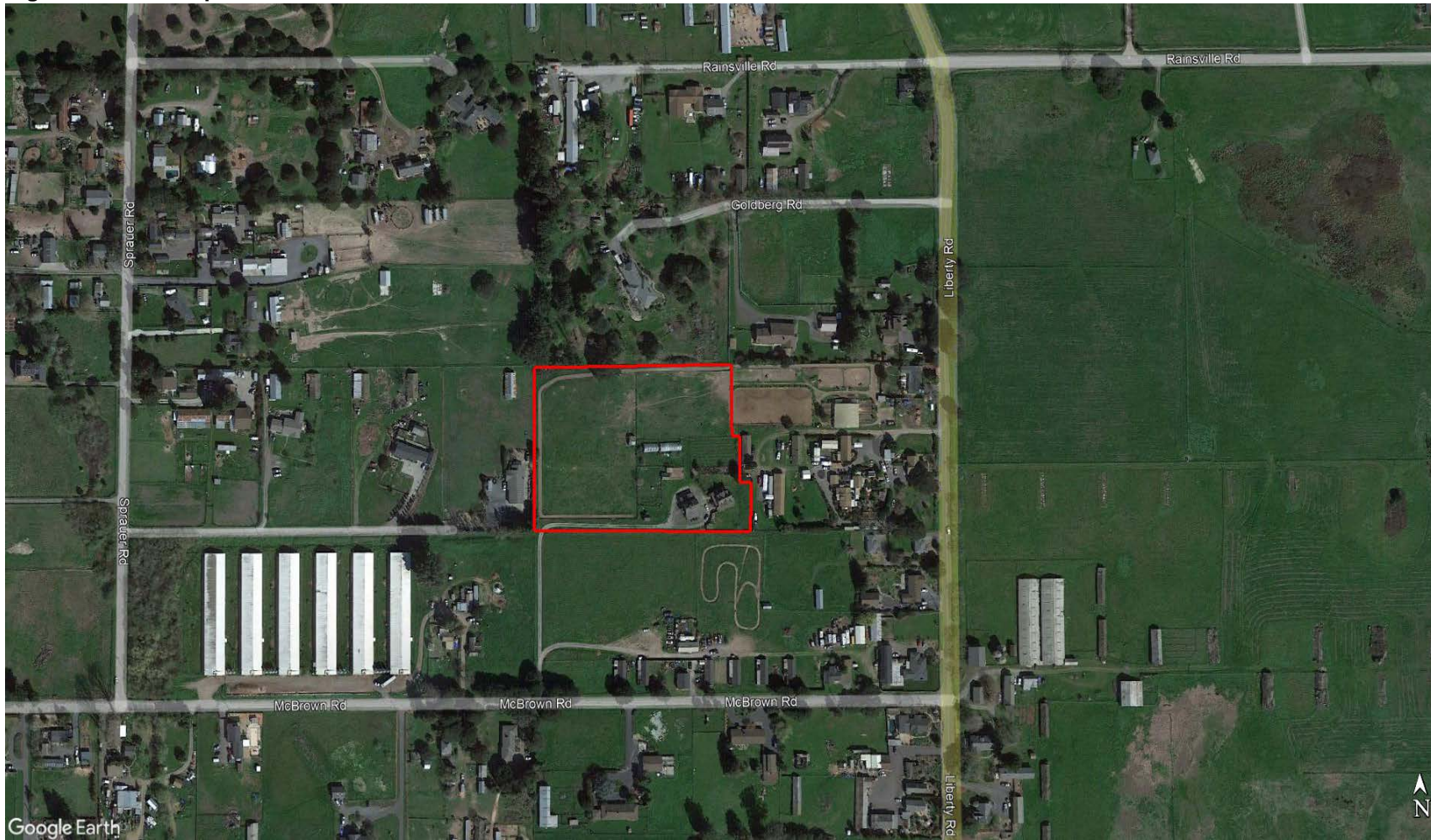
The project site is located in southern Sonoma County, approximately 3 miles north of Petaluma city limits, and just west of Highway 101. The project site is zoned Agriculture and Residential (AR) and surrounding land uses are a mix of agricultural and residential uses.

The roughly rectangular-shaped parcel, located south of Pepper Road and west of Highway 101, is on the west side of Liberty Road and north of McBrown Avenue. The proposed project area is bounded by rural residences on the north, east, south, and west.

The polygon-shaped 5-acre parcel ranges in elevation between 122 feet in the southeast and 109 feet in the northwest, and is situated on the southwest side of the Roblar de Miseria Rancheria. Petaluma Creek, located 1.3 miles east of the site, flows from southeast to northwest. Although the site is situated on a generally northwest facing slope the hydrology of the area drains south and east to the Petaluma River. Surrounding land uses consist of mainly of rural ranches and residences located along Liberty Road.

The project site is comprised of weedy plants and bare areas with a few scattered trees. The single family dwelling on site will not be altered and has some landscaped trees and shrubs. No trees will be removed as part of this project.

Figure 4. Aerial Map



V. ISSUES RAISED BY THE PUBLIC OR AGENCIES

A referral packet was drafted and circulated to inform and solicit comments from selected relevant local, state and federal agencies; and to special interest groups that were anticipated to take interest in the project. As of April 2020, the project planner had received responses to the project referral from the following: Sonoma County Environmental Health, Sonoma County Department of Public Works, the Northwest Information Center at Sonoma State University, Permit Sonoma Grading & Storm Water Section, Permit Sonoma Project Review Health Specialist, Permit Sonoma Natural Resources Section, Permit Sonoma Fire and Emergency Services Department and County Fire Official. The referral responses included several requests for further information and included recommended draft use permit conditions of approval. No responses were received from state or federal agencies.

Tribal Consultation Under AB52

Assembly Bill 52 notifications were sent to the following Tribes on April 20, 2020:

Cloverdale Rancheria of Pomo Indians
Dry Creek Rancheria Band of Pomo Indians
Lytton Rancheria of California
Kashia Band of Pomo Indians of the Stewarts Point Rancheria
Federated Indians of Graton Rancheria
Middletown Rancheria of Pomo Indians of California
Mishewal Wappo Tribe of Alexander Valley
Muwekma Ohlone Tribe San Francisco Bay Area

No tribes requested further information and no tribes requested formal consultation. As required by County standards, a Condition of Approval has been included to address the potential event of archeological remains being found during construction. (See Cultural Resources section below for additional details.)

Public Comments

No public comment has been received to date.

VI. OTHER RELATED PROJECTS

No other proposed discretionary projects were identified within the project vicinity as of November 2022.

VII. 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.

Potentially Significant Unless Mitigated: 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 WesMar Equestrian, LLC has agreed to accept all mitigation measures listed in this Initial Study as conditions of approval for the proposed project, and to obtain all necessary permits, notify all contractors, agents and employees involved in project implementation and any new owners should the property be transferred to ensure compliance with the mitigation measures.

1. AESTHETICS:

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

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

Comment:

The project is not in an area designated as visually sensitive by the Sonoma County General Plan. Check Open Space and Resource Conservation map and Zoning for SR (Scenic Landscape Unit, Scenic Corridor, Community Separator). It is not located on a scenic hillside, nor would it involve tree removal, construction or grading that would affect a scenic vista. The proposed buildings would be screened from view from public roads and parks by existing vegetation. The viewshed of the project area as seen from public roads and parks will not substantially change as a result of the project.

The project is not designated as a scenic resource in the West Petaluma Area Plan or the General Plan. The project site proposes landscaping to screen the proposed buildings from view from public roads and therefore will have a less than significant impact.

The project is designed to be compatible with the local architectural motif while maintaining the views and vistas of natural landscapes. As a Condition of Approval, the project will be reviewed by the Design Review Committee prior to building permit issuance in order to assure compliance with development standards identified in Article 82 of the Sonoma County Code. Building permit plans will be required to be in accordance with the site plans and drawings approved by the Design Review Committee.

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. The nearest state scenic highway is State Route 116 (SR 116) which is approximately 4 miles north of the project site. ¹

¹ CalTrans, Map Viewer website, "California Scenic Highways," <https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a>, accessed 9/8/2022.

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 project is located in a non-urbanized area, adjacent to other agricultural and residential uses. Using the County's Visual Assessment Guidelines², the project site is characterized as having a Low visual sensitivity because it is within a rural land use designation, has no historic character, and no significant natural vegetation of aesthetic value to the surrounding community. The project's visual dominance can be categorized as Co-Dominant, a category applied when proposed project elements can be prominent within the setting but attract attention equally with other landscape features. The project has the potential to be visible from McBrown Road and Liberty Road, but has been designed to blend in with the rural character of the site. Utilizing the Visual Assessment Guideline's matrix, the project's visual impact will be less than significant.

