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## ***Initial Study Mitigated Negative Declaration***

Publication Date: February 16, 2024  
Public Review Period: February 16, 2024 to  
March 18, 2024

State Clearinghouse Number: PLP22-0004  
Permit Sonoma File Number: Jen Chard  
Prepared by: (707) 565-2336  
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Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Negative Declaration and the attached Initial Study, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

**Project Name:** Gambonini Ranch Tasting Room & Farmstand

**Project Applicant/Operator:** Frank and Stacey Gambonini

**Project Location/Address:** 7149 Lakeville Hwy, Petaluma

**APN:** 068-110-043

**General Plan Land Use Designation:** Diverse Agriculture, 20 acre density

**Zoning Designation:** Diverse Agriculture (DA), 20 acre density (B6 20) with combining districts for Riparian Corridor with 50 ft and 25 ft setbacks (RC50/25), Scenic Landscape Unit (SR), and Valley Oak Habitat (VOH)

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

**Appeal Body:** Sonoma County Board of Supervisors

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

**Table 1. Summary of Topic Areas**

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

**RESPONSIBLE AND TRUSTEE AGENCIES**

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

Table 2 list the agencies and other permits that will be required to construct and/or operate the project.

<b>Agency</b>	<b>Activity</b>	<b>Authorization</b>
U. S. Army Corps of Engineers	Wetland dredge or fill	Clean Water Act, Section 401

	Work in navigable waters	Rivers and Harbors Act, Section 106
Regional Water Quality Control Board (San Francisco Bay)	Discharge or potential discharge to waters of the state	California Clean Water Act (Porter Cologne) – Waste Discharge requirements, general permit or waiver
	Wetland dredge or fill	Clean Water Act, Section 404
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Lake or streambed alteration	Fish and Game Code, Section 1600
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
Sonoma Public Infrastructure (SPI)	Traffic and road improvements	Sonoma County Section 15 Municipal Code,

**ENVIRONMENTAL FINDING:**

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

*Jen Chard*

02/16/24

Prepared by: Jen Chard, Project Planner February 15, 2024



## ***Expanded Initial Study***

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

### **I. INTRODUCTION:**

Frank and Stacey Gambonini propose (1) Use Permit for a 300 sq ft farm-product Tasting Room within an existing 14,500 sq ft Multi-Use Barn open to the public (up to 20 visitors per day) by appointment only, Thursday - Sunday between 10am - 5pm. The Tasting Room will also be used to host 25 agricultural promotional and 4 industry wide events per year. The 25 promotional and 4 industry events per year will include private ceremonies and gatherings, farm-to-table meals, non-profit fundraisers, music and catered food/beverages. Events will be held Monday - Sunday between 9am - 12am and will range from 30 - 450 attendees per event. (2) Zoning Permit for year-round Farm Retail Sales facility occupying no more than 500 sq ft of the existing 5,000 sq ft Pole Barn open to the public during the months of April, June, September/October and November/December, Thursday - Sunday 10am - 6pm with an expected attendance of up to 150 visitors per day. No new buildings are proposed. A referral letter was sent to the appropriate local, state and federal agencies and interest groups who may wish to comment on the project.

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

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

### **II. EXISTING FACILITY**

The subject site is located 4.45 miles southeast of the City of Petaluma and 7.7 miles southwest of the City of Sonoma in Unincorporated Sonoma County (Figure 1).

The proposed project will be located on a single legal 40.1 acre parcel that operates as a part of a larger 540 acre farm owned and operated by the Gambonini family (Figure 2), located on Old Lakeville Road No. 3, approximately 1 ½ miles from Lakeville Highway. Old Lakeville Road No. 3 is a privately maintained, through road with access to Lakeville Hwy at both ends of the road. The site includes fourteen existing structures, including 3 residences, two agricultural housing units, farm operation office, storage barns, and four cattle support structures. The agricultural employee housing units were approved in 2010. The existing facilities and operations are served by private wells and septic systems. The project site also includes three manmade agricultural support ponds. The current agricultural operations on the project parcel include farm infrastructure used by the existing organic beef and dairy operations for 100 head (grazing occurs on the adjacent 540-acre parcel), free range chickens, honey operation, future olive orchards and existing rotational crops for seasonal vegetables.

Figure 1: Vicinity Map



Figure 2: Aerial Imagery of Project Parcel and Gambonini Ranch





### III. PROJECT DESCRIPTION

#### **Use Permit for Farm Product Tasting Room with Agricultural Promotional and Industry-Wide Events:**

The Gambonini Tasting Room and Event project includes a new 300 square foot local farm-product Tasting Room within an existing 14,500 square foot Multi-Use Barn open to the public (up to 20 visitors per day) by appointment only. The Tasting Room will also be used to host 25 agricultural promotional and 4 industry wide events per year with a maximum of 450 event attendees and 18 employees (see Event details below). The 25 promotional and 4 industry events per year will include private ceremonies and gatherings, farm-to-table meals, non-profit fundraisers, music and catered food/beverages. All events are required to be held indoors except for events that have a maximum attendee of 150 people or less and no amplified music. Two 313 square foot restrooms will be constructed as an addition to the existing Multi-Use Barn and the remaining open space will be used to host the indoor events. The tasting room will be staffed by existing on site staff for the current agricultural operations. The Farmstand

and Farm Retail uses (described below) will be closed to the public when events occur. An unimproved parking lot and 6 new improved ADA compliant parking spaces will accommodate event guests.

**Proposed Hours of Operation:**

- Tasting room hours - 10:00 am to 5:00 pm, Thursday-Sunday, by appointment only
- Event hours – 9:00 am to 6:00 pm, Tuesday-Sunday  
 6:00 pm to 9:00 pm, Friday and Saturday

**Proposed Events:**

Event Type	Number of Events	Maximum Attendees	Food Service	Amplified Music
Private Parties	10	250	Catered	Indoor Only
Customer, Educational, Marketing Events	10	350	Catered	Indoor only
Non-Profit/Fundraiser Events	5	400	Catered	Indoor Only
Industry Events	4	450	Catered	Indoor Only

**Proposed Food Service:**

Cooking and preparation of food products and meals for the events will be prepared by caterers off site. Caterers will use their own facilities and equipment. There will be no on-site kitchen or cooking facilities.

**Proposed Employees:**

- Tasting room and Events: Not to exceed 18 full-time employees

**Zoning Permit for Farm Stand and Small Farm Retail:**

The Gambonini Farmstand and Farm Retail space will be located in a combination of 532 square feet of outdoor space and no more than 500 square feet of the existing pole barn located on the southern side of the property. The Farmstand and Farm Retail will be open to the public April, June, September-October and November-December, Thursday – Sunday, 10:00 am- 6:00 pm. Visitors are not expected to exceed 150 per day. Educational tours will be provided to the public during normal operating hours. The Farmstand and Farm Retail will be staffed by two new staff and the existing on-site staff for the current agricultural operations. The same unimproved parking lot proposed for the tasting room and event uses will serve the farmstand and retail customers/employees. Farmstand and Farm Retail customers will use the same parking area provided for event guests. Four portable restrooms with one ADA compliant restroom will be provided for farm stand/retail customers during operating days and hours. As part of the Farmstand/Farm Retail request, the applicant proposes periodic use of food trucks to offer meals and refreshments to customers.

