

P

Type

Plans

WPE06-0022

Permit Number

1406

Street Number

WOOD RD

Street Name

SRO

Community Code

034-030-032

APN

This notice was posted on NOV 30 2009
and will remain posted for a period of thirty days
until 12/30/09.

09-1130-1

\$2,043.00
#6360 X

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812

FROM:

Sonoma County Permit and Resource
Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403
JANICE ATKINSON, Co. Clerk

or:
County Clerk, County of Sonoma

C. FARIAS
DEPUTY CLERK

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Robert Rue		UPE06-0022
Project Title		File #
N/A	Sigrid Swedenborg	(707) 565-1900
State Clearinghouse #	Contact Person	Telephone Number
1406 Wood Road, Fulton		034-030-032
Project Location		APN

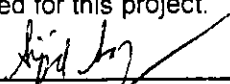
A new winery with a maximum annual production capacity of 5,000 cases in a 2,000 square foot building on a 10 acre parcel with tasting by appointment only and participation in 10 industry wide events annually.
Project Description

This is to advise that on March 28, 2007 the Sonoma County Permit and Resource Management Department approved the above described project and has made the following determinations regarding the above described project:

- The project will not have a significant effect on the environment.
- A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The Mitigated Negative Declaration and record of project approval may be examined at the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue Santa Rosa, California.
- Mitigation Measures were incorporated into the project.
- A statement of Overriding Considerations was not adopted for this project.

NOV 30 2009
Date received for filing and
posting at County Clerk/OPR


Sonoma County Permit and Resource
Management Department

Applicant:
Robert Rue
1406 Wood Road
Fulton CA 95439

<input type="checkbox"/>	\$2,768.25 EIR fee	<input type="checkbox"/>	paid
<input checked="" type="checkbox"/>	\$1,993.00 ND fee	<input checked="" type="checkbox"/>	paid
<input checked="" type="checkbox"/>	\$50 County Clerk filing fee	<input checked="" type="checkbox"/>	paid

JYH#
377680



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
 2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# 377680
 STATE CLEARING HOUSE # (if applicable) N/A

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY: Sonoma County Permit and Resource Management Department DATE: 11/30/2009
 COUNTY/STATE AGENCY OF FILING: Sonoma County DOCUMENT NUMBER: 09-1130-1

PROJECT TITLE: ROBERT RUE
 PROJECT APPLICANT NAME: ROBERT RUE PHONE NUMBER: 565 (707) 1900
 PROJECT APPLICANT ADDRESS: 1406 WOOD RD. CITY: FULTON STATE: CA ZIP CODE: 95435

PROJECT APPLICANT (Check appropriate box):
 Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:
 Environmental Impact Report \$2,768.25 \$
 Negative Declaration \$1,993.00 \$ 1,993.00
 Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$
 Projects Subject to Certified Regulatory Programs \$941.25 \$
 County Administrative Fee \$50.00 \$ 50.00
 Project that is exempt from fees
 Notice of Exemption
 DFG No. Effect Determination (Form Attached)
 Other \$

PAYMENT METHOD: # 1054/1057
 Cash Credit Check Other
 TOTAL RECEIVED \$ 2,043.00

SIGNATURE: C. Farías TITLE: Deputy Clerk

WHITE - PROJECT APPLICANT YELLOW - DFG/ASB PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK FG 753.5a (Rev. 7/08)

SONOMA COUNTY CLERK
 2300 COUNTY CENTER DR STE B177
 SANTA ROSA CA 95403
 707-565-3800

ISSUED TO: ROBERT A RUE

RECEIPT # 636075
 11/30/2009 04:39:52 PM

SERVICE	PAGES	QTY	FEE
COUNTY CLER 1	1	1	1,993.00
COUNTY CLER 1	1	1	50.00

Total Amount Due \$2,043.00

CHECK 1054 1,850.00
 CHECK 1057 193.00

Total Payments: \$2,043.00

THERE IS NO HIGHER CALLING
 THAN PUBLIC SERVICE
 JOHN F. KENNEDY
 JANICE ATKINSON
 CLERK RECORDER
 Deputy: CFARIAS

This notice was posted on NOV 30 2009
and will remain posted for a period of thirty days
until 12/30/2009

09-1130-1

FROM: Sonoma County Permit and Resource Management Department
2550 Ventura Avenue Santa Rosa, CA 95403
JANICE ATKINSON, Co. Clerk
BY: [Signature]
DEPUTY CLERK