Table 1- Thresholds for Significance for Visual Impact Analysis, Permit Sonoma Visual Assessment Guidelines

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

Based on the project site's Low visual sensitivity and the proposed project's Co-Dominant visual dominance, the project would be considered to have a "Less than significant" effect on the existing visual character or quality of the site and its surroundings.

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 horse barn and the covered arena have the potential to create new sources of light and glare.

² "Visual Assessment Guidelines," Permit Sonoma, January 2019, <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>

However, as a condition of approval, the project would be required to comply with standard County conditions that require all exterior lighting to be low mounted, downward cast, and fully shielded to prevent glare, and must be Dark Sky Compliant in order to avoid nighttime light pollution. Reference can be made to the International Dark Sky Association website for guidance on exterior lighting: www.darksky.org. The exterior lighting plan will be reviewed and approved by Design Review Committee prior to issuance of building permits to ensure compliance with County standards and compatibility with the area, this impact will be less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

Mitigation VIS-1:

Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by Permit Sonoma or Design Review Committee. Exterior lighting shall be 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. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.

Mitigation Monitoring:

Mitigation Monitoring VIS-1:

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

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 parcel is not designated as Prime or Unique Farmland or Farmland of Statewide Importance on the Important Farmland maps. It is designated as 'Other Land' under the California Department of Conservation Division of Land Resource Protection Farmland Mapping and Monitoring Program³ reflecting the existing and proposed use of the site.

³ California Department of Conservation. State of California. "California Important Farmland Finder," <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed April 21, 2022.

Significance Level:

No Impact

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

Comment:

The project site is in Agriculture and Residential (AR) zoning district, which allows for agricultural and limited processing facilities, and is not included in a Williamson Act contract.⁴ The project will not conflict with zoning for agricultural use or lands under a Land Conservation contract.

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 does not contain forest land as defined in PRC 4526 and is not in a Timberland Production zoning district. Therefore, the proposed project would not conflict with or cause a rezoning of any forest land or timberland zoned Timber 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 is not located on forest land. Therefore, the project will not result in the loss or conversion of forest lands.

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.

Significance Level:

No Impact

3. AIR QUALITY:

The methodologies and assumptions used in preparation of this section follow the CEQA Guidelines developed by the Bay Area Air Quality Management District (BAAQMD), as revised in May 2017⁵. Information on existing air quality conditions, federal and state ambient air quality standards, and

⁴ Sonoma County. Permit Sonoma GIS "Zoning and Land Use," <https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=06ac7fe1b8554171b4682dc141293962>, accessed April 21, 2022.

⁵ Bay Area Air Quality Management District, "California Environmental Quality Act, Air Quality Guidelines," May 2017, https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

pollutants of concern was obtained from the U.S. Environmental Protection Agency (U.S. EPA), California Air Resources Board (CARB), and BAAQMD.

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 (2017) 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)). For an individual project, consistency with BAAQMD's significance thresholds is interpreted as demonstrating support for the 2017 Clean Air Plan's goals. As described in the discussion below in Section 3(b), the project would not result in exceedances of BAAQMD thresholds for criteria air pollutants and thus would not conflict with or disrupt the 2017 Clean Air Plan's goal to attain air quality standards.

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:

As noted above, the BAAQMD is designated non-attainment for state ozone and PM standards, and for the federal 8-hour ozone and PM2.5 24-hour standards. The project will not have a cumulatively considerable effect on ozone because it will not generate substantial traffic that would result in substantial emissions of ozone precursors (ROG and NOx). See discussion in Section 17, Transportation Traffic, below.

In operation, the project will have no cumulatively considerable effect on PM2.5 and PM10, because surfaces will be paved, gravel, landscaped, or otherwise treated to stabilize bare soils, and dust generation will be insignificant. However, there could be significant short-term emission of dust (which would include PM2.5 and PM10) during construction. These emissions could be significant at the project level and could also contribute to a cumulative impact, but would be reduced to a less than significant level based on implementation of the measures described below.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

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 dust control measures shall be included in the project:

- a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- b. Trucks hauling soil, sand, and other loose materials over public roads shall cover the loads, or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
- c. Vehicle speeds on unpaved areas shall be limited to 15 miles per hour.
- d. Final surfacing (i.e., pavement or concrete, gravel, landscaping) shall be completed as soon as possible after earthwork is finished, unless seeding or soil binders are used.
- e. Idling time of diesel-powered construction equipment shall be limited to five minutes. Signs shall be posted reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
- f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall have a CARB-certified visible emissions evaluator check equipment prior to use at the site.
- g. Trackout shall not be allowed at any active exit from the project site onto an adjacent paved public roadway or shoulder of a paved public roadway that exceeds cumulative 25 linear feet and creates fugitive dust visible emissions without cleaning up such trackout within 4 hours of when the Construction Coordinator identifies such excessive trackout, and shall not allow more than 1 quart of trackout to remain on the adjacent paved public roadway or the paved shoulder of the paved public roadway at the end of any workday.
- h. Visible emissions of fugitive dust shall not be allowed during cleanup of any trackout that exceeds 20 percent opacity as determined by the Environmental Protection Agency in Method 203B - Opacity Determination for Time-Exception Regulations (August 2017).

Trackout is defined by BAAQMD in *Regulation 6, Rule 6: Prohibition of Trackout* (August 2018) as any sand, soil, dirt, bulk materials or other solid particles from a site that adhere to or agglomerate on the exterior surfaces of vehicles (including tires), and subsequently fall or are dislodged onto a paved public roadway or the paved shoulder of a paved public roadway on the path that vehicles follow at any exit and extending 50 feet out onto the paved public roadway beyond the boundary of the site. Material that has collected on the roadway from erosion is not trackout.

Mitigation Monitoring:

Mitigation Monitoring AIR-1:

Permit Sonoma staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits.

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 single family residence, one located on site and nearby, the closest being approximately 300 feet northwest of the project site. The proposed project would not create an incompatible situation as neither the residential use of the project site nor the neighboring uses involve stationary or point sources of air pollutants which generate substantial pollutant concentrations. Although there will be no long term increase in emissions, during construction of future build-out there could be significant short term dust emissions that would affect nearby residents. Dust emissions can be reduced to less than significant by Mitigation Measure AIR-1. Dust emissions can be reduced to less than significant by the mitigation measure described in Item 3c above.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

See **Mitigation Measure AIR-1**

Mitigation Monitoring

See **Mitigation Monitoring AIR-1**

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

Comment:

Construction Odors

Construction equipment may generate odors during project construction; however, construction activities would be short-term, intermittent, and would cease upon completion of project construction. In addition, implementation of Mitigation Measure AIR-1 would reduce construction emissions which could contribute to odor and would not affect a substantial number of people. Therefore, the construction-related odor impact would be less than significant with mitigation described in mitigation measure AIR-1.

Manure Management

Horse facilities are not listed as an odor-generated use in BAAQMD *California Environmental Quality Act Air Quality Guidelines* (May 2017). However, odor may be generated from the horses located on site. The San Francisco Regional Water Quality Board requires horse facilities to obtain a Confined Animal Facility (CAF) General Permit. CAFs are operations where animals are confined and fed in an area that has a roof or is devoid of vegetation, generating solid and liquid manure wastes that may be collected and disposed of on land. This permit requires structural and non-structural management measures for all confined production areas, land application areas and grazing operations, as well as a site-specific monitoring program. As a Condition of Approval, the project will be required to obtain a CAF permit prior to building permit issuance to ensure that liquid and solid manure waste are collected and disposed of correctly and associate odor impacts are minimized.

Significance Level:

Less than Significant Impact with Mitigation Incorporated

Mitigation:

See **Mitigation Measure AIR-1**

Mitigation Monitoring

See **Mitigation Measure Monitoring AIR-1**

4. BIOLOGICAL RESOURCES:

Regulatory Framework

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

Federal

Federal Endangered Species Act (FESA)

FESA establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The Secretary of Interior and the Secretary of Commerce

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

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

The Migratory Bird Treaty Act of 1918 (MBTA)

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

The Clean Water Act (CWA)

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

Section 404.