**Proposed Hours of Operation:**

- Farmstand and Farm Retail hours - 10:00 am to 6:00 pm, April, June, September-October and November-December, Thursday-Sunday

**Proposed Employees:**

- Farmstand and Farm Retail: Not to exceed an addition of 2 full-time employees

**Access and Parking:**

Main access for both proposed uses is a 25 foot wide paved driveway off of Old Lakewood Road No. 3 that extends into a gravel road accessing the parking lot for the tasting room and farmstand/farm retail space. There is an alternative/emergency exit dirt road from the parking lot to Old Lakewood Road No. 3.

In total there are 207 parking spaces to accommodate all uses on the project site. During normal operations of the tasting room and farmstand/farm retail a minimum of 16 spaces are required. During events the farmstand/farm retail will be required to be closed leaving room for the required 198 spaces for the largest event.

**Water, Wastewater, and Waste Disposal:**

The water supply for Gambonini Farms project would be met through an existing on-site well and 12,000 gallon tank provides additional water storage capacity. The uses have been evaluated against the previous dairy farm use on the property and has been accepted as a net-zero change.

Portable restrooms are proposed for the seasonal use of the farmstand/farm retail use. On-site permanent restrooms are proposed in the tasting room and event space. The existing septic system for the tasting room and event space has been evaluated and as a condition of the project it will be required to be replaced prior to commencement of the tasting room and event uses proposed.

**Energy:**

The Gambonini Farm will obtain electrical service from Sonoma Clean Power and would meet the most current requirements for renewable energy use under the California Energy Code (Title 24, Part 6). No natural gas or propane use would be used and EV chargers will be provided.

**Drainage:**

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

**Construction:**

Construction activities include minor interior building modifications that are required for a change in use from agricultural to commercial occupancy to accommodate the public tasting and event uses, new restrooms, and permanent ADA improvements. Exterior construction activities include the addition of restrooms to the Multi-Use Barn, replacement of an existing septic system, widening the existing gravel driveway by 1 foot on each shoulder, and installing ADA pathway and parking improvements. No new buildings are proposed. Construction activities are proposed to occur within two years after project approval.

## **IV. SETTING**

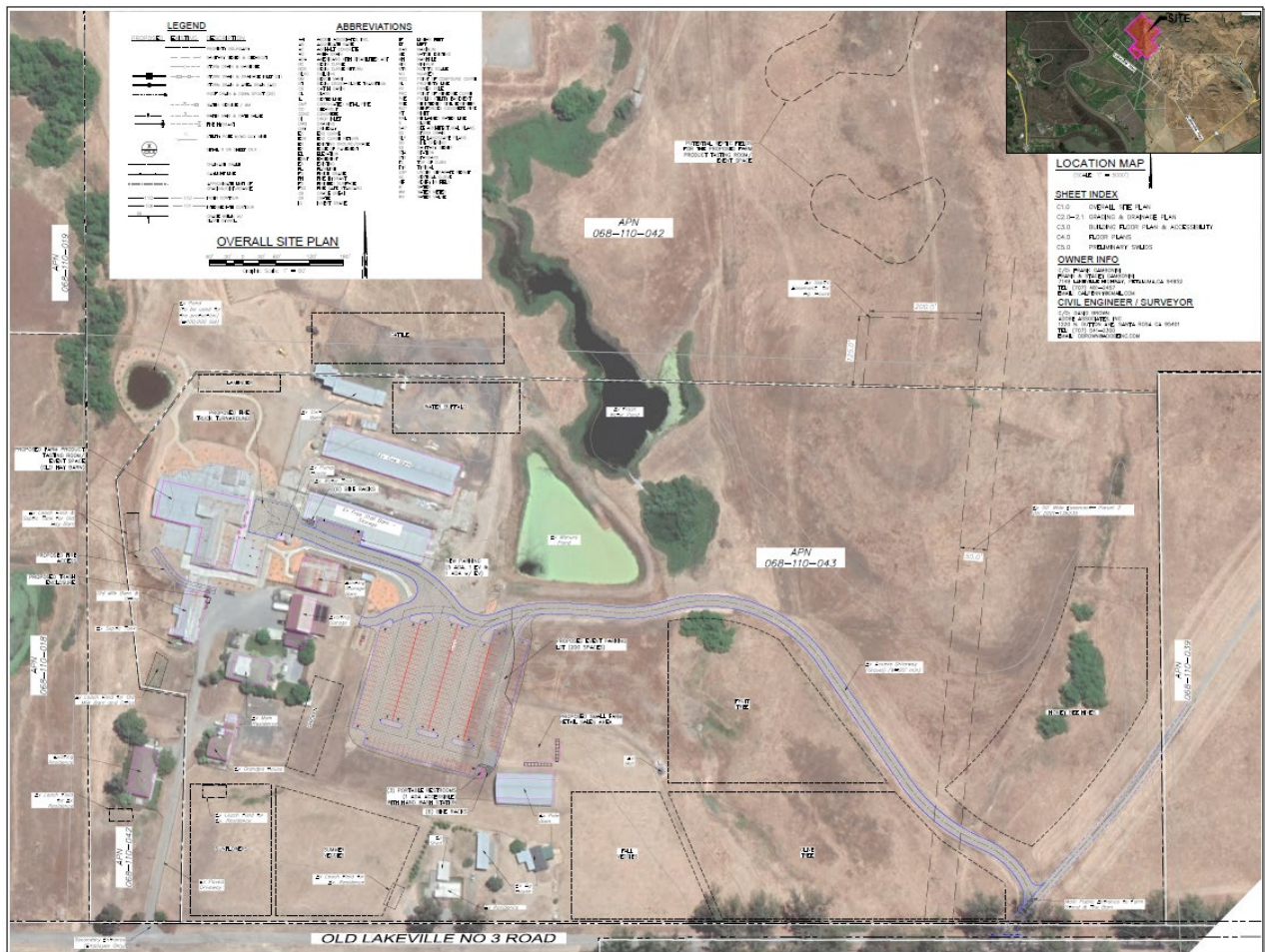
The subject site is located 4.45 miles southeast of the City of Petaluma and 7.7 miles southwest of the City of Sonoma in Unincorporated Sonoma County. The surrounding parcels have similar development build outs, single family dwelling units, accessory structures, agricultural structures and cattle operations.



Topographic conditions consist of rolling hills. Existing permanent development of the project site will remain as is with only minor expansions for ADA compliance. Proposed overflow parking for large events will remain permeable surfaces (Figure 3).

The project does not propose to significantly impact or convert additional natural resource areas or species habitats and is limited to reuse of existing built environments on the project parcel. The project site is embedded in a fully agricultural landscape to the north, east and west with active agricultural operations surrounding it. As an active cattle farm and operation, the project, roads and buildings have been actively used to support site management and use in recent years. Thus, the CEQA baseline for the project is an active agricultural support complex with three residences and two agricultural employee housing units on site, regular human, vehicular and equipment traffic within and through the site.

Figure 3 Project Site Plan (Attachment 1)



## V. ISSUES RAISED BY THE PUBLIC OR AGENCIES

Permit Sonoma drafted and circulated a referral packet on February 2, 2022 to inform and solicit comments from selected relevant local, state and federal agencies, local Tribes, neighbors within 300 feet of the project site; and to special interest groups that were anticipated to take interest in the project. Comments were received from:

- Permit Sonoma Building Division
- Permit Sonoma Fire Prevention

- Permit Sonoma Natural Resources Division
- Permit Sonoma Grading and Stormwater Division
- Permit Sonoma Well and Septic
- Permit Sonoma Health
- Sonoma Public Infrastructure formerly Department of Transportation of Public Works

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

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

Permit Sonoma has received one public comment to date that raises concerns with potential violation of the Sonoma County General Plan, Sonoma County Zoning Code, primary use of the property, event center, and preservation of rural agricultural character and structures.