TO: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812
or:
County Clerk, County of Sonoma

\$2,043.00
#636075

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Robert Rue		UPE06-0022
Project Title		File #
N/A	Sigrid Swedenborg	(707) 565-1900
State Clearinghouse #	Contact Person	Telephone Number
1406 Wood Road, Fulton		034-030-032
Project Location		APN

A new winery with a maximum annual production capacity of 5,000 cases in a 2,000 square foot building on a 10 acre parcel with tasting by appointment only and participation in 10 industry wide events annually.
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NOV 30 2009
Date received for filing and posting at County Clerk/OPR

[Signature]
Sonoma County Permit and Resource Management Department

Applicant:
Robert Rue
1406 Wood Road
Fulton CA 95439

<input type="checkbox"/>	\$2,768.25 EIR fee	<input type="checkbox"/>	paid
<input checked="" type="checkbox"/>	\$1,993.00 ND fee	<input checked="" type="checkbox"/>	paid
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377680



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT # **377680**
 STATE CLEARING HOUSE # (if applicable) **N/A**

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY San Joaquin County Permit and Resource Management Department DATE 11/30/2009

COUNTY/STATE AGENCY OF FILING San Joaquin County DOCUMENT NUMBER 09-1130-1

PROJECT TITLE ROBERT RUE

PROJECT APPLICANT NAME ROBERT RUE PHONE NUMBER 565 (207) 1900

PROJECT APPLICANT ADDRESS 1406 WOOD RD. CITY FULTON STATE CA ZIP CODE 95435

PROJECT APPLICANT (Check appropriate box):
 Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report	\$2,768.25	\$	
<input checked="" type="checkbox"/> Negative Declaration	\$1,993.00	\$	<u>1,993.00</u>
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs	\$941.25	\$	
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No. Effect Determination (Form Attached)			
<input type="checkbox"/> Other		\$	

PAYMENT METHOD: # 1054/1057
 Cash Credit Check Other
 TOTAL RECEIVED \$ 2,043.00

SIGNATURE [Signature] TITLE Deputy Clerk



Mitigated Negative Declaration

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

Publication Date:
Adoption Date:
State Clearing House Number:

This statement and attachments constitute the Mitigated Negative Declaration as proposed for or adopted by the Sonoma County decision-making body for the project described below.

File No.: UPE06-0022 **Planner:** Sigrid Swedenborg

Project Name: Rue Winery

Project Description: Request for a Use Permit for a winery with a maximum annual production capacity of 5,000 cases a year with tasting by appointment only and participation in industry wide events. The winery would be housed in a new 2,000 square foot building. Crush will take place inside the building. Tasting during the industry wide events would take place outside in a tented area. No off-site parking will be allowed. All process wastewater would be disposed of in a septic system.

Project Location: 1406 Wood Rd., Fulton

Environmental Finding: The proposed project could not have a significant effect on the environment and the adoption of a Mitigated Negative Declaration is appropriate. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project, provided that mitigation measures are incorporated into the project. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines and the information contained therein has been reviewed and considered.

Initial Study: Attached

Other Attachments: California Tiger Salamander Study and other information contained in PRMD file#UPE06-0022

Decision-making Body: Sonoma County Permit and Resource Management Department

Lead Agency: Sonoma County Permit and Resource Management Department

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 585-1900 FAX (707) 585-1103

ENVIRONMENTAL CHECKLIST FORM

FILE #: UPE06-0022
PROJECT: Robert Rue

PLANNER: Sigrid Swedenborg
DATE: February 6, 2007

LEAD AGENCY: Sonoma County Permit and Resource Management Department

PROJECT LOCATION: 1406 Wood Road, Fulton

APPLICANT NAME: Robert Rue

APPLICANT ADDRESS: 1406 Wood Road, Fulton

GENERAL PLAN DESIGNATION: Diverse Agriculture 10 acre density, Scenic Resource

ZONING: DA (Diverse Agriculture) B6 -10 acre density SR (Scenic Resources),
VOH (Valley Oak Habitat)

DESCRIPTION OF PROJECT:

The request is for a Use Permit for a winery with a maximum annual production capacity of 5,000 cases a year with tasting by appointment only and participation in industry wide events. The winery would be housed in a new 2,000 square foot building. Crush will take place inside the building. Tasting during the industry wide events would take place outside in a tented area. No off-site parking will be allowed. All process wastewater would be disposed of in a septic system.