As part of its mandate under Section 404 of the CWA, the EPA regulates the discharge of dredged or fill material into "waters of the U.S.". "Waters of the U.S. include territorial seas, tidal waters, and non-tidal waters in addition to wetlands and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high-water marks. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3(b)). The discharge of dredged or fill material into waters of the U.S. is prohibited under the CWA except when it is in compliance with Section 404 of the CWA. Enforcement authority for Section 404 was given to the USACE, which it accomplishes under

its regulatory branch. The EPA has veto authority over the USACE's administration of the Section 404 program and may override a USACE decision with respect to permitting. Substantial impacts to waters of the U.S. may require an Individual Permit's Projects that only minimally affect waters of the U.S. may meet the conditions of one of the existing Nationwide Permits, provided that such permit's other respective conditions are satisfied. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions (see below).

Section 401.

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

State

California Endangered Species Act (CESA)

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

Fish and Game Code 1600-1602

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

Nesting Birds

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

abandonment and/or loss of reproductive effort is considered “take” by CDFW.

Non-Game Mammals

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

California Fully Protected Species and Species of Special Concern

The classification of “fully protected” was the CDFW’s initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (fish at §5515, amphibians and reptiles at §5050, birds at §3503 and §3511, and mammals at §4150 and §4700) dealing with “fully protected” species state that these species “...may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species,” although take may be authorized for necessary scientific research. This language makes the “fully protected” designation the strongest and most restrictive regarding the “take” of these species. In 2003, the code sections dealing with “fully protected” species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

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

Porter-Cologne Water Quality Control Act

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

Local

Sonoma County General Plan

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

Riparian Corridor Ordinance

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

Valley Oak Habitat (VOH) Combining District

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

Sonoma County Tree Protection Ordinance

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

Would the project:

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

Comment:

Trish Tatarian, Wildlife Research Associates, and Jane Valerius, Jane Valerius Environmental Consulting, conducted a survey⁶ of the parcel on September 25, 2019, to evaluate the potential presence of biological communities, the potential for the site to support special-status plant and wildlife species, and the potential presence of any other sensitive natural resources protected by local, state, or federal laws and regulations. The assessment dated October 4, 2019, found:

Waters of the U.S. and State, Including Wetlands

No wetlands or waters were observed within the project area.

Special Status Vegetation Community

No special status vegetation communities occur on the site.

⁶ Tatarian Trish; Valerius, Jane, "WesMar Equestrian Habitat Assessment, 112 McBrown Road, Petaluma, Sonoma County, CA", Wildlife Research Associates and Jane Valerius Environmental Consulting, October 4, 2019.

Special Status Plants

No special status plants were found and none are likely to occur due to the altered and disturbed nature of the project site and lack of native herbaceous plant species. The site is very weedy and disturbed and does not support habitat for any special status plants.

Vertebrates*Passerines and Raptors*

Passerines and raptors nesting in the eucalyptus and riparian trees and the lowlands within the project area could be impacted if construction occurs during the nesting season (March through August). These species are protected by the USFWS Migratory Bird Treaty Act and CDFW Code. Potential impacts to passerines and raptors nesting may be reduced to a less than significant level with Mitigation Measure BIO-1.

Roosting Bats (Townsend's big-eared bat (*Corynorhinus townsendii*), pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*) and hoary bat (*Lasiurus cinereus*). No buildings are proposed to be demolished. In the case of buildings to be demolished for redevelopment, there are only two effective methods for getting bats out of the structure. The first, utilized mainly when the building is in good condition or will not be demolished, and the work is feasible, is "humane eviction", or "bat exclusion", which relies on the bats' ability to fly out of the roost. In this method, all potential, but currently unused entry points into the structure are sealed. The active entry points are fitted with one-way exits, which are left in place 7-10 days to allow all bats to emerge normally during nightly feeding flights. The one-way exits are then removed and the remaining openings sealed until demolition if it will occur more than 30 days after demolition. If the interval between successful eviction and demolition will be short (less than 4 weeks), the one-way exits may often be left in place until demolition. This work must be conducted by, or under direct supervision or instruction by a bat biologist qualified in humane bat eviction methods and materials.

In some cases, the physical condition of the structure is so poor that humane eviction as described above is not possible. If that occurs, the building must be carefully, and selectively dismantled in such a way that the internal environment is altered to a degree sufficient to cause bats to abandon the roost and not return. This must occur under the guidance bat biologist qualified in partial dismantling of structures for bat eviction.

Renovation/removal/demolition of buildings may cause direct mortality of roosting bats that use the structures, if the structures are removed during seasonal periods of inactivity (maternity season or winter), or without first conducting humane bat eviction or partial dismantling under supervision of a qualified bat biologist experienced with bats using man-made roosts. This impact may be reduced to less than significant by implementing Mitigation Measure BIO-2.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measures:**Mitigation Measure BIO-1 Nesting Bird Pre-Construction Surveys:**

1. 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, adults are observed carrying food to the nest, or if the young are dependent on parental care within the nesting territory.
2. 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 pre-construction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest in the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e. early

- morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 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.
3. If pre-construction nesting bird surveys result in the location of active nests, site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall be postponed until a qualified biologist establishes a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are up to 75 feet from the nest site or nest tree dripline for small birds and up to 1,000 feet for sensitive nesting birds that include several raptor species known from the region of the project site. The nest buffer, where it intersects the project site, shall be staked with orange construction fencing or orange lath staking. 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 activity, as determined by the qualified biologist, shall be monitored daily during the duration of the project 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.
 4. A report of the pre-construction survey 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. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting

Mitigation Monitoring BIO-1:

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.

Significance Level:

Less than Significant with Mitigation Incorporated

- 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:

No creeks or drainage occur on the property and no wetlands were observed during the survey conducted on September 25, 2019. The project does not involve any direct removal, filling, or hydrological interruption of any federally protected wetlands.

Significance Level:

No Impact

- 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?**

Regulatory Framework

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

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

Comment:

The Biological Assessment report⁷ prepared for the project site did not identify any potential for wetlands on the project site or surrounding 500-foot buffer. Therefore, the project would have no impact on state or federally protected wetlands.

Significance Level:

No Impact

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

Comment:

⁷ Tatarian Trish; Valerius, Jane, “WesMar Equestrian Habitat Assessment, 112 McBrown Road, Petaluma, Sonoma County, CA”, Wildlife Research Associates and Jane Valerius Environmental Consulting, October 4, 2019.

Movement corridors for large and small mammals occur between this parcel and potentially occupied parcels to the north and south. There are no barriers to movement between this site and other undeveloped lands. Several man-made ponds occur in the vicinity of the site, with the closest being approximately 1 mile to the east and west and are associated with cattle pastures.

The open grasslands on the parcel allows for unimpeded movement. However, the heavily grazed pastures do not provide any refugia for wildlife. The proposed equestrian development will not impede movement by terrestrial species as there will be no wildlife-proof fencing. Trees, grassland, and structures on the site could provide roosting, nesting, or burrowing habitat for bats and birds. Implementation of pre-construction surveys prior to initiation of construction activities would reduce the potential impact to a less-than-significant level

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

Mitigation Measure BIO-1

Mitigation Monitoring

Mitigation Monitoring BIO-1

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

Comment:

No riparian habitat or valley oak woodland is present on the project site and no tree removal is proposed. The project does not conflict with any local regulations protecting biological resources.

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

5. CULTURAL RESOURCES:

Would the project:

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

Comments:

Eileen Barrow, MA/RPA of Tom Origer & Associates prepared a Cultural Resources Study of the project site, dated October 7, 2019⁸. Archival research found that the study area had not been

⁸ Barrow, Eileen, M.A., and Julia Karnowski, BS, "Cultural resources Study for the WesMar Equestrian Club, 112

previously subject to a cultural resources study. No cultural resources have been documented within a quarter-mile of the study area. At the time, the study analyzed the previous project description, which included the adjacent parcel located at 640 Liberty Road. Several buildings and structures are found within the study area; they consist of two houses, a detached garage, a barn, three sheds, and two hoop greenhouses. County records indicate the house located at 112 McBrown Road was constructed in 2006. The house at 112 McBrown Road and its associated garage, sheds, and hoop greenhouses are all modern buildings and no recommendations are warranted. No historic properties were identified within the project site, therefore, there will be no impact.

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

Significance Level:

No Impact

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

Comment:

On April 20, 2020 Permit Sonoma staff referred the project application to Native American Tribes within Sonoma County to request consultation under AB-52 (the request for consultation period ended May 18, 2022).