## VI. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

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

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

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

# 1. AESTHETICS:

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

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

Comment:

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

The project has been evaluated using the Sonoma County Visual Assessment Guidelines and the impact has been found to be less than significant. The visual sensitivity of the location is high due to its location in the Scenic Landscape Unit. The Visual Dominance of the project is considered subordinate because the structures related to the project are minimally visible from public view and the existing residences that can be seen from the roadway will not be modified or changed as a part of this project. They will remain within the form, line, color, texture and light lighting of their surroundings. No existing vegetation or natural forms are proposed to be removed.

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

Significance Level:

Less than Significant Impact

**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. Lakeville Hwy is approximately 0.4 miles from the project location but a large agricultural parcel separates the project location from the state highway making it not visible. There is also no new buildings or tree removal proposed.

Significance Level:

Less than Significant Impact

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

Comment:

The character of the project site and surrounding lands is agricultural and rural development. As

mentioned above, in item 1.a, using the County's Visual Assessment Guidelines, staff has found the project to have a less than significant impact.

Significance Level:

Less than Significant Impact

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

Comment:

New uses of the existing structures will introduce new sources of light and glare. Lighting of the facility, especially lighting of the parking lot, security and safety lighting, may affect nighttime views. The County's standard development regulations under Article 82 of the Zoning Code (Design Review), minimizes the impact of new development by ensuring that exterior lighting is designed to prevent glare, and preclude the trespass of light on to adjoining properties and into the night sky.

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

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

Significance Level:

Less than Significant Impact

## **2. AGRICULTURE AND FOREST RESOURCES:**

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

**Would the project:**

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

Comment:

The 40 acre project site currently contains approximately 32 acres of agriculture and agricultural support uses. According to the Sonoma County Important Farmlands Map, the project site is designated as a combination of Farmland of Local Importance, Grazing and Other land. The project site is not designated as important farmland of statewide importance on the site. The project will not convert and important farmlands to a non-agricultural use. The project involves agricultural promotion events, activities and a farm retail space and is consistent with the General Plan. No change in the land use or zoning is proposed. The project proposes to use an existing barn complex and no new buildings are proposed. The primary use of the site would remain agricultural production.

Significance Level:

No Impact

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

Comment:

The project site is in Diverse Agriculture zoning district which allows for tasting rooms and agricultural promotional events with a use permit and farm retail with a zoning permit. The project site is not subject to a Williamson Act 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 site is not under the TP (Timberland Production) zoning district, therefore the project will not conflict with, or cause the rezoning of, forest land or timberland zoned Timberland Production.

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact



### 3. AIR QUALITY:

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

Would the project:

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

Comment:

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

Significance Level:

Less than Significant Impacts

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

Comment:

The project will not have a cumulative effect on ozone because it will not generate substantial traffic which would result in substantial emissions of ozone precursors (ROG and NOx). An Air Quality and GHG Analysis prepared by James A. Reyff of Illingworth & Rodkin, Inc. on November 16, 2023 was provided for the project. See Air Quality Study results below. The project will have no long-term effect on PM<sub>2.5</sub> and PM<sub>10</sub>, because all surfaces will be paved, graveled, landscaped or otherwise treated to stabilize bare soils, and dust generation will be insignificant.

Although the project will generate some ozone precursors from new vehicle trips of 69 average daily trips, the project will not have a cumulative effect on ozone because it will not generate substantial traffic resulting in significant new emissions of ozone precursors (ROG and NOx). See Air Quality Study results below.

Results from Air Quality and GHG Analysis, Illingworth & Rodkin, Inc., November 16, 2023:

Scenario	ROG	NOx	PM <sub>10</sub>	PM <sub>2.5</sub>
Daily Operation Emissions				
Typical Daily Operations	0.80	0.88	1.39	0.37
Additional Daily 450-person events	<u>2.03</u>	<u>2.26</u>	<u>3.58</u>	<u>0.94</u>
Total (Average Day – 100 days)	1.39 lbs.	1.54 lbs.	2.43 lbs.	0.64 lbs.
<i>Significance Thresholds (pounds per day)</i>	<i>54 lbs</i>	<i>54 lbs</i>	<i>15 tons</i>	<i>54 lbs</i>
<i>Annual Operations 100 days typical + 29 events</i>	0.07 tons	0.08 tons	0.12 tons	0.03 tons
<i>Significance Thresholds (tons per year)</i>	<i>10 tons</i>	<i>10 tons</i>	<i>15 tons</i>	<i>10 tons</i>
<i>Exceed Threshold?</i>	No	No	No	No

Significance Level:

Less than Significant

**c) Expose sensitive receptors to substantial pollutant concentrations?**

Comment:

Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. On the subject parcel there are 3 residences and the closest residence on neighboring parcels is 1,200 feet from the project site.

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

Toxic Air Contaminants do not have ambient air quality standards, but are regulated by the BAAQMD using a risk-based approach. According to the November 2023 Illingworth & Rodkin Inc. Air Quality Study provided by the applicant (Attachment 2) the project's estimated average daily exhaust emissions of PM<sub>2.5</sub>, which is considered a surrogate for diesel PM, could reach to less than one lb/day during operation, which is below the 54 lb/day threshold recommended by BAAQMD.

There will be no long term increase in emissions and the project would not expose sensitive receptors to significant concentrations of pollutants.

Significance Level:

Less than Significant Impact

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

Comment:

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

The existing dairy is considered an odor generating use, however, the intensity of the dairy operation has declined in recent years. The proposed tasting room, events and seasonal retail farm uses are not considered odor generating uses and will not introduce any new odors on site and therefore the project would not result in a significant odor impact.

Significance Level:

Less than Significant Impact

## 4. BIOLOGICAL RESOURCES:

## **Regulatory Framework**

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

### Federal

#### ***Federal Endangered Species Act (FESA)***

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

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

#### ***The Migratory Bird Treaty Act of 1918 (MBTA)***

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

#### ***The Clean Water Act (CWA)***

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

Resources Control Board enforces Section 401.

#### **Section 404.**

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

#### **Section 401.**

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

#### State

##### ***California Endangered Species Act (CESA)***

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

##### ***Fish and Game Code 1600-1602***

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

habitat.

### ***Nesting Birds***

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

### ***Non-Game Mammals***

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

### ***California Fully Protected Species and Species of Special Concern***

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

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

### ***Porter-Cologne Water Quality Control Act***

The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, and it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the RWQCBs develop basin plans that identify beneficial uses, water quality objectives, and implementation plans. The



RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as “waters of the State,” include isolated waters that are not regulated by the USACE. Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., dirt) to waters of the State must file a Report of Waste Discharge and receive either waste discharge requirements (WDRs) or a waiver to WDRs before beginning the discharge.

## Local

### ***Sonoma County General Plan***

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

### ***Riparian Corridor Ordinance***

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

### ***Valley Oak Habitat (VOH) Combining District***

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

### ***Sonoma County Tree Protection Ordinance***

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

## **Project Analysis**

### **Would the project:**

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

Comment:

*Special-Status Species*

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

*Endangered Species Act*

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

*Critical Habitat*

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

modification of critical habitat.

### *Essential Fish Habitat*

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

### **Staff Analysis:**

The project parcel is located in rolling grasslands and woodlands of the Adobe Creek Frontal San Pablo Bay Estuaries watershed in southern Sonoma County. The portions of project constructed as of the date of application submittal are considered to be part of the California Environmental Quality Act (CEQA) "baseline" for the project and includes grading and improvements to the existing barn and adjacent patios for the event center and parking area.