SURROUNDING LAND USES AND SETTING: Briefly describe the project's surroundings.

This site is located on Wood Road, off of Fulton Road north of the City of Santa Rosa. Land use in this area is agriculture.

Other Public Agencies whose approval is required (e.g. permits, financing approval, or participation agreement): Regional Water Quality Control Board

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 by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use and Planning
<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

DETERMINATION

On the basis of this initial evaluation:

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- The proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, all potentially significant effects were previously analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards and potential impacts have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project. There are no changes in the project, no new information related to potential impacts, and no changes in circumstances that would require further analysis pursuant to Section 15162 of CEQA Guidelines, therefore no further environmental review is required.

The environmental documents which constitute the Initial Study and provide the basis and reasons for this determination are attached or referenced herein, and hereby made a part of this document.

Incorporated Source Documents

In preparation of the Initial Study checklist, the following documents were referenced/developed, and are hereby incorporated as part of the Initial Study. All documents are available in the project file or for reference at the Permit and Resource Management Department.

- Project Application and Description
- Initial Data Sheet
- Sonoma County General Plan and Associated EIR
- Sonoma County Zoning Ordinance
- Sonoma County Rare Plant Site Identification Study
- Project Referrals from Responsible Agencies
- State and Local Environmental Quality Acts (CEQA)
- Site Assessment for the California Tiger Salamander, 1406 Fulton Rd. prepared by Kjeldsen Biological Consulting dated June 7, 2006

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No impact" answer is adequately supported if the referenced information sources show that the impact simply does not

apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17 at the end of the checklist, "Earlier Analysis" may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following: a) Earlier Analysis Used. Identify and state where they are available for review. b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify: a) the significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measure identified, if any, to reduce the impact to less than significance.

1. AESTHETICS Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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a) Have a substantial adverse effect on a scenic vista?

_____ X _____

Comment: The site is designated as a Community Separator by the Sonoma County General Plan. The intent of the Community Separator is to provide an open space break along the Highway 101 and Old Redwood Highway corridors between Santa Rosa, Larkfield-Wikiup, and Windsor. The project will not create an adverse effect in this scenic area because the site is already developed with a large barn and a residence. The proposed 2,000 square foot building would be located between the two

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. 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? _____ X

Comment: According to the Sonoma County Important Farmlands Map -2000 (database), the project site is not designated as "Prime" farmland. A portion of the site is designated as farmland of statewide importance. A portion of the site is designated local farmland and a portion is designated urban. The proposed facility would be used for processing of agricultural products. The project would not convert prime land to a non-agricultural use.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? _____ X

Comment: The proposed project would not conflict with the zoning as agricultural processing is an allowed use in the DA zoning district with use permit approval. The project site is not under a Williamson Act contract.

- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? _____ X

Comment: The project is for an agricultural processing facility. The project does not involve any changes that could result in the site being converted to a non-agricultural use.

3. AIR QUALITY

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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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? _____ X

Comment: The project is within the jurisdiction of the Northern Sonoma County Air Pollution Control District (NSCAPCD). The NSCAPCD does not have an adopted air quality plan. The project would not create any conflicts.

- b) Violate any air quality standard or contribute

substantially to an existing or projected air quality violation? _____ X _____

Comment: The Sonoma County General Plan Resource Conservation Element addresses pollutants from mobile sources (e.g. transportation sources). The project will create traffic, therefore the following goal would be relevant to the proposed project:

Goal RC-13: Preserve and maintain good air quality and provide for an air quality standard that will protect human health and preclude crop, plant, and property damage in accordance with requirements of the federal and State CAA's (Clean Air Act).

State and Federal standards have been established for the "criteria pollutants": ozone, carbon monoxide, nitrogen dioxide, sulphur dioxide, and particulate (PM₁₀ and PM_{2.5}). To determine whether standards for any of these pollutants would be violated, the emissions from both stationary and mobile sources must be considered.

The project would not add any new equipment or processes that would have significant emissions or require permits from the air district.

Mobile emissions are criteria pollutants that would result from additional traffic generated by the project. The project would cause mobile emissions because it would add traffic, however, the increase over the existing traffic at the site would be very small. The Bay Area Air Pollution Control District developed simple screening methods to determine whether project traffic would generate sufficient emissions to warrant more detailed computer modeling (BAAQMD CEQA Guidelines, 1996). These screening methods may also be used in the NSCAPCD. Based on these screening methods, the emission of criteria pollutants would be less than significant.