There are no known archaeological resources on the site, but the project could uncover such materials during construction. The following measure will reduce the impact to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See **Mitigation Measure TCR-1 and TCR-2**

Mitigation Monitoring

See **Mitigation Monitoring TCR-1 and TCR-2**

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

Comment:

There are no known burial sites on the property but the potential exists for an accidental discovery of human remains during construction. Mitigation Measure TCR-1 will reduce the potential impact to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See **Mitigation Measure TCR-1 and TCR-2**

Mitigation Monitoring

See **Mitigation Measure Monitoring TCR-1 and TCR-2**

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:

During construction, the proposed project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment. No natural gas would be utilized as part of construction. Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during site preparation, grading, paving, and building construction. The types of equipment could include gasoline- and diesel powered construction and transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools.

Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. California Code of Regulations Title 13, Sections 2449(d)(3) and 2485 limit idling from both on-road and off-road diesel-powered equipment and are enforced by the Air Resources Board (ARB). In addition, given the cost of fuel, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction.

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Construction shall be limited between the hours of 7:00 a.m. and 5:00 p.m. on weekdays, and between 9:00 a.m. and 5:00 p.m. on weekends. As on-site construction activities would be restricted to these hours, it is anticipated that the use of construction lighting would also be similarly limited. Because of the temporary nature of construction and the financial incentives for developers and contractors to implement efficient energy use, the construction phase of the proposed project would not result in wasteful, inefficient, and unnecessary consumption of energy. Therefore, the construction-related impact related to fuel and electricity consumption would be less than significant.

Building operations for the proposed project would involve energy consumption for multiple purposes including, but not limited to, building heating and cooling, refrigeration, lighting (indoor and outdoor), and appliances.

The proposed project would be designed and constructed in accordance with CALGreen standards. CALGreen Requirements include building, electricity, and water conservation energy saving measures that are required to be completed as part of the building permitting process. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building.

Compliance with Title 24 standards would ensure that operational energy consumption would not result in the use of energy in a wasteful or inefficient manner. Therefore, the operational impact related to building electricity and natural gas consumption would be less than significant.

Significance Level:

Less than Significant Impact

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

Comment:

The proposed project would be required to comply with local energy efficiency standards as defined in County Code Chapter 7 (Building Regulations), which specifies Title 24, Part 6 of the California Code of Regulations, California Energy Code (Building Energy Efficiency Standards), as the County standard for buildings.

Significance Level:

Less than Significant Impact

7. GEOLOGY AND SOILS:

Would the project:

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

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

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

Comment:

The project site is not within a fault hazard zone as defined by the Alquist-Priolo fault maps.⁹ The nearest fault is the Rodgers Creek Fault approximately 6 miles east of the project site.

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. The expected relative intensity of ground shaking and damage from anticipated future earthquakes in the project area is categorized as 'Very Strong' according to Figure PS-1a in the Sonoma County General Plan Public Safety Element.¹⁰

However, 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.

Significance Level:

Less than Significant

iii. **Seismic-related ground failure, including liquefaction?**

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy

⁹ California Department of Conservation, Earthquake Zones of Required Investigation, <https://maps.conservation.ca.gov/cgs/EQZApp/app/>, accessed 9/20/2022.

¹⁰ Sonoma County General Plan 2020, Public Safety Element, Figure PS-1a, Earthquake Ground Shaking Hazard Areas, <http://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Earthquake-Ground-Shaking-Hazard-Areas/>, accessed September 7, 2022.

material, resulting ground failure. Areas of Sonoma County most at risk of liquefaction are along San Pablo Bay and in alluvial valleys. According to the Sonoma County General Plan 2020 Public Safety Element, the project site is not located in a designated Liquefaction Hazard Area and is located within a “Very Low Susceptibility” area.¹¹ .

Significance Level:

Less than Significant

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 Sonoma County General Plan Public Safety Element the project site is located in a “Few Landslides” Landslide Hazard Area.¹²The design and construction of all new structures, construction of the water storage reservoir, and planned improvements to the existing barn would be subject to engineering standards of the California Building Code (CBC) and County building standards, which would ensure that potential landslide impacts are less than significant.

Significance Level:

Less than Significant

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

Project construction will involve cuts and fills which require the issuance of a grading permit. Improper 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 erosional impacts, and increase soil erosion on and off site which could adversely impact downstream water quality. Erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code) requires implementation of flow control best management practices to reduce runoff. The Ordinance requires treatment of runoff from the two year storm event. Required inspection by Permit Sonoma staff insures that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

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

Issuance of a grading permit requires the applicant to prepare and conform to an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste

¹¹ Sonoma County General Plan 2020, Public Safety Element, Liquefaction Hazard Areas Figure PS-1c, <https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/generalplan/organizationandoverview/publicsafety/publicsafetymaps/publicsafetyearthquakegroundshakinghazardareas>, accessed August 10, 2022.

¹² Sonoma County General Plan 2020, Public Safety Element, Figure PS-1d, Deep-seated Landslide Hazard Areas, <https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/generalplan/organizationandoverview/publicsafety/publicsafetymaps/publicsafetydeep-seatedlandslidehazardareas>, accessed August 10, 2020.

or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands.

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

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

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:

Although the site would be subject to seismic shaking and other geologic hazards as described in section 7.a.ii, iii, and iv, the project site is located in a "Very Low Susceptibility" liquefaction area. Therefore, the potential impact from landslides or liquefaction would be less than significant. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which consider soil properties, seismic shaking and foundation type. The project would therefore not expose people to substantial risk of injury from seismic shaking.

Significance Level:

Less than Significant Impact

- 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:

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. For the proposed project, soils at the site have not been tested for their expansive characteristics. Soils within the study area belong to the Cotati series. Cotati soils are moderately well-draining, fine sandy loams found on undulating to hilly terraces. In a natural state, these soils support the growth of grasses, forbs, and scattered oaks. Historically, parcels containing Cotati soils have been used for dryland and irrigated pasture, chicken ranches, and for homesites.¹³ No substantial risks to life or property would be created from soil expansion at the proposed project, even if it were to be affected by expansive soils.

Significance Level:

Less than Significant Impact

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

¹³ Tom Origer & Associates. Cultural Resources Study for the WesMar Equestrian Club 112 McBrown Road, Petaluma, Sonoma County. October 7, 2019.

Comment:

The project site is not in an area served by public sewer. Soils on-site are capable of adequately supporting the use of septic tanks. The project site including riding arenas, a horse barn, and a hay barn. The current dwelling unit is served by an approved septic system (Permit Sonoma File SEP04-0380). The new use will be served by a new septic system, which will be located between the single family dwelling and horse barn and would comply with County regulations related to the disposal of wastewater.

Significance Level:

Less than Significant Impact

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

Comment:

A Cultural Resources Survey was prepared for the project by professional archaeologists on October 7, 2019.¹⁴

See Section 5 for a discussion of cultural resources. There are no known paleontological, archaeological or historic resources on the site, but the project could uncover such materials during construction. Mitigation measure TCR-1 will address accidental discovery.

Significance Level:

Less than Significant Impact

8. GREENHOUSE GAS EMISSIONS:

Would the project:

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

Comment:

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

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

For land use development projects, the BAAQMD recommends using an approach which evaluates a project based on its effect on California's efforts to meet the State's long-term climate goals. Using

¹⁴ Tom Origer & Associates. Cultural Resources Study for the WesMar Equestrian Club 112 McBrown Road, Petaluma, Sonoma County. October 7, 2019.

this approach, a project that is consistent with and would contribute its “fair share” towards achieving those long-term climate goals can be found to have a less-than-significant impact on climate change under CEQA because the project would, in effect, help to solve the problem of global climate change. Applying this approach, the Air District has analyzed what will be required of new land use development projects to achieve California’s long-term climate goal of carbon neutrality by 2045.

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

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

- A. Projects must include, at a minimum, the following project design elements:
 1. Buildings
 - a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
 - b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
 2. Transportation
 - a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor’s Office of Planning and Research’s (OPR) 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee
 - iii. Retail projects: no net increase in existing VMT
 - b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

There is currently no applicable local GHG reduction strategy, like an adopted Climate Action Plan, for Sonoma County. Therefore, the project was analyzed under criterion A above, as discussed below.

Buildings: As discussed in the Energy Section 6a, the project proposes a new covered arena, a horse barn, hay barn, and eurosizer. Plans for the building do not include the use of natural gas appliances or natural gas plumbing. The 12,200 square foot covered arena, the 11,520 square foot horse barn, and the 3,750 square foot hay barn will result in energy use similar to any small agricultural processing structure. The outdoor riding arena, eurosizer, and round pen are outdoor operations and will use minimal energy to power lighting. Therefore, impacts due to energy consumption would be less than significant.

