

AESTHETICS:

Mitigation VIS-1:

Prior to issuance of building permits, the project site plan, building elevations, colors and materials, signage, lighting plan, landscaping and irrigation plans shall be submitted for design review by Permit Sonoma or the Design Review Committee.

Mitigation Monitoring VIS-1:

The Permit and Resource Management Department shall not issue Building Permits until the project site plan, building elevations, colors and materials, signage, lighting plan, landscaping and irrigation plan has been submitted that is consistent with the approved design review plans and County standards. Permit Sonoma shall not sign off final occupancy on Building Permits until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved design review plans and conditions.

Mitigation Measure VIS-2: Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by PRMD or the Design Review Committee. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the sky. Flood lights are not permitted. All parking lot lights shall be full cut-off fixtures and shall not exceed 4 feet in height. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.

Mitigation Monitoring VIS-2: The Permit and Resource Management Department shall not issue the building permit until an exterior night lighting plan has been reviewed, approved and found to be consistent with the approved plans and County Design Standards. The Permit and Resource Management Department shall not sign off the Building Permit for occupancy until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or procedures to revoke the permit and terminate the use shall be initiated.

AIR QUALITY:

Mitigation Measure AIR-1:

The following dust control measures shall be included in the project:

- a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- c. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.

Mitigation Monitoring AIR-1:

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

Mitigation Measure AIR-2:

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 AIR-2:

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.

BIOLOGICAL RESOURCES:

Mitigation Measure BIO-1 (CESA Listed Plants):

Prior to ground disturbance, the project shall submit a wetland assessment and an evaluation of potential direct and indirect impacts to any onsite and adjacent off-site wetland habitat, such as modification of hydrological conditions, to CDFW for review and obtain CDFW's written acceptance of the assessment and evaluation.

If direct or indirect impacts to wetlands may occur, the project shall submit to CDFW two years of completed botanical survey results and obtain CDFW's written approval of the results prior to project construction. The botanical survey results should follow CDFW's 2018 Protocols for *Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and the Santa Rosa Plain Conservation Strategy, Appendix D: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain* (<https://www.fws.gov/library/collections/santa-rosa-plain-conservation-strategy>). If CDFW is unable to accept the survey results, the project shall conduct additional surveys prior to initiation of project activities or may assume presence of Sonoma sunshine, Burke's goldfields, and Sebastopol meadowfoam. Please be advised that for CDFW to accept the results, they should be completed in conformance with the above survey protocols and guidelines, including, but not limited to, conducting surveys during appropriate conditions, utilizing appropriate reference sites, and evaluating all direct and indirect impacts such as altering off-site hydrological conditions where the above species may be present. Surveys conducted during drought conditions may not be acceptable. If the botanical surveys result in the detection of the above CESA listed plants that may be impacted by the project, or the presence of these species is assumed, the project shall obtain a CESA ITP from CDFW prior to construction and comply with all requirements of the ITP including, but not limited to, providing habitat compensation. In addition, the project shall consult with the USFWS for any impacts to suitable habitat for plants listed under the federal Endangered Species Act (e.g., wetlands, ESA) and provide compensatory habitat mitigation as required.

Mitigation Monitoring BIO-1:

Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure authorization or clearance from CDFW has been obtained prior to starting Project activities.

Mitigation Measure BIO-2 (California tiger salamander):

Prior to commencing construction-related activities on the project site, the project shall obtain a CESA ITP from CDFW for impacts to California tiger salamander and comply with the ITP. Copies of the ITP shall be provided to the County prior to the commencement of construction-related activities. The project shall obtain authorization from the U.S. Fish and Wildlife Service (USFWS) for impacts to California tiger salamander and comply with the authorization. The project shall also provide habitat compensation for California tiger salamander in accordance with the ITP and Santa Rosa Plain Conservation Strategy (Strategy). Please note that the CESA ITP habitat compensation requirements are often consistent the Strategy but may differ based on-site specific conditions.