The district's guidelines include a table (Table 6, Projects with Potentially Significant Emissions) with typical projects and the size of the project that is likely to generate significant quantities of NOX, one of the ozone precursors. All of the examples in the table generate at least 3000 trips a day. Further, the BAAQMD's guidelines recommends that no detailed air quality analysis be done for projects generating fewer than 2000 trips per day. This project would generate an average of 20 new trips per day which is far smaller than the examples given, and it is concluded that the project traffic would not emit significant criteria pollutants.

- c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? _____ X _____

Comment: The NSCAPCD is a non-attainment area for PM₁₀. Based on the relatively low traffic volumes expected with this project and lower air emissions factors for newer vehicles, the emissions of particulates would not be cumulatively considerable.

- d) Expose sensitive receptors to substantial pollutant concentrations? _____ X _____

Comment: The project would not generate substantial pollutant concentrations.

- e) Create objectionable odors affecting a substantial number of people? _____ X _____

Comment: The project includes crushing grapes, which can cause odors. The Air Quality Control Board has no record of complaints generated about grape pomace, except when it was burned. The applicant proposes to spread the crush residue in the vineyard as a soil amendment so there is no reason to believe that there will be objectionable odors associated with the winery operations.

Mitigation Measure. To ensure that no neighbors are affected by odors caused by the residues of the grape crush, all residues must be removed from the site or composted in remote areas of the property farthest away from neighboring properties.

Mitigation Monitoring. If the Permit and Resource Management Department receives complaints regarding objectionable odors, PRMD staff would investigate the complaint and if the condition is violated the use permit may be subject to modification.

4. **BIOLOGICAL RESOURCES** Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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- 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 Game or U.S. Fish and Wildlife Service? _____ _____ X _____

Comment: The project site is located within the potential range of the CTS (California Tiger Salamander). A site assessment for the California Tiger Salamander was prepared by Kjeldsen Biological Consulting. The site was surveyed on foot by biologists on May 11 and 16 of 2006. The habitat/plant community on the site consists of ruderal vegetation that is associated with years of agricultural use. Hydrology on the site has been altered for many years. The report states that there is no aquatic habitat that is sufficient for CTS breeding on the site. The study concludes that the site contains limited potential for CTS upland habitat and no breeding habitat. The biologists preparing the study determined that building the winery on an area already disturbed by an old building that has been demolished and the septic system being placed in a heavily impacted area will not likely impact CTS populations in Sonoma County.

- 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 Game or U.S. Fish and Wildlife Service? _____ _____ X _____

Comment: The project does not include any disturbance along a riparian habitat or sensitive natural community.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? _____ _____ X _____

- 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?

_____ _____ X _____

Comment: The project site is developed with existing structures, vineyard, and fencing. The project development does not include any work within a creek. The project would not substantially interfere with the movement of migratory fish or wildlife species.

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

_____ _____ X _____

Comment: The site is in the VOH (Valley Oak Habitat) area but development of the project would not impact any valley oak trees.

- 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?

_____ _____ _____ X

Comment: This site is located in the Santa Rosa Plains Conservation Strategy. See discussion under 4.a.

5. CULTURAL RESOURCES Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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- a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

_____ _____ X _____

Comment: The proposed winery building would be located on the same site as an old barn that has been demolished and in an area that is heavily disturbed. No existing buildings that have the potential to be considered a historical resource will be damaged or removed. Since construction won't be occurring in a "new" area, potential impacts are less than significant. There is always the potential for buried or otherwise obscured resources. Therefore, a standard condition would be placed on the project to require that, if archaeological artifacts such as pottery, arrowheads, midden are found, all earthwork in the vicinity of the find shall cease, and PRMD staff shall be notified so that the find can be evaluated by a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists). When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. No earthwork in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the archaeologist and Project Review staff. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site.

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

_____ _____ _____ X

Comment: See 5.a.

- c) Directly or indirectly destroy a unique paleontological resource or site of unique

Sonoma County's review and approval of any new structure. This review process ensures the structures would be adequately designed to UBC standards.

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

Comment: The project includes construction of a new building. The development will require grading and could result in a loss of topsoil. However, there will not be a substantial loss. See item 8c for a discussion on soil erosion.