Transportation: The project does not include new residences, office buildings, or commercial retail, and therefore, does not contribute any VMT to these three land use categories of concern. (Note that “office projects” refers to commercial office spaces, not to a small ancillary office space associated with another land use). The project would include a covered arena, open arena, horse barn, hay barn,

open eurosizer, and roundpen, and would have up to 6 employees and a maximum of 10 clients per day, which would conservatively generate a maximum of 44 daily trips during peak hours. Events are projected to generate a maximum of 60 daily trips on event days (Saturdays).

As discussed in the Transportation Section 17b, VMT refers to the amount and distance of automobile travel attributable to a project. The County of Sonoma has not yet adopted specific VMT policies or thresholds of significance. However, the OPR Technical Advisory includes a screening threshold for small projects that generate or attract fewer than 110 trips per day, stating this level of vehicle activity may generally be assumed to result in a less than significant transportation impact. The project proposes a maximum of 6 employees and a maximum of 10 clients per day, which would conservatively generate a maximum of 44 average daily trips, which is far below the OPR threshold of 110, therefore, the project is expected to have a less than significant VMT impact.

The latest California Green Building Standards Code (CALGreen) was published in 2022 and will go into effect, with any local amendments, on January 1, 2023; the standards were adopted and incorporated into the Sonoma County Building Code (Chapter 7) on November 8, 2022. The 2022 CALGreen Tier 2 requirements for EV charging stations apply to new non-residential buildings and require that off-street EV capable spaces be provided for a new non-residential development project with 10 or more parking spaces (note there are separate EV requirements for residential projects). The project proposes 30 all-weather parking spaces, which will require the applicant to provide 8 electrical vehicle capable parking spaces and a total of 2 spaces electric vehicle capable spaces with electric vehicle service equipment (EVSE).

The BAAQMD 2022 guidance does not propose construction-related climate impact thresholds, stating that GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions, and that land use project thresholds are better focused on addressing operational GHG emissions, which represent the vast majority of project GHG emissions. Therefore, construction related GHG would not exceed established thresholds. Additionally, project construction activities would be minimal, consisting of a covered arena, horse barn, and hay barn. The project site is accessed via a 25-foot private easement off McBrown Road, which will be improved to meet the fire safety standards.

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

Significance Level:

Less than Significant Impact

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

Comment:

The County does not have an adopted Climate Action Plan but has established General Plan GHG reduction goals. The project, by implementing current county codes would be consistent with plans, policies, and regulations adopted for the purpose of reducing greenhouse gas emissions.

Significance Level:

Less than Significant

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:

Construction of the project may involve the intermittent transport, storage, use and disposal of potentially hazardous materials, including fuels and lubricants, paints, solvents, and other materials commonly used in construction. During construction activities, any on-site hazardous materials that may be used, stored, or transported would be required to follow standard protocols (as determined by the U.S. EPA, California Department of Health and Safety, and Sonoma County) for maintaining health and safety. Improper transit, storage, or handling of these materials could result in spills. This potential impact would be reduced to a less than significant level with implementation of standard approved construction methods for handling hazardous materials. Therefore, the potential environmental impact associated with the routine transport, use, or disposal of hazardous materials would be less than significant.

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:

Potential impacts related to construction and operational use of hazardous materials would be minimized through review and oversight of multiple jurisdictional entities requiring permits for use of hazardous materials, as described in 8.a. above. Therefore, the potential impact from accidents involving the use of hazardous materials would be less than significant.

Significance Level:

Less than Significant Impact

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

Comment:

The project does not involve the routine use or transport of hazardous materials and there are no schools within 0.25 miles.

Significance Level:

Less than Significant 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:

There are no known hazardous materials sites within or adjacent to the project limits, based on a review of the following databases on September 29, 2022.

1. The State Water Resources Control Board Geotracker database¹⁵,
2. The Department of Toxic Substances Control EnviroStor database (formerly known as Calsites)¹⁶, and

¹⁵ State Water Resources Control Board Geotracker, "Geotracker", State of California, Accessed September 29, 2022, <https://geotracker.waterboards.ca.gov/>

¹⁶ Department of Toxic Substances Control Envirostor, "Envirostor", State of California, Accessed September 29, 2022, <https://www.envirostor.dtsc.ca.gov/public>

3. The California Integrated Waste Management Board Solid Waste Information System (SWIS)¹⁷.

The closest hazardous materials sites on record are several LUST (Leaking Underground Storage Tank) cleanup sites no closer than 500 feet from the project site. The nearest cleanup site case was closed in December of 2013.

EnviroStor did not list any sites near the project vicinity.

According to SWIS, an unpermitted solid waste disposal site is located approximately 1 mile away. This site is currently closing and regulated by the County of Sonoma Department of Health Services, Environmental Health and Safety Section. Due to the distance between this site and the project site, no impacts are expected.

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. In any case, the project would not change existing circulation patterns significantly, and would have no effect on emergency response routes. Refer to section 16.e Transportation and Traffic for discussion of emergency access.

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 Wildland Fire Hazard Areas mapping (Figure PS-1g) of the Sonoma County General Plan 2020, the project is not located within a fire hazard severity zone¹⁸. Construction on the project site must conform to County Fire Code related to fire sprinklers, emergency vehicle access, and water supply making the impact from risk of wildland fire less than significant.

Significance Level:

Less than Significant Impact

¹⁷ California Integrated Waste Management Board Solid Waste Information System, "SWIS", State of California, Accessed September 29, 2022, <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>.

¹⁸ County of Sonoma, Sonoma County General Plan 2020 (as amended)", September 23, 2008.

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:

Proposed improvements will include two open round pens, a 12,200 sq ft covered arena, an open arena, a 3,570 ft covered hay barn, and a 11,520 square foot covered double breezeway horse barn. There are no streams, drainage channels, or wetland features on or adjacent to the project site.

Sonoma County requires the project applicant to prepare a grading and drainage plan (Erosion Prevention and Sediment Control Plan) in conformance with Chapter 11 Construction Grading and Drainage Ordinance) and Chapter 11A (Storm Water Quality Ordinance) of the Sonoma County Code and the Sonoma County Storm Water Low Impact Development Guide, all of which include performance standards and Best Management Practices for pre-construction, construction, and postconstruction to prevent and/or minimize the discharge of pollutants, including sediment, from the project site. Required inspections by Permit Sonoma staff ensure that all grading and erosion control measures are constructed according to the approved plans.

The project is required to apply for a CAF permit through the Regional Water Quality Control Board, which includes a Ranch Water Quality Plan and Facility Management Monitoring Plan. This Plan will ensure that best management practices are implemented to reduce water quality impacts to a less than significant level. The proposed facility will be constructed to ensure stormwater management areas are confined, waste storage is covered to prevent stormwater intrusion, and all roads and equine training areas are maintained to prevent erosion and promote sediment control.

All of the above ordinance requirements and adopted best management practices are specifically designed to maintain potential water quality impacts at a less than significant level during and post construction.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measures:

Mitigation Measure HYD-1:

The following Best Management Practices shall be employed:

- Daily cleaning of covered and uncovered riding areas to ensure manure is properly disposed of in the dedicated disposal bin.
- Ensure no soil erosion occurs in uncovered riding areas during the start of the rainy season. If erosion is observed to be a contributing pollution source, stop use of uncovered riding areas until rainy season ends.
- Horse capacity onsite will not exceed 40 horses at one time.
- Horse access near the proposed onsite drainage swales will be minimized and avoided if possible.
- All animal wash water will be captured and sent to a dedicated subsurface wastewater disposal system designed according to Sonoma County PRMD standards.
- Approximately 40 gallons per day of wash water is expected. The septic system is designed to accommodate a total of 858 gallons, including domestic wastewater use.
- A manure transfer log will be kept at the manure storage bin to track offsite transfers of waste.
- All chemical use onsite will comply with local, federal, and State standards.

- The onsite wellhead is protected with a 100 foot concrete and bentonite clay well seal. There are no cross connections proposed. If cross connections are installed on the drinking water system an appropriate backflow prevention device will be installed and an appropriate testing schedule will be implemented for such a cross connection.
- All stormwater onsite will be captured via surface drainage swales, and dedicated trench drain to capture any surface runoff upslope of the proposed horse barn. Stormwater will be transported to the low point onsite via gravity drainage and treated in two bioretention basins.

Mitigation Monitoring HYD-1:

Building/grading permits shall not be approved for issuance by Permit Sonoma Project Review Staff until the CAF Permit is obtained through the San Francisco Regional Quality Water Control Board.