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 authorization or clearance from CDFW has been obtained prior to starting Project activities.

Mitigation Measure BIO-3 (Burrowing Owl):

If the project occurs during the burrowing owl wintering season from September 1 to January 31, prior to project activities a qualified biologist shall conduct a habitat assessment several months prior to the start of construction, and if habitat is present shall conduct surveys, in accordance with the California Department of Fish and Game (now CDFW) 2012 *Staff Report on Burrowing Owl Mitigation* (CDFW 2012 Staff Report, available here: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>) habitat assessment and survey methodology. The habitat assessment and survey area shall encompass a sufficient buffer zone to detect owls nearby that may be impacted, which shall be a minimum of 1,640 feet where suitable habitat occurs, unless otherwise approved in writing by CDFW. Time lapses between surveys or project activities shall trigger subsequent surveys, as determined by a qualified biologist, including, but not limited to a final survey within 24 hours prior to ground disturbance and before construction equipment mobilizes to the project area. If the habitat assessment does not identify suitable habitat and surveys are not conducted, an additional habitat assessment shall be conducted within 14 days prior to construction and if new refugia are present surveys shall be conducted as described above, unless otherwise approved in writing by CDFW. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections of burrowing owl.

Detected burrowing owl shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, and any eviction plan shall be subject to CDFW review. Please be advised that CDFW does not consider eviction of burrowing owl (i.e., passive removal of an owl from its burrow or other shelter) as a “take” avoidance, minimization, or mitigation measure; therefore, off-site habitat compensation shall be included in the eviction plan. Habitat compensation acreages shall be approved by CDFW, as the amount depends on-site specific conditions, and completed before project construction unless otherwise approved in writing by CDFW. It shall also include placement of a conservation easement and preparation, implementation, and funding of a long-term management plan prior to project construction.

Mitigation Monitoring BIO-3:

Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure authorization or clearance from CDFW has been obtained prior to starting Project activities.

Mitigation Measure BIO-4 (Bat Protection):

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

Mitigation Monitoring BIO-4:

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

Mitigation Measure BIO-5 (Nesting Birds and White-Tailed Kite):

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

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

Mitigation Monitoring BIO-5:

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-6 (LSA Notification):

The project shall consult with CDFW to determine if on-site aquatic features are subject to Fish and Game Code section 1600 et seq or shall submit an LSA notification (Lake and Streambed Alteration Notification) for any on-site or indirect off-site impacts to streams. For project activities that may substantially alter the bed, bank, or channel of any streams (including ephemeral or intermittent streams), an LSA Notification shall be submitted to CDFW pursuant to Fish and Game Code section 1602 prior to project construction. If CDFW determines that an LSA Agreement is warranted, the project shall comply with all required measures in the LSA Agreement, including, but not limited to, requirements to mitigate impacts to the streams and riparian habitat. Permanent impacts to the stream and associated riparian habitat shall be mitigated by restoration of riparian habitat at a 3:1 mitigation to impact ratio based on acreage and linear distance as close to the project area as possible and within the same watershed and year as the impact, unless otherwise approved in writing by CDFW. Temporary impacts shall be restored onsite in the same year as the impact.

Mitigation Monitoring BIO-6:

Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure authorization or clearance from CDFW has been obtained prior to starting Project activities.

Mitigation Measure BIO- 7 (Tree Protection):

The applicant shall provide a final landscape plan demonstrating compliance with the County's Tree Protection Ordinance and the County's Valley Oak Habitat Combining District, including tree replacements and/or in-lieu fees consistent with County Code requirements.

Mitigation Monitoring BIO-7:

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

GEOLOGY AND SOILS:

Mitigation GEO-1:

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

Mitigation Monitoring GEO-1:

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

HYDROLOGY AND WATER QUALITY:

Mitigation HYD-1:

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 HYD-1:

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.

Mitigation HYD-2:

Drainage review improvements shall be designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria for approval and shall be shown on the improvement drawings. The developer's engineer shall include a site grading plan and an erosion control plan as part of the required improvement drawings.