- 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: See response to 6.a.(i) thru (iv). The general geologic and soil characteristics of the project site would not cause an on or off-site landslide with project development. Potential impacts would be addressed through appropriate structural design and construction standards. The project has been conditioned to require building permits to be approved in compliance with UBC and the Regional Water Quality Control Board standards. This review process ensures the structures would be adequately designed to UBC standards and would withstand potential impacts related to liquefaction hazard and ground shaking activity, therefore potential impacts from these types of hazards is considered less than significant.

- 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: Any new construction must obtain appropriate permits under the UBC requirements, therefore potential risks to life or property from expansive soil hazards are considered less than significant.

- 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: Prior to building permit issuance, the applicant must obtain a permit for the sewage disposal system for the winery. The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis and percolation testing may be required. Groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources. The NCRWQCB must review and approve the Wastewater System report. There is no evidence that soils would be incapable of supporting the disposal of waste water. If a permit is not obtained, the winery cannot be constructed.

7. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Comment: The processing and fermentation of the grapes to wine includes the use and maintenance of machinery and equipment that require the transport, use, and disposal of hazardous materials (e.g. oils, diesel, solvents, lubricates, etc.) A referral describing the project was sent to the Department of Emergency Services, which requires that the project must comply with Fire Safe Standards for commercial development. The project itself would not produce or generate hazardous materials. A referral describing the project was also sent to the Environmental Health Specialist-Project Review who required compliance with hazardous waste generator laws and submittal of copies of appropriate permits.

- 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? _____ X

Comment: The use of any hazardous materials by the winery will not be of sufficient volatility or quantity to cause a hazard to the public. These materials are commonly used in the wine industry and will be handled according to existing regulations and codes.

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

Comment: The subject property is not within a one-quarter mile of an existing or proposed school.

- 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? _____ X

Comment: The site is not identified as a hazardous materials sites under Government Code Section 65962.5.

- 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 for people residing or working in the project area? _____ X

Comment: The project site is outside the Comprehensive Airport Land Use referral area boundary of the Charles Schulz - Sonoma County Airport. No special characteristics of distracting light and glare, smoke and electronic interference as potential safety issues are apparent with the proposed use.

- f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? _____ X

Comment: The project is not located within the vicinity of a known private airstrip.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? _____ X

Comment: There will be no impacts on emergency responses or evacuation plans as a result of the project.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

_____ X _____

Comment: According to the Safety Element of the General Plan, the project site is not located in an area with very high or high potential for large wildland fires. The site and neighboring properties are planted in vines, so dry brush and other highly flammable material is limited. Construction of the winery building must conform to Fire Safe Standard requirements for commercial uses related to fire sprinklers, emergency vehicle access, and water supply. This will bring the potential exposure to people or structures to a less than significant impact.

8. HYDROLOGY AND WATER QUALITY

Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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- a) Violate any water quality standards or waste discharge requirements?

_____ X _____

Comment: The proposed facility would generate wastewater from crushing, fermenting, bottling, and barrel washing. A referral describing the project was sent to the North Coast Regional Water Quality Control Board and the Environmental Health Specialist- Project Review, who have set conditions for the project's domestic and industrial wastewater disposal requirements. To ensure the winery facility would not violate water quality standards or waste discharge requirements the following Mitigation Measures and Monitoring have been incorporated into the project:

Mitigation Measure: The applicant must submit a letter of acceptance of wastewater discharge requirements from the North Coast Regional Water Quality Control Board prior to obtaining building permits for any new construction.

Mitigation Monitoring. The Permit and Resource Management Department shall not issue any permits until the Project Review- Health Specialist has received a letter of acceptance of an application for wastewater discharge requirement from the North Coast Regional Water Quality Control Board.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

_____ X _____

Comment: The Project Review Health Specialist determined that it is not likely that the project would substantially deplete groundwater supplies. This is a Zone 1 water availability area and the project should not cause a drop in water levels in near-by wells.

- c) Substantially alter the existing drainage pattern of the site or area, including through

structures which would impede or redirect flood flows? _____ X

Comment: No structures would be placed within any flood hazard zones.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? _____ X

Comment: The site is not subject to flooding.

j) Inundation by seiche, tsunami, or mudflow? _____ X

Comment: The site is not subject to seiche, tsunami or mudflow.