- 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 site is located in a Groundwater Availability Class 2- Major Natural Recharge basin. The project site is not located within a Medium or High priority groundwater basin as defined under the Sustainable Groundwater Management Act (SGMA). The nearest SGMA priority basin is the Petaluma Valley Basin located an approximate .5 mile to the northeast.

The project site is served by a private well on site (WEL04-0178). Groundwater monitoring is required for new or expanded discretionary commercial and industrial uses using wells in accordance with General Plan Policy WR-2d.

Significance Level:

No 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:

There are no streams, drainage channels, or wetland features on the project site. Site drainage occurs by sheet flow to the northwest. Construction of the proposed project would involve cuts, fills, and other grading. Unregulated grading during construction has the potential to increase soil erosion from a site. Construction grading activities would be subject to a grading permit, which requires installation of adequate stormwater treatment measures to prevent soil erosion during construction, such as silt fencing, straw wattles, and soils discharge controls at construction site entrance(s). Compliance with the County grading regulations is aimed at capturing and treating all project runoff onsite, thereby reducing the potential for soil erosion and sediment delivery from the site. The ordinance requirements and BMPs are specifically designed to maintain water quantity and ensure erosion and siltation impacts are less than significant during and post construction.

Significance Level:

Less than significant

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

Comment:

The project will increase the amount of impervious surface area on the site. Prior to grading or building permit issuance, construction details for all post-construction

storm water Best Management Practices (BMPs) shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma. Post-construction storm water BMPs must be installed per approved plans and specifications, and working properly prior to finalizing the grading or building permits. They shall be designed and installed pursuant to the adopted Sonoma County Best Management Practice Guide. BMPs would prevent the alteration of site drainage, or increase in surface runoff and avoid flooding. Project Low Impact Development techniques would include limiting impervious surfaces, dispersing development over larger areas, and creation of storm water detainment areas. Post construction storm water BMPs include filtering, settling, or removing pollutants. Through standard permitting requirements, potential flooding impacts are reduced to a less than significant level.

Significance Level:

Less than Significant

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:

On-site construction would result in new impervious surface and generation of stormwater. Bioretention areas are proposed to manage stormwater drainage and retain all, if not most, stormwater on the site. The project would require a grading permit, which would not be issued until all required stormwater treatment options have been incorporated in compliance with all applicable standards of the County Code.

Significance Level:

Less than Significant

iv. Impede or redirect flood flows?

Comment:

The site is not located in a 100-year flood plain where construction of new structures could impede or redirect flood flows.

Significance Level:

No Impact

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

Comment:

The project site is not located in a 100-year flood zone or Special Flood Hazard Area, as determined by the Federal Emergency Management Agency (FEMA)¹⁹. Nor is the site in an area subject to seiche or tsunami. A seiche is a wave in a large enclosed or partly enclosed body of water triggered by an earthquake. The project site is not located near enough to a large body of water or the coastline to be subject to earthquake-triggered waves.

Prior to grading or building permit issuance, construction details for all post-construction storm water Best Management Practices shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma. The construction plans shall be in substantial conformance with the conceptual plan reviewed at the planning permit stage.

Post-construction storm water Best Management Practices must be installed per approved plans and

¹⁹ FEMA Flood Map Service Center, <https://msc.fema.gov/portal/search?AddressQuery=112%20mcbrown%20road#searchresultsanchor>, accessed on September 29, 2022.

specifications, and working properly prior to finalizing the grading or building permits. Post-construction storm water Best Management Practices shall be designed and installed pursuant to the adopted Sonoma County Best Management Practice Guide. The Best Management Practices would prevent the alteration of site drainage, or increase in surface runoff and avoid flooding. Project Low Impact Development techniques would include limiting impervious surfaces, dispersing development over larger areas, and creation of storm water detainment areas. Post construction storm water Best Management Practices include filtering, settling, or removing pollutants. By incorporating Best Management Practices, the project impacts would be reduced to a less than significant level.

Significance Level:

Less than Significant Impact

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

Comment:

Any future grading, cuts, and fills would require the issuance of a grading permit. Unregulated grading during construction has the potential to increase soil erosion which leads to water turbidity and degraded water quality. Prior to grading or building permit issuance, construction details for all water quality Best Management Practices shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma. The construction plans shall be in substantial conformance with the conceptual plans reviewed at the planning permit stage.

The County Grading and Drainage Ordinance and adopted Best Management Practices require installation of adequate erosion prevention and sediment control features. Inspection by County inspectors ensures that Best Management Practices are specifically designed to maintain potential water quality impacts of project construction at a less than significant level during and post construction.

Permit Sonoma would require that any construction be designed and conducted so as to prevent or minimize the discharge of pollutants or waste from the project site. Best Management Practices to be used to accomplish this goal include measures such as silt fencing, straw wattles, and soils discharge controls at construction site entrance(s). Storm water Best Management Practices may also include primary and secondary containment for petroleum products, paints, lime and other hazardous materials of concern.

Significance Level:

Less than Significant Impact

11. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

Comment:

The project site is located within a rural, unincorporated area in the southwest portion of Sonoma County. 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 of the property is Rural Residential (RR) and has an Agriculture and Residential (AR) zoning designation. The RR land use designation provides for very low density residential development on lands that have few if any urban services but have access to County maintained roads. The RR land use designation does not limited the AR zoning district on animal and crop production on 2 acres or more. The AR zoning designation provides lands for raising crops and farm animals in areas designated primarily for rural residential use. The proposed project, Commercial Horse Facility, as defined Section 26-28-060 of the Sonoma County Code, is a facility for boarding and/or training of horses not owned by the property owner or occupant of an on-site residence, related shows, group lessons and clinics, and similar activities, is permitted with a Use Permit under AR Zoning (Section 26-08-030).The project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect, including in the Sonoma County General Plan and zoning ordinance.

The project site is also located within the West Petaluma Area Plan area. The project site is identified as a Rural Residential land use, which is intended to protect existing agricultural operations and to encourage new agricultural uses, especially small family farms when consistent with the goals and policies of the plan. The Rural Residential category also reflects existing residential development on parcels too small to promote large scale, commercial agricultural use. The project would not conflict with the West Petaluma Area Plan in that project would not displace agricultures uses on site and would promote the rural character of the community.

Significance Level:

No 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:

According to the Sonoma County Aggregate Resources Management Plan the project site is not located within a known mineral resource deposit area.²⁰

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?**

²⁰ County of Sonoma, Aggregate Resource Management Plan 2010, <https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/aggagateresourcemanagement/mapsanddiagrams>, accessed on September 8, 2022.

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:

Michael S. Thill of Illingworth and Rodkin, Inc. prepared the Wesmar Equestrian Club Noise and Vibration Assessment²¹, dated September 1, 2020. The assessment found that the primary noise sources associated with the project are vehicle traffic, parking and onsite vehicle circulation, truck deliveries, and client events. Construction would be conducted within allowable hours and extreme noise-generating construction techniques, such as pile driving, are not anticipated. Sensitive receptors to project noise sources include residences on adjacent properties.

Based on the noise analysis noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c,) as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60

¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.

Vehicle Traffic - Additional Vehicle Trips on Roadway Network

According to the Focused traffic Impact Study conducted by W-Trans²², the project is expected to generate 44 daily trips on both weekdays and weekends. On weekdays, the projected peak hour trip generation is four trips during both the am and pm peak hours, while during the Saturday midday peak hour, a total of eight trips are projected to be generated. The addition of daily operational trips to the average daily traffic (ADT) reported by Sonoma County³ along McBrown Road (320 ADT) and Liberty Road (1,672 ADT) would increase traffic noise levels at noise-sensitive receptors along the

²¹ Thill, Michael S., "WesMar Equestrian Club Noise and Vibration Assessment," Illingworth & Rodkin Inc., September 1, 2022.

²² Matley, Zachary and Dalene J. Whitlock, "Focused Traffic Study for the WesMar Equestrian Project", W-Trans, March 10, 2022..

roadways by less than 1 dBA Ldn (0.1 to 0.6 dBA Ldn on McBrown Road and Liberty Road, respectively).

In addition to the daily operations, it is proposed that the facility would host up to four client events per year on Saturdays between 3:00 and 10:00 pm, with a maximum attendance of 60 guests and six employees. Events at the project site would be anticipated to generate 60 daily trips on the Saturdays that they occur. The addition of daily operational trips and event trips to the ADTs along McBrown Road and Liberty Road would increase traffic noise levels at noise sensitive receptors along the roadways by up to 1 dBA Ldn (0.3 to 1.2 dBA Ldn on McBrown Road and Liberty Road, respectively).