Not part of the CEQA baseline are proposed improvements include expanded entrances at Lakeville Road No 3, a new driveway from the entrances to the event area and driveway connecting the east and west sides of the parcel.

The project is located in a high-quality resource area within a very sensitive watershed (Adobe Creek Frontal San Pablo Bay Estuaries) with multiple state and federal rare and listed species in the project vicinity and multiple mapped wetlands/waters of state/U.S., as well as potential for conversion of sensitive natural plant communities (coastal prairie).

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

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

*Prior to issuance of any required occupancy approvals, building permits, grading permits, septic system permits, commencement of use permit activities and vesting the use permit, the applicant shall provide the County copies of all required state and federal regulatory permits, or if such permits are not required, written documentation from the respective state or federal agency that no such permit is required, for all of the following: Section 401 certification from the Region 2 San Francisco Water Quality Control Board (SFWQCB) for impacts to wetlands or streams, Section 404 permit from the Army Corps of Engineers (ACOE) for any impacts to wetlands or streams, Lake and Stream Bed Alteration Agreement for any impacts to wetlands, streams, lakes, ponds, or riparian habitats from the California Department of Fish and Wildlife (CDFW), Incidental Take Permit for any impacts to California Endangered Species Act (CESA) species from CDFW, and/or an Endangered Species Act (ESA) consultation, permit and/or habitat conservation plan from the U.S. Fish and Wildlife Service (USFWS) for impacts to any federally listed species.*

### Special Status Plant Species and Sensitive Natural Plant Communities

There are a number of rare, endangered, threatened, and/or otherwise sensitive plants that are generally known from the Petaluma region, most of which grow in rocky, serpentine, chaparral, or wooded habitats (which are not present here), or in wetland habitats, ranging from perennial marshes to vernal pools and other seasonal wetlands. However, there are no wetlands or perennial streams located in the project area.

Under CDFW and other coastal prairie guidelines, as little as 5-10% native grass or forb cover is required to be considered a native grassland (<https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>). The project property contains remnant annual/perennial grassland areas, however, grasslands on site are not proposed for further development or conversion and implementation of Mitigation Measure BIO-1 would ensure any future potential impacts on special status plants or sensitive natural plant communities are reduced to a less-than-significant level. Mitigation Measure BIO-1 below requires standard construction fencing and pre-construction surveys to ensure that measures recommended by the project biologist or CDFW to avoid sensitive habitat or species are followed.

### Special Status Wildlife Species

#### **California Red-Legged Frog and Western Pond Turtle**

California red-legged frog (CRLF) and western pond turtle (WPT) are CDFW species of special concern. This species can be found in many different aquatic habitats, including ponds (natural or human-made), marshes, rivers, and irrigation ditches. Extant occurrences of CRLF and WPT are less than 3 miles from the project parcel in the ponds north of the site and those occurrences have a direct hydrologic connection via mapped streams and wetlands to the streams, wetlands, and the pond on the project parcel. Due to the proximity to known breeding sites and the seasonal drainage connection between the known breeding sites and pond on-site, CRLF and WPT are both considered to have a high potential for occurrence at the project location, including potentially breeding at the pond on-site, and using the mapped riverine wetlands/seasonal streams as migration corridors.

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

#### **Special-Status Birds**

Habitat for special-status bird species occurs in the vicinity of the project site: Cooper's hawk, white-tailed kite, tri-colored blackbird, and burrowing owl. Although Cooper's hawk, white-tailed kite, and tricolored blackbird have not been observed at the project site or within three miles of the site, there is some potential suitable nesting habitat for the Cooper's hawk, white-tailed kite, and tricolored blackbird at the project site in the riparian corridor and foraging habitat in the grasslands at the project Site. While wintering burrowing owls have been occasionally observed in the area, it is very uncommon overall and given that the remnant annual/perennial grassland areas on the project site are small and degraded and embedded in a largely, developed agricultural landscape, it is very unlikely that burrowing owls would utilize or be detected on the project site. There is also a high degree of ambient noise and human activity from existing usage of the project site, surrounding agricultural operations, and Lakeville Hwy traffic and these indirect impacts are already part of the CEQA baseline for the project. Finally, the project does not propose conversion of the remnant annual/perennial grassland habitat (or the other aquatic resource habitat areas) on the site that could potentially be used by wintering burrowing owls.

Implementation of Mitigation Measure BIO-3 would reduce impacts on nesting raptors, special-status

birds, and other birds to a less-than-significant level because preconstruction surveys would be conducted, and active raptor and other bird nests would be protected from construction activities.

### **American Badger**

The American badger, a California Species of Special Concern, is an uncommon, permanent resident found throughout most of the state. They are found in a variety of habitats, and are most abundant in drier open stages of shrub, forest, and herbaceous habitats that have friable soils (Zeiner, et al. 1990). Badgers are carnivorous, eating primarily small rodents, especially ground squirrels and pocket gophers, but also take a variety of other smaller prey (Zeiner, et al. 1990). Badgers dig their own burrows, and often reuse old burrows, but may dig new ones each night (Zeiner, et al. 1990). They are active year-round, though less so in winter. Badgers breed in summer and early fall, and implantation of the embryos is delayed, and young are typically born in March and April (Zeiner, et al. 1990). The young remain underground until the age of 6-8 weeks old. At age 3-4 months of age, badgers disperse to live in their own.

No signs of the American badger (e.g., burrowing activity) has been observed at the grasslands that are part of the project site or within three miles of the project site, but suitable habitat is present adjacent to the project site, especially to the west of the site.

Implementation of Mitigation Measure BIO-4 would reduce impacts on American Badgers to a less-than-significant level because preconstruction surveys would be conducted, and active burrows would be protected from construction activities.

#### Significance Level:

Less than Significant with Mitigation Incorporated

#### **Mitigation Measure BIO-1:**

Special Status Plant Species Surveys. A qualified biologist shall conduct a focused-level pre-construction survey of the project site prior to construction activities for CESA-listed species. If special-status plants are observed, their locations shall be mapped and Permit Sonoma and CDFW shall be contacted to determine if additional mitigation measures are needed to avoid impacts on the species.

Sensitive Natural Plant Community Surveys. A qualified biologist shall conduct a pre-construction survey of the remnant grasslands on the project site prior to construction activities using relevant CDFW and CNPS releve-protocols or other equivalent quantitative vegetation survey methods (e.g., transect/quadrat) to be able to calculate relative cover of native and non-native species in the remnant grassland areas and determine if sensitive natural native grassland is present on the project site. If present Permit Sonoma and CDFW shall be contacted to determine if additional mitigation measures are needed to avoid impacts on these habitats.

#### **Mitigation Monitoring BIO-1:**

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

#### **Mitigation Measure BIO-2:**

California Red-legged Frog and Western Pond Turtle Surveys. A Qualified Biologist shall conduct preconstruction surveys using field methods appropriate to the species being surveyed no sooner than seven (7) days prior to earth disturbing activities and repeated as necessary depending on project construction timeframes and typical species presence and movement patterns. If any of these species or their nests are detected at any time CDFW shall be notified immediately, and the Qualified Biologist shall relocate the species to appropriate habitats within the area it was found.



**Mitigation Monitoring BIO-2:**

Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the California red-legged frog and western pond turtle surveys have been completed and, if any are found, CDFW has been notified and appropriate permitting has been prepared and implemented prior to starting Project activities.