9. LAND USE AND PLANNING Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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a) Physically divide an established community? _____ X

Comment: The project is located within an established agricultural area. The project would not alter the parcel's ownership, nor reconfigure existing parcels or roadways. Therefore, the project would not divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? _____ X

Comment: The request for a winery complies with the Diverse Agriculture General Plan designation and other goals and policies of the County's General Plan and it conforms with the DA zoning.

Agricultural Processing is defined as, "Facilities for the processing of any agricultural product grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of any agricultural product grown or processed on site."

The proposal is also consistent with the General Plan's Agricultural Element Goals, Objectives and Policies which include the following:

Policy AR-4a: "The primary use of any parcel within the three agricultural land use categories shall be agricultural production and related processing, support services, and visitor serving uses. Residential uses in these areas shall recognize that the primary use of the land may create agricultural "nuisance" situations, such as flies, noise, odors, and spraying of chemicals."

The project site is within an agricultural land use category and is an agricultural processing facility.

Goal AR 5: "Facilitate agricultural production by allowing certain agricultural support services to be conveniently and accessibly located in agricultural production areas when related to the primary agricultural activity in the area."

The location is related to and serves primarily the agricultural activity of vineyards. The proposed winery site is located in an area which has many acres planted in vines.

Objective AR-5.1: "Facilitate County agricultural production by allowing agricultural processing facilities and uses in all agricultural land use categories."

The request is for a winery, which is defined as an agricultural processing facility.

Policy AR-5a: "Provide for facilities that process agricultural commodities in all three agricultural land use categories. Establish standards and procedures in the zoning ordinance for permitting those facilities."

The DA zoning allows for agricultural processing plants with a Use Permit. In addition, the Zoning Ordinance requires that agricultural processing facilities be subject to General Plan policies AR-5e and AR-5f which are as follows:

Policy AR-5e states that: "Local concentrations of any commercial or industrial uses, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and shall be avoided."

There are no other wineries in close proximity to the site. The proposal would not hinder or adversely affect the use of the surrounding land for production of food, fiber and plant materials.

Policy AR-5f states, "Permit storage facilities for agricultural products either grown or processed on the site. Size the facilities according to the processing operation."

The project will be conditioned on a requirement that storage on site be for the product created on-site only.

- | | | | | |
|---|-------|-------|-------|----------------|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | _____ | _____ | _____ | _____ <u>X</u> |
|---|-------|-------|-------|----------------|

Comment: The project is not located within any habitat conservation plan or natural community conservation plan area.

- | 10. MINERAL RESOURCES Would the project: | Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|----------------|
| 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? | _____ | _____ | _____ | _____ <u>X</u> |

Comment: The project will not result in the loss of a mineral resource.

- | | | | | |
|---|-------|-------|-------|----------------|
| 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? | _____ | _____ | _____ | _____ <u>X</u> |
|---|-------|-------|-------|----------------|

Comment: The Sonoma County General Plan does not designate the project site as within a known mineral resource deposit area.

- | 11. NOISE Would the project result in: | Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the | _____ | _____ | _____ | _____ |

local general plan or noise ordinance, or applicable standards of other agencies? _____ X _____

Comment: The Sonoma County Noise Element of the General Plan establishes objectives, policies and performance standards for noise producing land uses which may affect noise sensitive land uses and vice versa. Wineries are recognized as a source of community noise because they are typically located in quiet rural areas. Exterior noise primarily occurs during the crush season and is usually less than 60 dBA at distances greater than 300 feet. The project has been conditioned on a requirement that events are limited to the hours of the Daytime Noise Standard found in the Noise Element of the Sonoma County General Plan (currently 7:00 a.m. to 10:00 p.m.). Noise from crush is one of the impacts wineries can have. In order to attenuate noise from crush operations, a condition of approval requires that all grape crushing activities occur indoors. The building plans for the winery must show a minimum of W/R-40 insulation or equivalent to insure adequate noise attenuation. If cooling compressors are required, they shall be located indoors or shall be enclosed in a shed for noise control. Bottling is another noise source from wineries. This project has been conditioned on a requirement that the bottling truck shall be located so that the back end faces south, away from the adjoining residences. The following mitigation will further insure that potential noise impacts are less than significant:

Mitigation Measure: Noise shall be controlled in accordance with the standards set in the Noise Element of the Sonoma County General Plan.