Project-generated traffic would not cause a significant permanent traffic noise increase as traffic noise levels at noise-sensitive receptors would not increase by 3 dBA Ldn or greater. The minor increase in the daily average traffic noise levels would not be measurable or perceptible.

Vehicle Traffic – Driveway and Parking Lot Activities

Vehicle circulation, engine starts, and door slams would be the primary sources of noise associated with the parking lots. The cumulative duration of noise from these intermittent sounds would be more than one minute, but less than 5 minutes in any hour, considering the low number of parking spaces proposed. Parking lot activity noise levels would not exceed the daytime noise level threshold. Driveway and parking lot activities resulting from typical operations and client events would not generate noise levels exceeding the applicable Table NE-2 noise level thresholds.

Project-generated traffic would not cause a significant permanent traffic noise increase as traffic noise levels at noise-sensitive receptors would not increase by 3 dBA Ldn or greater. The minor increase in the daily average traffic noise levels would not be measurable or perceptible. Driveway and parking lot activities resulting from typical operations and client events would not generate noise levels exceeding the applicable Table NE-2 noise level thresholds.

Significance Level:

Less than Significant Impact

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

Comment:

Construction involving heavy construction would occur 35 feet or more from the nearest structures surrounding the site, and pile driving is not proposed as a method of construction. At a distance of 35 feet, groundborne vibration from construction is anticipated to generate vibration levels in the range of 0.002 to 0.145 in/sec PPV. These vibration levels would be well below the conservative 0.3 in/sec PPV vibration limit recommended by the California Department of Transportation.

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 is located approximately 5 miles west of Petaluma Municipal Airport and approximately 17 miles south-southeast of Charles M. Schulz Sonoma County Airport. The project site is located well outside of each airport's ALUC referral area and 55 dBA CNEL noise contour. Excessive aircraft-related noise would not be expected at the project site.

Significance Level:

Less than Significant 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:

The site contains a single family residence. No housing will be displaced by the project and no replacement housing is proposed to be constructed.

Significance Level:

No Impact

15. PUBLIC SERVICES:

Would the project:

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

Comment:

Construction of the project would not involve substantial adverse physical impacts associated with provision of public facilities or services. The proposed project does not propose new housing, nor would it generate a significant new demand for housing in the area, six full time employment opportunities are proposed with this project. This small increase in employment opportunities is not anticipated to result in an indirect increase in population requiring construction of new or altered government facilities. Therefore, the project does not necessitate or facilitate construction of new public facilities.

Significance Level:

Less than Significant Impact

- i. **Fire protection?**

Comment:

The proposed project is within the service area of the Rancho Adobe Fire Protection District. The Rancho Adobe Fire Protect District will continue to serve this area; existing fire protection facilities are anticipated to be adequate. There will be no increased need for fire protection resulting from the proposed project.

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. Therefore, the project would not necessitate or facilitate construction of new fire protection facilities in order to maintain acceptable service ratios or response times.

Significance Level:

Less than Significant Impact

ii. Police?

Comment:

The Sonoma County Sheriff will continue to serve this area. The maximum of six new job opportunities would not be anticipated to result in a substantial number of new residents moving to the area and requiring police protection. Therefore, the project would not necessitate or facilitate construction of new police protection facilities resulting in environmental impacts in order to maintain acceptable service ratios or response times.

Significance Level:

Less than Significant Impact

iii. Schools?

Comment:

Development fees to offset potential impacts to public services, including school impact mitigation fees, are required by Sonoma County code and state law for new subdivisions and residential developments. The project does not involve residential development and the maximum of six new job opportunities would not be anticipated to result in a substantial number of new residents moving to the area and requiring additional school facilities. There are no new schools are reasonably foreseeable as a result of this development.

Significance Level:

Less than Significant Impact

iv. Parks?

Comment:

Sonoma County Code, Chapter 20 requires payment of parkland mitigation fees for all new residential development for acquisition and development of added parklands to meeting General Plan Objective OSRC-17.1 to "provide for adequate parkland and trails primarily in locations that are convenient to urban areas to meet the outdoor recreation needs of the population..." Development fees collected by Sonoma County are used to offset potential impacts to public services, including park mitigation fees. The project will not result in the need for any new park facilities, and demand for parks in general is addressed through fees.

Significance Level:

No Impact

v. Other public facilities?

Comment:

The project is served by private well and septic. Therefore, no other public facilities would be adversely impacted by this project.

Significance Level:

No 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 proposed project does not involve construction of recreational facilities. See item 15 (a)(iv) above.

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:

Using the screening criteria established by the County of Sonoma Guidelines for traffic studies, a traffic study was required for the project. The applicant submitted a traffic study prepared by W-Trans, dated March 10, 2022, that met County Guidelines and determined that the project would not cause a significant traffic impact to the study intersections.

While there are no existing transit services in the immediate area, Sonoma County Transit Route 48 operates along Petaluma Boulevard approximately two miles to the east of the project site, with stops

at the intersection of Petaluma Boulevard North/Stony Point Road. The project does not impact transit facilities or operations.

There are currently no pedestrian facilities near the project site. Due to the rural and agricultural nature of the study area, it is reasonable to assume there would not be any pedestrian traffic generated by the project and therefore that no facilities are needed.

Significance Level:

Less than Significant Impact

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

Comment:

Pursuant to CEQA Guidelines Section 15064.3, subdivision (b), and applicable starting July 1, 2020, Vehicle Miles Traveled (VMT) is now the appropriate metric to evaluate transportation impacts of land use projects, superseding use of the measure of traffic congestion (i.e. Level of Service). To assist with implementation of the new CEQA practice, the Sonoma County Transportation Agency (SCTA) is in the process of developing screening and modeling tools for local jurisdictions. In the interim, the Technical Advisory provided by the Governor's Office of Planning and Research offers a threshold to screen out smaller projects from further analysis. Absent substantial evidence otherwise or inconsistency with a general plan, 110 daily vehicle trips may be assumed to have a less than significant transportation impact²³.

A focused traffic study, dated March 10, 2022, and prepared by W-Trans, found that the project is anticipated to generate 44 new vehicle trips per day, including the 3 p.m. – 4 p.m. peak hour trips.²⁴ VMT analyses focus on typical weekday conditions so would be unaffected by the potential project's four Saturday events per year; even if the special events did occur on weekdays, they would contribute only one daily trip on an annualized average weekday basis, and still be well below the OPR small-project threshold. Based on this assessment, it is reasonable to conclude that the project can be presumed to have a less than significant impact on vehicle miles traveled.

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:

No new pedestrian, bicycle, or transit trips are anticipated to be generated to the project site, and the project would not be expected to affect, positively or negatively, existing or future non-auto modes in the study area. The configuration of the roadway near the project site is consistent with similar rural roadways throughout the County. 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

²³ Governor's Office of Planning and Research, "Technical Advisory on Evaluating Transportation Impacts in CEQA", State of California, December 2018.

²⁴ Matley, Zachary and Dalene J. Whitlock, "Focused Traffic Study for the WesMar Equestrian Project", W-Trans, March 10, 2022.

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.

Significance Level:

No Impact

e) Result in inadequate parking capacity?

Comment:

Section 26-86-010 of the Sonoma County Zoning Code specifies that commercial stables and riding academies shall provide one parking stall per every three horses. For the proposed project this translates to a requirement of 14 automobile parking spaces, which is met by the proposed 18-space supply. One van-accessible parking space would be provided, satisfying ADA requirements. In addition to the proposed 18 automobile spaces, the site includes spaces for three large horse trailers.

For the proposed events, the 60 guest attendees would generate a parking demand of 24 vehicles, using the rate of 2.5 event attendees per vehicle. Adding six employees working onsite during events, a total of 30 vehicles are estimated to be parked onsite. The site plan depicts nine additional parking spaces that could be added to the 18-space supply during events, plus the three trailer spaces, which totals 30 spaces and would meet event parking demand. The applicant has indicated that one of the event employees would be responsible for directing or valeting guest vehicles to ensure that space is efficiently used, and all event parking can be accommodated onsite.

The Sonoma County's Zoning Code also requires bicycle parking to be provided at a rate of one space per every five spaces of required automobile parking. For the proposed project, three bicycle parking spaces would be required. The project would provide a bike rack satisfying this requirement, and ample space would exist throughout the project site for additional bike parking as needed. Onsite circulation consists of the project driveway and small parking lot and is anticipated to function acceptably. An emergency vehicle access designed to meet the County's requirements would connect the site to Liberty Road. Vehicles towing horse trailers would also be able to maneuver onsite.