**Mitigation Measure BIO-3:**

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

- a. To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- b. If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. In addition, the qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest on the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (e.g., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted on the project site and within 100 feet of the construction limits for nesting non-raptors and 500 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting bird survey shall be performed.
- c. If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 100 feet of non-raptor nests and 500 feet of raptor nests. Monitoring by a qualified biologist shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project construction activity, as determined by the qualified biologist, shall be monitored daily during the duration of project construction for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice-weekly monitoring may need to be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use. Following completion of pre-construction nesting bird surveys (if required), a report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction related activities that have the potential to disturb any active nests during the nesting season.
- d. Specifically, with regards to potential burrowing owl wintering habitat in the remnant annual/perennial grasslands and else-where on the project site, a pre-wintering season

survey shall be conducted by a qualified biologist during any year in which construction activities will occur between September 1 and January 31 following the 2012 CDFW Staff Report on Burrowing Owl Mitigation focusing on vegetation type and height, suitable burrows (with an opening of 11 cm in diameter and a depth greater than 150 cm, burrow surrogates culverts, piles of concrete, rubble, piles of soil, pipes, etc.) and the presence of burrowing owl sign (tracks, molted feathers, cast pellets, prey remains, egg shell fragments, owl white wash, and nest burrow decoration material, and the presence of burrowing owl individuals or pairs. If evidence of burrowing owls is detected, the locations shall be mapped and Permit Sonoma and CDFW shall be contacted to determine if additional mitigation measures are needed to avoid impacts on the species.

**Mitigation Monitoring BIO-3:**

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

**Mitigation Measure BIO-4:**

**Preconstruction Badger Surveys.** To avoid/minimize direct and indirect impacts on American badger within or immediately adjacent to the proposed project as a result of project implementation, the following measures shall be implemented:

- a. Within 30 days, but no sooner than 10 days, prior to ground disturbance activities associated with initial project construction, a qualified biologist, familiar with badger life history and who possesses experience with identification of active badger burrows and badger activity patterns shall conduct protocol-level surveys to determine the locations of any active winter or natal American badger dens within 100 feet of proposed ground disturbance areas. Potential badger dens located during the surveys shall be evaluated (typically with remote cameras) to determine activity status.
- b. Any natal dens determined to be used by American badger, as identified from the surveys, shall be avoided and a 100-foot buffer shall be established around the dens during ground disturbance activities until it is determined by the qualified biologist that the den is no longer active and the young are no longer dependent upon the den for survival.
- c. If construction occurs during the non-breeding period (typically from June through February) and an individual badger is determined to be using a non-natal den within 50-feet of the construction footprint construction shall be halted until the badger has left the den on its own accord, as determined by the biologist through monitoring of the den and/or the use of motion-detection cameras. Once it is determined that the den is vacant, the den can be excavated and upon confirmation that the den is not occupied, the den can be collapsed and construction can continue.

**Mitigation Monitoring BIO-4:**

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

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

**Comment:**

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

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

<b>Table 1. Riparian Corridor (RC) Setback Distances</b>	
<b>Riparian Corridor Category</b>	<b>RC Development Zoning Setbacks (in feet)</b>
Russian River and some Area Plan streams	RC-200
Designated Flatland	RC-100
Other Flatland	RC-50
Upland	RC-50
Urban Areas	RC-50

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

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

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

The proposed new construction for the project is outside the 50 ft Riparian Corridor setback but incidental grading related to site improvements may occur within the setback. Mitigation Measure BIO-5 and Conditions of Approval requiring Best Management Practice during the grading associated with improvements will reduce the impact to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

**Mitigation Measure BIO-5:**

Only the minimum amount of vegetation will be pruned or removed that is necessary to construct the project. Where possible, vegetation will be tied back in lieu of cutting. Native vegetation that must be removed will be cut at or above grade to facilitate re-growth. Any pruning that is done, including for utility line clearance, will conform to the American National Standard for Tree Care Operation Tree, Shrub, and Other Woody Plant Maintenance Standard Practices, Pruning (ANSI A300 Part 1)-2008 Pruning), and the companion publication Best Management Practices: Tree pruning (ISA 2008). Roots will only be unearthed when necessary.

**Mitigation Monitoring BIO-5:**

Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the Riparian Corridor is identified on the building, grading, and improvement plans.

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

Comment:

**Regulatory Framework**

The Army Corps of Engineers (Corps) regulates “Waters of the United States”, including adjacent wetlands, under Section 404 of the federal Clean Water Act. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or

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

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

The proposed new construction of two restrooms, ADA improvements, driveway widening, and replacement septic system are outside state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.). Conditions of Approval requiring Best Management Practice during the ground disturbance associated with the proposed project improvements will reduce the impact to less than significant.

Significance Level:

Less than Significant Impact

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

Comment:

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

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

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

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

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

Mitigation Monitoring

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

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

Comment:

**Tree Protection Ordinance**

Chapter 26, Article 88. Sec. 26-08-010 (m) of the Sonoma County Code contains a tree protection ordinance (Sonoma County 2013). The ordinance designates 'protected' trees as well as provides mitigation standards for impacts to protected trees.

**Sonoma County General Plan**

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

**Riparian Corridor Ordinance**

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

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

No Impact



## 5. CULTURAL RESOURCES:

Would the project:

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

Comments:

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

Significance Level:

No Impact

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

Comment:

On February 2, 2022, 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 March 4, 2022). No requests for consultation were received.

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

See Mitigation Measure TCR-1

Mitigation Monitoring:

See Mitigation Monitoring TCR-1

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

Comment:

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

See Mitigation Measure TCR-1

Mitigation Monitoring:

See Mitigation Monitoring TCR-1

## 6. ENERGY:

Would the project:

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

Comment:

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

The project would increase electricity consumption in the region relative to existing conditions. However, the project would comply with the latest Title 24 Building Energy Efficiency Standards. Increased energy use would occur as a result of increased electricity for building and facility operations and vehicle-based visitation to the project sites. Operation of the project would be typical of tasting room and farm retail requiring electricity for lighting, climate control, and miscellaneous appliances. Transportation energy demand from the implementation of the projects would be reduced by federal and State regulations including the Low Carbon Fuel Standard, Clean Car Standards, and Low Emission Vehicle Program. The site would also include onsite renewable energy generation from photovoltaic solar panels and EV charging facilities. Any additional energy use would be supplied by Sonoma Clean Power, which provides increased levels of renewable energy sourced energy from typical energy supplied by an investor-owned utility. Furthermore, the projects would not use natural gas or propane as an energy source. Thus, the projects' energy consumption from construction, building operation, and transportation would not be considered wasteful, inefficient, or unnecessary.

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

Less than Significant Impact

## 7. GEOLOGY AND SOILS:

Would the project:

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

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

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

Comment:

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

Significance Level:

Less than Significant Impact

**ii. Strong seismic ground shaking?**

Comment:

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

Significance Level:

Less than Significant with Mitigation Incorporated

**Mitigation GEO-1**

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

**Mitigation Monitoring GEO-1**

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

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

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting ground failure. Areas of Sonoma County most at risk of liquefaction

are along San Pablo Bay and in alluvial valleys. The subject site is not identified on the map in Safety Element (PS-1c) as Very High, High or Medium Liquefaction Hazard Areas.