Mitigation Monitoring: Any noise complaints will be investigated by PRMD staff. If such investigation indicates the appropriate noise standard levels have been or may be exceeded, the permit holders shall be required to install, at their expense, additional professionally designed noise control measure(s). Failure to install the additional noise control measure(s) will be considered a violation of the use permit conditions. If noise complaints continue, PRMD shall investigate complaints. If violations are found, PRMD shall seek voluntary compliance from the permit holder and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

- b) Exposure of persons to or generation of excessive groundborne vibration or ground borne noise levels? _____ X _____

Comment: Construction of the new building may generate ground borne vibration and noise. These levels would not be excessive or significant as they would be limited to the construction period and would occur during normal business hours. Otherwise there are no other activities or uses associated with the project that would expose persons to or generate any excessive ground borne vibration or ground borne noise levels.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? _____ X _____

Comment: The proposed use will cause the potential for an increase in noise levels related to more activity overall. The increase would be reduced to less than significant with the mitigation established in 11a.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? _____ X _____

Comment: See Comment 11.b.

- e) For a project located within an airport land use plan or, where such 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?

_____ _____ _____ X

Comment: The project site is outside the 2010 CNEL noise contour for the Charles Schulz Sonoma County Airport.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

_____ _____ _____ X

Comment: The project is not located within the vicinity of a known private airstrip.

12. POPULATION AND HOUSING Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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- a) Induce substantial 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)?

_____ _____ _____ X

Comment: The project would not directly or indirectly induce substantial population growth in the area because it would not add to local housing and would not provide infrastructure needed to support the development of new housing.

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

_____ _____ _____ X

Comment: The project would not displace existing housing or necessitate the construction of housing elsewhere.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

_____ _____ _____ X

Comment: See Comment 12.b

13. PUBLIC SERVICES

Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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- 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 ratios, response times or other performance objectives for any of the public services:

Fire protection?	_____	_____	_____	<u> X </u>
Police protection?	_____	_____	_____	<u> X </u>
Schools?	_____	_____	_____	<u> X </u>
Parks?	_____	_____	_____	<u> X </u>
Other public facilities?	_____	_____	_____	<u> X </u>

Comment: The proposed improvements would not require additional public services or new or physically altered governmental facilities. The project must comply with all applicable fire codes including emergency access, water supply and appliances, building sprinklers, alarm systems, and extinguishers. The project would not have a substantial adverse effect on associated governmental facilities, therefore potential impacts to these agencies is considered less than significant.

14. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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?	_____	_____	_____	<u> X </u>

Comment: The proposed project is considered agricultural processing and not a residential or recreational use. The proposed winery would not cause an increase in the use of parks in the area.

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?	_____	_____	_____	<u> X </u>
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Comment: No recreation facilities are proposed.

15. TRANSPORTATION/TRAFFIC Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	_____	_____	<u> X </u>	_____

Comment: The site is served by Wood Road. The County Department of Transportation and Public Works has reviewed the request and determined that roadways in the project area are adequate to serve the use. The project will be conditioned to improve the existing driveway access to County standards and to pay the County-wide traffic impact fee.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated	_____	_____	_____	_____
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- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____ X _____

Comment: See response to 16.a, above in this initial study. The proposed project is not served by public sewer and all process wastewater will be disposed of in a sub-surface septic system. Clearances must be obtained from both the NCRWQCB and the Well and Septic Section of PRMD prior to permit issuance.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____ _____ _____ X

Comment: Project development will require the construction of storm water drainage facilities for all new structures. Conditions will require that drainage improvements be designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria for approval by the Director of the Permit and Resource Management and be shown on the improvement drawings.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? _____ _____ X _____

Comment: Water for both domestic use and for winemaking operations will be provided by an existing well on the property. This is a Zone 1 water availability area and there should be sufficient water to serve the project.

- e) 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? _____ _____ _____ X

Comment: The project is not served by a wastewater treatment provider. Approval must be obtained for the proposed waste water system by the Well and Septic Section of PRMD and the NCRWQCB.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? _____ _____ _____ X

Comment: Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that will result from the proposed project. Grape pomace from the processing of the grapes into wine will be composted and tilled into the vineyard.

- g) Comply with federal, state, and local statutes and regulations related to solid waste? _____ _____ _____ X

Comment: A referral describing the project was sent to the Project Review-Health Specialist, who required as a condition of approval that prior to issuance of any related building permit, the applicant shall submit a design for trash enclosures for review and approval to the Division of Environmental Health. This will ensure the winery facility complies with local regulation for solid waste.