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**

Comment:

As discussed above in Section 5, Cultural Resources, Permit Sonoma Staff referred the project application to Native American Tribes within Sonoma County. No tribes requested consultation.

There are no known archaeological resources on the site, but the project could uncover such materials during construction. **Mitigation Measure TCR-1 and TCR-2** will reduce the impact to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

Mitigation Measure TCR-1: All building permits, improvement plans, and/or grading permits, involving ground disturbing activities, shall have the following note printed on plan sheets:

"In the event that archaeological resources such as arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the established buffer zone (e.g., 50 feet) of the find and Permit Sonoma Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. In the event cultural resources are discovered, the applicant shall immediately notify the Permit Sonoma Director so they may initiate consultation with the appropriate tribal representative. Examples of artifacts associated with prehistoric sites include modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Historic artifacts potentially include all byproducts of human land use greater than 50 years of age including trash pits older than 50 years of age. When contacted, a member of Permit Sonoma project review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma shall refer the mitigation/protection plan to the designated tribal representatives for review and comment. The tribal representative shall determine if the resources discovered are TCR's. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma project review staff and Tribe. Applicant may resolve impacts by modifying projects plans and avoiding area of work. If avoidance is not possible, mitigation may include removal and preservation in accordance with California law. Archaeological evaluation and mitigation shall be at the applicant's sole expense.

If human remains are encountered, all work must stop within 50 feet of the discovered remains and Permit Sonoma staff, County Coroner, a qualified archaeologist, and any Tribe(s) with interest shall be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission shall be contacted by the Coroner so that a "Most Likely Descendant" can be designated, and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."

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 and the applicant has demonstrated that necessary arrangements have been made to ensure that the applicant has entered into agreements with one qualified archaeological monitor and one tribal monitor who will be present during all ground-disturbing activities.

Mitigation Measure TCR-2: All grading permits, improvement plans, and building permits, involving ground disturbing activities, shall include the following notes:

"If human remains are encountered, all work must stop in the immediate (50 feet) vicinity of the discovered remains and Permit Sonoma 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, the Native American Heritage Commission (NAHC) must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Health and Safety Code, and California Public Resources Code will be followed."

Mitigation Monitoring TCR-2:

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. Permit Sonoma shall be contacted if human remains are found, and special rules set forth in California Government Health and Safety Code Section 7050.5 and CEQA Guidelines Section 15126.4(b) shall apply.

NOTE: A cultural resources study was prepared for the project in October 2019 by Tom Origer & Associates and found no evidence of historical or archeological resources on the project site.

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.

Comment:

As discussed in 18(a)(i), above project consultation did not result from notification of the proposed project to the applicable Native American Tribes. There are no known archaeological resources on the site, but the project could uncover such materials during construction. With the implementation of **Mitigation Measures TCR-1 and TCR-2**, the project will reduce the impact to less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation:

See **Mitigation Measures TCR-1 and TCR-2**

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:

Domestic and commercial wastewater disposal is to be provided by on-site private septic systems and therefore, would have no impact on an offsite wastewater treatment system, or require action by the Regional Water Quality Control Board.

Significance Level:

No Impact

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

Comment:

The project is not located in a water scarce area, nor within a priority basin. Sufficient water would be provided by on-site wells which are located in a Class 2 Groundwater Availability Area.

Significance Level:

No 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:

A new septic system is proposed with the project. There would be no sewage treatment by an off-site provider.

Significance Level:

No Impact

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

Comment:

Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project. Presently, animal waste, manure, and soiled bedding, will be hauled off the property and emptied twice daily into a manure container located on concrete pad on site. The manure container will be a water sealed metal bin, which will be covered during rainy season. This bin will be collected three times per month by the West Marin Compost Company.

Significance Level:

Less than Significant Impact

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

Comment:

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

The project is required to obtain a CAF permit required by the San Francisco Regional Water Quality Board, as discussed in *Section 3, Air Quality*. The facility will be constructed to ensure stormwater management areas are confined, waste storage is covered to prevent stormwater intrusion, and all roads and equine training areas are maintained to prevent erosion and promote sediment control. The project will implement best management practices, identified by the Ranch Water Quality Control Plan and Facility Monitoring Plan, conducted by Adobe Associates Inc., in order to reduce potential impacts to a less than significant impact with mitigation incorporated.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure:

See **Mitigation Measure HYD-1**

Mitigation Monitoring:

See **Mitigation Monitoring HYD-1**

20. WILDFIRE

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

According to the Wildland Fire Hazard Area map (Figure PS-1g) in the Sonoma County General Plan, the project parcel is located in the State Responsibility Area and is not designated as a Fire Hazard Severity Zone.

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

Comment:

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

Significance Level: Less than Significant

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

Comment:

Wildfire risk is dependent upon existing environmental conditions, including but not limited to the amount of vegetation present, topography and climate. The project site is located within a rural area surrounded by open fields and gently sloping topography. Climate in the area is characterized as Mediterranean, with cool wet winters and hot dry summers.

According to the wildland fire hazard area map in the Sonoma County General Plan, the project site is located in a State Responsibility Area and is in an Influence Zone of the Wildland-Urban Interface (WUI). The WUI is defined as areas where homes are built near or among lands prone to wildland fire. The site is not designated in a Moderate, High or Very High Fire hazard severity zone, in accordance with the General Plan designations. In accordance with the Sonoma County Code, the applicant is required to provide evidence to the Sonoma County Fire that the service features for buildings, structures, and premises will comply with the California Fire Code, including but not limited to: fire apparatus access roads; access to building openings and roofs; premises identification and road naming; gate access & key boxes; fire protection water supplies; and building features.

- a. **Access roads:** *minimum emergency access is required to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire or other emergency.*
- b. **Premises Identification and Road Naming:** *Approved road names & signs, address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road shall be provided.*
- c. **Gates:** *Where gates or similar barriers are installed across access roads, an approved lock shall be installed as required by the fire code official.*
- d. **Water Supply:** *An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises.*
- e. **Building features:** *Fire sprinklers and fire alarm system may be required based on existing and new use.*

Operation and construction at the site must conform with adopted State standards as determined and implemented by CalFire and Sonoma County Fire officials intended to reduce risk from wildfire

impacts to less than significant levels. These fire safety standards ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for fire fighters to fight wildland and structure fires.

Significance Level:

Less than Significant Impact

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

Comment:

Proposed infrastructure improvements include an upgraded driveway to provide public access to the Equestrian Center from McBrown Road, and an emergency access road to provide access from Liberty Road. A site visit conducted by the Permit Sonoma's Fire Prevention Fire Marshal found that the proposed access road will meet Title 14 Fire Safe Regulations.

The project would include an onsite water supply and water storage to provide for required fire suppression, an upgraded driveway with turnaround space and inclusion of required design aspects in order to comply with Fire Safe Standards include in the Sonoma County Zoning Code (Chapter 13). Installation and maintenance of the proposed minor infrastructure improvements are not anticipated to exacerbate fire risk or result in temporary or ongoing environmental impacts.

Significance Level:

Less than Significant

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

Comment:

The project site is relatively flat. Based on the lack of slopes present on the project site, the project would not 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.

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?**

Comments:

Potential impacts to special status wildlife species and habitat are addressed in Section 4, Biological Resources. Implementation of the required mitigation measures would reduce these potential impacts to a less than significant level.

Evaluation of potential cultural resources in Section 5, Cultural Resources determined that none exist and no impacts would occur.

Evaluation of potential tribal cultural resources in Section 18, Tribal Cultural Resources, determined that none exist on site. However, during construction, the project could uncover such materials. The implementation of the required mitigation measures would reduce the potential impacts to a less than significant level.

Significant Level:

Less than Significant with Mitigation Incorporated

- 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)?**

Comments:

The project would contribute to potential cumulative impacts related to aesthetics, air quality, biological resources, cultural resources, and tribal resources. However, no individual project impacts have been identified in this Initial Study that are cumulatively considerable because the impacts of the project and project specific mitigation measures, when considered with past, other current, and probable future projects, would reduce cumulative impacts to less than significant in accordance with the General Plan.

Significance Level:

Less than Significant with mitigation Incorporated

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

Comments:

The proposed project has some potential to cause adverse impacts on human beings, both directly and indirectly. However, all potential impact and adverse effects on humans were analyzed, and would be less than significant with the mitigation measures identified in the Initial Study incorporated into the project.

Significance Level:

Less than Significant with Mitigation Incorporated

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