Significance Level:

Less than Significant Impact

**iv. Landslides?**

Comment:

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure GEO-1

Mitigation Monitoring

See Mitigation Monitoring GEO-1

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

Comment:

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

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

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

The County adopted grading ordinances and standards and related conditions of approval which enforce them are specific, and also require compliance with all standards and regulations adopted by

the State and Regional Water Quality Control Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, Low Impact Development and any other adopted best management practices. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards that need to be met.

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure GEO-1

Mitigation Monitoring

See Mitigation Monitoring GEO-1

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

Comment:

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

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

No cultural resource study was required for this project. The project site is already significantly disturbed by an active cattle and farming operation and related infrastructure. Required ground



disturbance is related to minor expansions of existing driveways and barn. There have been no unique geologic features identified on site. Standard Tribal Cultural Resource mitigation requiring notes on maps for the required building permits will reduce the impacts to less than significant.

Significance Level:

Less than Significant Impact

## 8. GREENHOUSE GAS EMISSIONS:

### Would the project:

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

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

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

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

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

There is currently no applicable local GHG reduction strategy, such as an adopted Climate Action Plan, for Sonoma County. Therefore, the applicants provided an Air Quality and GHG Analysis prepared by James A. Reyff of Illingworth & Rodkin, Inc. on November 16, 2023 (Attachment 2) and the project was analyzed under criterion A above and discussed below.

**Buildings:** As discussed in the Energy Section 6a, the project does not include any new construction except the remodel of an existing barn that will bring it up to commercial building code standards for a tasting room and event space. Plans for the building do not include the use of natural gas appliances or natural gas plumbing. The 14,500 square foot barn remodel and updates will require compliance with the latest Title 24 Building Energy Efficiency Standards. Therefore, impacts due to energy consumption would be less than significant.

**Transportation:** The tasting room and farm stand/retail project does not include new residences, office buildings, or commercial retail, and therefore, does not contribute any VMT to these three land use categories of concern. (Note that "commercial retail" refers to commercial retail spaces, not to a small ancillary retail space associated with another land use). The project would include commercial use of an existing 14,500-square-foot existing barn and would conservatively generate a maximum of 70 average daily trips.

As discussed in the Transportation Section 17b, VMT refers to the amount and distance of automobile travel attributable to a project. The County of Sonoma has not yet adopted specific VMT policies or thresholds of significance. However, the OPR Technical Advisory includes a screening threshold for small projects that generate or attract fewer than 110 trips per day, stating this level of vehicle activity may generally be assumed to result in a less than significant transportation impact. The project proposes a maximum of 70 average daily trips. The project also proposes to implement a local hiring plan (at least 50% of employees from local area), so although distance travelled for employee trips has not been estimated, it is reasonable to assume that employees would primarily be hired from the local area and would generate relatively few travel miles associated with in-county commuter trips.

The maximum average daily trip number of 70 is far below the OPR threshold of 110, and distance-related vehicle miles are also anticipated to be low due to the proposed plan to hire from the local workforce. Therefore, the project is expected to have a less than significant VMT impact.

The latest California Green Building Standards Code (CALGreen) was published in 2022 and went into effect on January 1, 2023. The 2022 CALGreen Tier 2 requirements for EV charging stations apply to new non-residential buildings and require that off-street EV capable spaces be provided for a new non-residential development project with 10 or more parking spaces (note there are separate EV requirements

for residential projects). The project proposed is exempt from the 2022 requirements because it is a remodel of an existing non-residential structure. Per the provided GHG analysis the applicant is committed to voluntarily complying with measures for providing electrical vehicle charging stations.

The BAAQMD 2022 guidance does not propose construction-related climate impact thresholds, stating that GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions, and that land use project thresholds are better focused on addressing operational GHG emissions, which represent the vast majority of project GHG emissions. Therefore, construction related GHG would not exceed established thresholds. Additionally, project construction activities would be minimal, consisting of internal tenant improvements to reconfigure the existing 14,500-square-foot barn and to bring it up to current code standards. Proposed access improvements include constructing an all-weather gravel road and parking area around the building perimeter, and paving a 25-foot-long section of the existing driveway at the intersection with Old Lakeville Hwy 3 to allow for the smooth and safe movement of vehicles entering and exiting the property.

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

Significance Level:

Less than Significant Impact

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

Comment:

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

1. Increase building energy efficiency.
  - a. The project is compliant as it would meet any appropriate State and local building code requirement for energy efficiency.
  - b. LED lighting systems would be installed.
  - c. Lighting timers and dimmers will be utilized.
  - d. Night air cooling would be utilized as there would no new air conditioning use
2. Increase renewable energy use.
  - a. The project would have a negligible increase in electricity usage.
  - b. Project plans would include generation of onsite solar power.
  - c. Sonoma Clean Power will be the electrical utility provider for the site, which has a greater reliance on renewable power sources.
3. Electrical energy usage.
  - a. EV charging stations will be installed at the parking lots, in accordance with County guidelines.
4. Reduce travel demand through focused growth.
  - a. The project is a local farm that will use onsite and local agriculture products.
  - b. Project would provide bicycle parking facilities.
  - c. The project is anticipated to generate traffic below 110 trips daily and would be below screening thresholds for vehicle miles travelled impacts.
5. Increase solid waste diversion.
  - a. The project is compliant as it would meet the County and local recycling goals
6. Reduce water consumption.

- a. The project would include low flow water fixtures and water efficient irrigation systems.
  - b. Any new landscape would be drought tolerant.
7. Increase carbon sequestration.
- a. The project would have limited effects on vegetation. Any project landscaping will increase productive vegetation that sequesters carbon.

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

Significance Level:

No Impact

## 9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

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

Comment:

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

Significance Level:

Less than Significant Impact

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

Comment:

The project proposes minor construction for adding restrooms, ADA improvement, septic system replacement, and driveway widening. The project would not generate or produce substantial quantities of hazardous material or unsafe conditions. During construction activities there could be spills of hazardous materials. To address this possibility, the project is required to comply with all applicable hazardous materials handling and storage requirements and would use qualified contractors for construction. See Item 9.a. above.

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

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

Comment:

According to the Safety Element of the General Plan, the project site is not located in a high wildland fire hazard area. The remodel of the existing structure requires compliance with current building standards that will decrease the fire risk to structures on the project parcel. The County Fire Marshal's fire safe requirements require that the remodeled building be installed with fire sprinklers with the intent to contain or prevent fires from spreading. In addition, standard conditions of approval include that the facility operator shall develop an emergency response plan consistent with Chapter 4 of the 2013 California Fire Code with safety plans, emergency procedures, and employee training programs; shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during an emergency; shall provide emergency water supply for fire protection available and accessible in locations, quantities and delivery rates as specified in the California Fire Code; and establish defensible space. All of the fire safe conditions of approval will ensure that the tasting room and farmstand/retail projects would



reduce the exposure of people and property to fire hazards to a degree the risk of injury or damage is less than significant. The project would not expose people to significant risk from wildland fires.

Significance Level:

Less than Significant Impact

## 10. HYDROLOGY AND WATER QUALITY:

Would the project:

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

Comments:

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

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

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

The farmstand/retail operation's wastewater will be handled by a third party with a maintenance agreement required for the use of portable toilets on site.

Significance Level:

Less than Significant Impact

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

Comment:

The project is located in the Petaluma Valley groundwater basin that is managed by the Petaluma Valley Groundwater Sustainability Agency in accordance with the Sustainable Groundwater Management Act. The Groundwater Sustainability Agencies are currently developing Groundwater Sustainability Plans which will go into effect January 31, 2027 and will provide a regulatory framework for managing groundwater use.