Mitigation Monitoring HYD-2:

The Permit and Resource Management Department shall not issue a grading or building permit until evidence is submitted and approved by the Drainage Review section of PRMD that the improvements have been designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria for approval and are shown on the improvement drawings. The developer's engineer shall include a site grading plan, and an erosion control plan as part of the required improvement drawings.

NOISE:

Mitigation Measure NOISE-1:

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

Mitigation Monitoring NOISE-1:

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.

Mitigation Measure NOISE-2

The outdoor tasting garden is limited to a maximum of 10 tasting room visitors at any one time.

Mitigation Monitoring NOISE-2:

Any noise complaints will be investigated by PRMD staff. If violations are found, PRMD 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:

Construction activities for this project shall be restricted as follows:

All plans and specifications or construction plans shall include the following notes:

- a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 8:00 a.m. and 5:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on weekends and holidays. Limit work to non-motorized equipment on Sundays and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the PRMD Project Review Division as soon as practical.

- c) There will be no start up of machines nor equipment prior to 8:00 a.m, Monday through Friday or 9:00 am on weekends and holidays; no delivery of materials or equipment prior to 8:00 a.m nor past 5:00 p.m, Monday through Friday or prior to 9:00 a.m. nor past 5:00 p.m. on weekends and holidays and no servicing of equipment past 5:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- d) Pile driving activities shall be limited to 8:00 a.m. to 5:00 p.m. weekdays only.
- e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- d) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
- f) Prohibit all unnecessary idling of internal combustion engines.
- g) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

Mitigation Monitoring NOISE-3:

PRMD Project Review Division staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. PRMD staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by PRMD staff. If violations are found, PRMD 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)

TRANSPORTATION:

Mitigation Monitoring TRANS-1

No parking is permitted on Wood Road. If the parking lot fills during any event, the applicant is required to place a movable sign along Wood Road stating that the winery is temporarily closed (or similar language) to prevent vehicle stacking and parking along the roadway.

Mitigation Monitoring TRANS-1:

If PRMD receives and can validate complaints that special events traffic has caused parking or queuing on Wood Road, PRMD will subject the Use Permit to modification or revocation.

TRIBAL CULTURAL RESOURCES:

Mitigation Measure TCR-1:

A Tribal Monitor from the Federated Indians of Graton Rancheria, or in the event a tribal monitor is not available an archaeological monitor approved by the Federated Indians of Graton Rancheria shall be retained to be on site to monitor all project-related ground disturbing construction activities (i.e., grading,

excavation, potholing, etc.) within previously undisturbed soils. In the event the Tribal Monitor identifies tribal cultural resources, the monitor shall be given the authority to temporarily halt construction in the immediate vicinity and within 50 feet of the discovery and to determine if it is a tribal cultural resource under CEQA in consultation with Permit Sonoma and, if necessary, the qualified archaeologist. Construction activities can continue in areas 50 feet away from the find and not associated with the cultural resource location. If the discovery proves to be significant, additional work such as testing or data recovery may be warranted. Any resources found should be treated with appropriate dignity and respect. At the completion of monitoring activities, all artifacts of Native American origin shall be returned to the culturally affiliated tribe through the tribal monitor.

Mitigation Monitoring TCR-1:

Prior to issuance of building or grading permits, the applicant shall provide appropriate agreements with the Federated Indians of Graton Rancheria, or if unavailable an archaeological firm accepted by the Federated Indians of Graton Rancheria to Permit Sonoma for review and approval. Mitigation Measure TCR-1 shall be listed as a note on all grading and building plan sheets submitted for permitting. Prior to final inspections and use permit certificate issuance the applicant shall provide documentation in writing including photos demonstrating that the mitigation was implemented during construction activities.

I/We, _____, the property owner(s), hereby agree to the above listed Mitigation Measures as conditions for the project approval of File No. UPE17-0049.

Signed: _____
Property Owner Date