The proposed project is located within a Class 3-Marginal Groundwater Area, subject to requirement of General Plan Policy WR-2e which calls for a groundwater study that demonstrates adequate groundwater supply for projects in Class 3 and 4 water areas. The project is also within the medium priority Petaluma Valley groundwater basin, as defined by the California Department of Water Resources Bulletin 118, and in the Baylands region that may be sensitive to salt water intrusion.

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

A Groundwater Resource Impact Assessment (Attachment 3) was performed by PJC & Associates on February 10, 2023 and accepted by Permit Sonoma's staff Geologist on March 20, 2023. The report found that the baseline water demand of the site included a dairy with approximately 700 head of cattle. With a use rate of 10.5 gallons per head per day, the annual water demand on site was 6.25 acre feet per year. Proposed conditions include 100 head of cattle and the commercial event center with associated landscaping. Estimated water use under proposed conditions is approximately 2.2 acre feet per year. Thus, the project qualifies as zero net use. No impacts to groundwater resources are expected as a result of the project.

Significance Level:

Less than Significant Impact

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

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

Comment:

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

not adversely impact adjacent properties or drainage systems.

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

Less than Significant Impact

## 11. LAND USE AND PLANNING:

**Would the project:**

**a) Physically divide an established community?**

Comment:

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

Significance Level:

No Impact

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

Comment:

The General Plan Land Use Designation on the project parcel is Diverse Agriculture. This land use designation is intended to enhance and protect lands best suited for enhancement and protection of land where soil, climate, and water conditions support farming but where small acreage intensive farming and part-time farming activities are predominant. The primary use of any parcel within one of the three agricultural land use categories must involve agricultural production and related processing, support services, and visitor serving uses. Within the Diverse Agriculture Zoning designation agricultural crops and grazing operations are principally permitted uses, which is proposed to be the primary use of the parcel. The proposed uses of the farmstand/retail, tasting room and proposed events are considered accessory to the primary use. The secondary uses have been found consistent

with the applicable Zoning Code sections and applicable General Plan Policies. See above section 2: Agriculture and Forest Resources.

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

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

Significance Level:  
Less than Significant Impact

## 12. MINERAL RESOURCES:

Would the project:

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

Comment:

The project site is not located within a known mineral resource deposit area (Sonoma County Aggregate Resources Management Plan, as amended 2010).

Significance Level:  
No Impact

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

Comment:

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

Significance Level:  
No Impact

## 13. NOISE:

Would the project:

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

Comment:

A noise monitoring survey was performed at the site in January 2023, conducted for the applicant by Illingworth & Rodkin, Inc (Attachment 4). The study included on-site noise monitoring and modeling for projected noise conditions based on the proposed project. The study specifically measured noise levels at three sensitive receptors (existing single family dwellings) at 130, 1,000 and 2,500 feet from the proposed tasting room and event space; as well as 270, 400 and 2,100 feet from the farmstand/retail area.

The study found that the existing noise environment at the site results primarily from ambient noises related to distance roadways, overhead general aviation and farm/pasture environments.

The future noise environment at the project site would include parking and onsite visitor traffic, farmstand and tasting room activities and promotional event and activity noise.

Key findings of the noise study in consideration of the proposed project determined the following:

- Parking lot noise levels during daytime hours will not exceed the County's daytime NE-2 noise standard at the nearby residences.
- Interior and exterior tasting room activities and farmstand sales noise levels will not exceed the County's daytime NE-2 noise standard at the nearby residences.
- Farmstand seasonal promotional activities will not exceed the County's daytime NE-2 noise standard at the nearby residences.
- Noise generated by indoor events with all windows and doors closed will not exceed the County's daytime NE-2 noise standard at the nearby residences.
- Noise generated by indoor events with no amplified sound and the windows and doors open will not exceed the County's daytime NE-2 noise standard at the nearby residences.
- Noise generated by events with amplified sound and the windows and doors open will exceed the County's daytime NE-2 noise standard at the nearby residences. Mitigation Measures required.
- Noise generated by outdoor events exceeding 100 people will exceed the County's daytime

Noise impacts resulting from the project will be reduced to a level less than significant by incorporating the mitigation measures below.

Significance Level:

Less than Significant with Mitigation Incorporated

**Mitigation Measure NOISE-1:**

During Agricultural Promotion events in the Main barn no more than 100 guests are allowed to gather on the outdoor patio.

**Mitigation Monitoring NOISE-1:**

Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate. (Ongoing)

**Mitigation Measure NOISE-2:**

No amplified speech or unamplified music performances are allowed on the Main Barn patio.

**Mitigation Monitoring NOISE-2:**

Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement



action and/or revocation or modification proceedings, as appropriate. (Ongoing)

**Mitigation Measure NOISE-3:**

All agricultural promotion events shall occur within the Main Barn building with all doors and windows within 200 feet of the property line shall remain closed.

**Mitigation Monitoring NOISE-3:**

Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate. (Ongoing)

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

Comment:

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

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

No Impact

## **14. POPULATION AND HOUSING:**

**Would the project:**

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

## 15. PUBLIC SERVICES:

### Would the project:

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

Comment:

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

Significance Level:

Less than Significant Impact

#### i. Fire protection?

Comment:

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

Significance Level:

Less than Significant Impact

#### ii. Police?

Comment:

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

Significance Level:

Less than Significant Impact

#### iii. Schools?

Comment:

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

Significance Level:

Less than Significant Impact

**iv. Parks?**

Comment:

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

Significance Level:

Less than Significant Impact

**v. Other public facilities?**

Comment:

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

Significance Level:

Less than Significant Impact

## **16. RECREATION:**

**Would the project:**

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

No Impact

## **17. TRANSPORTATION:**

**Would the project:**

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

Comment:

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

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

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

- The proposed project is expected to generate 140 daily trips during typical operation, including 11 a.m. peak hour trips and 19 p.m. peak hour trips; on weekends, 53 midday peak hour trips are anticipated out of 187 daily trips. The proposed 450-person events would generate an estimated 396 trip ends at the driveway, including 90 trips during the weekend midday peak hour.
- Under Existing Conditions, the intersection of Lakeville Highway/Old Lakeville Road No. 3 operates acceptably and it would be expected to continue doing so upon adding project-generated trips associated with both daily operation and promotional events.
- Lakeville Highway is currently operating unacceptably at LOS D and would be expected to continue doing so upon adding trips associated with typical operations as well as the proposed 450-person event. The travel speed would change by only 0.1 mph, which is less than the 2-mph decrease allowed, so the effect is acceptable.
- Adequate sight lines are available along Old Lakeville Road No. 3 at Gambonini Road as well as along Lakeville Hwy at Old Lakeville Road No. 3.
- The existing southbound left-turn storage at Lakeville Highway/Old Lakeville Road No. 3 is adequate to accommodate anticipated queuing upon the addition of 450-person event trips.
- The project would screen out as a small project and result in less than significant VMT impact based on the OPR guidelines.

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

- It is recommended that the right-of-way be clearly allocated to the public street, Old Lakeville Road No. 3, where it intersects Sleepy Hollow Dairy Road, a private driveway and that the faded markings at Lakeville Highway be replaced.
- It is recommended that the existing left-point black arrow sign on the east side of Lakeville Highway north of Old Lakeville Road No. 3 be relocated outside the vision triangle. Any new signage to be installed near the project access points should be placed outside of the vision triangle.

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

Significance Level:

Less than Significant Impact

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

**of transportation impacts of land use projects using vehicle miles traveled)?**

Comment:

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

Senate Bill (SB) 743 established the change in vehicle miles traveled (VMT) as the metric to be applied to determining transportation impacts associated with development projects. As of the date of this analysis, Sonoma County has not yet adopted thresholds of significance related to VMT. As a result, project-related VMT impacts were assessed based on guidance published by the California Governor's Office of Planning and Research (OPR) in the publication Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory, 2018. The OPR guidelines identify several criteria that may be used by jurisdictions to identify certain types of projects that are unlikely to have a significant VMT impact and can be "screened" from further analysis. One of these screening criteria pertains to "small projects," which OPR identifies as generating fewer than 110 new vehicle trips per typical weekday. The trip generation for the project, including the farmstand, tasting room, as well as proposed events, were translated to annual average daily trips. Altogether, the project is expected to generate an average of about 69 daily trips, which falls well below the OPR threshold of 110 daily trips. As a result, it is reasonable to conclude that the project would have a less-than-significant impact on VMT.

Accordingly, the project is expected to have a less-than- significant impact on VMT for both employment and patron-related travel.

Significance Level:

Less than Significant Impact

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

Comment:

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

Significance Level:

No Impact

**d) Result in inadequate emergency access?**

Comment:

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

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

Significance Level:

Less than Significant Impact



**e) Result in inadequate parking capacity?**

Comment:

Sonoma County Code Section 26-86 requires 7 parking spaces for the farmstand/farm retail use. This is one space per 200 sq ft of outdoor market area and one space per 200 sq ft of indoor retail space. The proposed outdoor farmstand is 1,032 sq ft and the farm retail will occupy up to 500 sq ft of the existing pole barn. The Sonoma County Code Section 26-86 does not have an equivalent use for a tasting room or events, the best equivalent use is found in code section 26-18-260 that identifies standards for winery tasting rooms and events. Parking requirements for these tasting rooms and events are one space per 2.5 guests and one parking space per employee. The tasting room's daily operations are limited to 20 visitors and one employee per day requiring one space per 2.5 people and one space per employee equal to 9 parking spaces. Daily operations of the farmstand/farm retail and tasting room would require 16 parking spaces total. The largest events for 450 people will also require one space per 2.5 people equal to 180 spaces total plus one space per employee for the event equal to 18 spaces for a total of 198 space for the largest events.

In total there are 207 parking spaces to accommodate all uses on the project site. During normal operations of the tasting room and farmstand/farm retail a minimum of 16 spaces are required. During events the farmstand/farm retail will be required to be closed leaving room for the required 198 spaces for the largest event.

Significance Level:

Less than Significant Impact

## **18. TRIBAL CULTURAL RESOURCES:**

### **State Regulations**

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

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

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

### **California Public Resources Code**

Section 5097.5 of the California PRC states:

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

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

### **Codes Governing Human Remains**

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

### **Would the project:**

**Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is: i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5030.1(k); or ii) a resource determined by the lead agency. In its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

On February 2, 2022, Assembly Bill 52 Project Notifications were sent to the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Torres Martinez Desert Cahuilla Indians, Mishewal Wappo Tribe of Alexander Valley, Middletown Rancheria Band of Pomo Indians, Lytton Rancheria of California, Kashia Pomos Stewarts Point Rancheria and Federated Indians of Graton Rancheria. These Native American tribes were invited to consult on the project pursuant to Public Resources Code sections 21080.3.1 and 21080.3.2. No requests for consultation were received.

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

### Significance Level:

Less than Significant with Mitigation Incorporated

### **Mitigation Measure TCR-1:**

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

**NOTE ON PLANS:** "If paleontological resources or prehistoric, historic or tribal cultural

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

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

**Mitigation Monitoring TCR-1:**

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

## **19. UTILITIES AND SERVICE SYSTEMS:**

**Would the project:**

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

Comment:

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

Significance Level:

No Impact

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

Comment:

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

Significance Level:

Less than Significant Impact

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

Comment:

The domestic wastewater system for the site would be sized in accordance with the County of Sonoma OWTS Manual. The replacement septic system would include at a minimum collection piping from the existing barn, septic tank, and leach field. The onsite septic would have sufficient capacity to treat the maximum domestic daily demand generated by the tasting room and event space. The farmstand/retail space will be serviced by a third party for the proposed portable toilets.

Significance Level:

Less than Significant Impact

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

Comment:

The tasting rooms, events and farmstand/retail projects would result in temporary solid waste generation during construction of the onsite improvements. Once operational, the projects would result in a maximum of 1,098 lbs of waste per day during their largest events. The County's Central Disposal Site is permitted to receive a maximum of 2,500 tons per day and has a total capacity of 32,650,000 cubic yards. Solid waste generated by the project would be minimal and would not be more than the capacity of local infrastructure. In addition, the project would comply with all policies, ordinances, and regulations related to solid waste diversion, including composting and recycling. The project would not impair the attainment of solid waste reduction or diversion goals.

Significance Level:

Less than Significant Impact

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

Comment:

Sonoma County has access to adequate permitted landfill capacity to serve the proposed project.

Significance Level:

Less than Significant Impact

## 20. WILDFIRE:

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

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**
- b) **Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**
- c) **Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk**

**of that may result in temporary or ongoing impacts to the environment?**

- 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 is located in a State Responsibility Area and is outside of the wildland high and very high fire hazard zones mapped by Wildland Fire Hazard Areas Figure PS 1-g of the Sonoma County General Plan 2020. The project is located in a relatively flat area and surrounded by developed agricultural grazing, some open lands, riparian corridors and rural residential uses. The tasting room and farmstand/retail would add population to the site in the form of guests and employees. However, the site is roughly four miles from the Lakeville Fire Department, ensuring rapid response times in the event of an emergency. To facilitate locating an emergency and to avoid delays in emergency response, the project has been conditioned to require the site provides for safe access for emergency fire apparatus and civilian evacuation concurrently, and unobstructed traffic circulation during an emergency. Additionally, project conditions of approval require the project to provide an emergency water supply for fire suppression, and develop fire safety and emergency plans, as well as employee training programs consistent with the requirements of the 2013 California Fire Code and Sonoma County Code. New construction on the site must conform to County Fire Safe Standards building requirements. Fire Safe Standards include building requirements related to fire sprinklers, stairways to roofs, fire apparatus access roads, door panic hardware, emergency water supply, and defensible space. Changing the occupancy of the barn to commercial use and upgrading the structure to current Building and Fires Safety Code requirements requires a building permit. Construction activities allowed under an approved building permit in accordance with current building standards should decrease the risk to structures on the project parcel and ensure that the project would reduce the exposure of people and property to fire hazards. See section 9.g above for additional conditions of approval to reduce the risk of injury or damage from wildfire.

There is no separate emergency evacuation plan for the County. Furthermore, the project would not cause an interference with emergency evacuations. The Fire Marshall will review the building plans to insure that commercial spaces have adequate fire protection. The primary entrances off of Lakeville Road 3 includes a driveway system to provide for emergency vehicle ingress and egress.

Significance Level:

Less than Significant Impact

## **21. MANDATORY FINDINGS OF SIGNIFICANCE:**

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

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

Significance Level: Less than Significant Impact

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

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

Significance Level: Less than Significant Impact

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

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

Significance Level: Less than Significant Impact



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## Attachments

1. Site Plan
2. Gambonini Ranch AQ-GHG
3. Ground Water Study
4. Gambonini Ranch ENA Noise Analysis
5. Gambonini Family Ranch TIS