



# County of Yolo

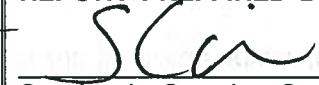
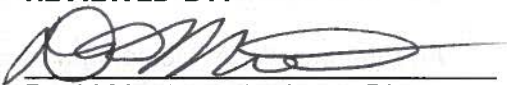
## PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo  
DIRECTOR

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### PLANNING COMMISSION STAFF REPORT

JULY 14, 2011

<b>FILE #2010-046:</b> Request for a Use Permit to convert an old barn into a small, boutique wine tasting room and storage facility for the Miner's Leap Winery. (Attachment A).	
<b>APPLICANT:</b> Sacramento Wine Works, LLC dba Miner's Leap Winery 54250 South River Road Clarksburg, CA 95612	<b>OWNER:</b> Loyal Miner, Managing Member/Robert Maley 54250 South River Road Clarksburg, CA 95694
<b>LOCATION:</b> 54250 South River (044-080-010) (Attachment B). <b>GENERAL PLAN:</b> Agriculture (AG) <b>ZONING:</b> Agricultural General (A-1) <b>SUPERVISORIAL DISTRICT:</b> 1 (Supervisor McGowan)	<b>FLOOD ZONE:</b> A (area within the 100-year flood plain) <b>SOILS:</b> Sycamore silt loam (So) (Class II), Sycamore silty clay loam (Ss) (Class II), and Merritt silty clay loam (Mk) (Class II) <b>FIRE SEVERITY ZONE:</b> None
<b>ENVIRONMENTAL DETERMINATION:</b> Negative Declaration	
<b>REPORT PREPARED BY:</b>  Stephanie Cormier, Senior Planner	<b>REVIEWED BY:</b>  David Morrison, Assistant Director

### RECOMMENDED ACTIONS

That the Planning Commission:

1. Hold a public hearing and receive comments;
2. Adopt the Initial Study/Negative Declaration prepared for the project in accordance with the California Environmental Quality Act (CEQA) and Guidelines (Attachment C);
3. Adopt the proposed Findings (Attachment D); and
4. Approve the Use Permit subject to the Conditions of Approval (Attachment E).

AGENDA ITEM 6.1

## **REASONS FOR RECOMMENDED ACTIONS**

The project proposal for a small, rural wine tasting room is an opportunity to expand both the local economy and agri-tourism activity in the Clarksburg area. As described in the Yolo County 2030 Countywide General Plan, agri-tourism is an opportunity to enhance tourism and promote value-added agricultural endeavors, such as showcasing local farm products. Some of the guiding principles in the Yolo County 2030 Countywide General Plan call for the success of agriculture in Yolo County and a strong economy as the key to long-term sustainability of farms. In meeting these objectives, the project proposes to promote agricultural tourism by supporting consumption of regional and locally grown wines.

## **BACKGROUND**

The applicant requests a Use Permit to convert a 111-year old barn into a wine tasting room and storage facility. Miner's Leap Winery proposes to relocate their existing wine tasting room from Lockeford (San Joaquin County), to Clarksburg with the intent of establishing a small, boutique winery and tasting room, with a future small crush/storage facility, for their custom wines. The future crush operations will be for very small production (i.e., less than 1,000 cases per year). The bulk of wine production for Miner's Leap winery will continue at their "Estate Crush" facility in Lodi (San Joaquin County).

The project is located on a 23-acre A-1 (Agricultural General) zoned parcel that currently includes a rural residence, landscaping improvements, and the old barn. The applicant proposes to make interior tenant improvements to the barn, which would convert the use from agricultural storage to a commercial (public) use structure. The rustic look of the barn will be preserved, as no exterior changes are proposed.

In addition to wine tasting, the applicant proposes to host approximately 10 to 15 weekend events per year, with between 50 to 85 guests at each event, and up to 150 guests at a large event. Hours of operation for wine tasting will be Fridays, Saturdays, and Sundays from 11:00 a.m. until 6:00 p.m. with approximately 50 to 80 visitors expected to enter the winery per day.

Adequate parking, including accessible stalls and path of travel, will be provided onsite, with overflow parking available for large events.

## **STAFF ANALYSIS**

The 23-acre parcel is currently farmed in wheat by a lease farmer. The surrounding agricultural lands are also in active production with row crops and vineyards, and include rural residences and a private airfield. The project site includes approximately three acres of disturbed land that includes the house, barn, sheds, paved drive, paved pathways and landscaped areas, pump house, agricultural staging areas, and associated leach fields for onsite sewage disposal. The rest of the property, approximately 20 acres, is cultivated. The applicant intends to convert five to 15 acres of row crops into a future vineyard.

The 111-year old barn has not been designated as historic, but the applicant intends to retain its rustic look by making only interior improvements. Because the property is in a floodplain, any tenant improvements proposed to the barn will be subject to FEMA regulations and the County's Flood Damage Prevention Ordinance. Unlike residential structures, a commercial

structure, such as a barn that will be converted for a non-residential public use, is not required to be elevated one-foot above the determined base flood elevation. However, in order to comply with FEMA and County requirements, the applicant will be required to adhere to requirements for building in the floodplain and to obtain the necessary permits prior to any construction improvements. This may require using adequate flood proofing materials and other features, as required by FEMA.

As indicated in the Initial Study/Negative Declaration prepared for the project, no significant environmental impacts are expected to occur from the development and operation of the proposed project. However, the site is within a locally designated scenic corridor; within proximity to two prehistoric Native American village sites; within the overflight safety zone of a nearby private airfield (Borges-Clarksburg Airport); and in a floodplain. Each of these issues is discussed in greater detail below.

The closest rural home sites, other than the applicant's residence, are located approximately 220 feet east and 520 feet west of the project vicinity. Since the project is surrounded by active farmland, any large events scheduled at the site, other than regular wine tasting hours, will require noticing, so that any aerial spraying applications can be managed in advance. As a Condition of Approval, the applicant will be required to notify adjoining property owners and current lease farmers of any large events.

#### Aesthetics

South River Road, from Jefferson Boulevard in the City of West Sacramento to the Sacramento County line, is a locally designated scenic roadway, according to the 2030 Countywide General Plan. The project site, which is accessed off South River Road, is visible from the roadway. Other than the recent landscaping improvements, the only other changes proposed at the project site are tenant improvements to the interior structure of the barn, future construction of a small crush/storage facility, widening the existing paved driveway to accommodate two-way traffic ingress and egress, and the planting of up to 15 acres of vineyards. Improvements made to the property will not obscure the scenic quality of the county's rural roadway system or negatively affect the quality of views from the designated scenic roadway.

#### Cultural Resources

Although the site has not been designated as an historical site, many of the pioneer-era homes in the Lisbon District (homes located on South River Road between Babel Slough Road and Pumphouse Road) were inventoried in the historic resources survey conducted by the Yolo County Historic Committee in 1986. One home in the Lisbon District has been designated as a local historic resource. It is located at 54080 S. River Road, just southwest of the project site, but will not be affected by the project.

According to the Yocha Dehe Wintun Nation Cultural Resources Department, there are two prehistoric village sites nearby, whose boundaries have the potential to overlap with the property. In order to protect the significance of an archaeological resource, the applicant will be required to perform an archaeological survey prior to any ground disturbing activities, such as the future construction of a small crush/storage facility. Since the barn currently exists in a previously disturbed area, and only structural modifications will be made to accommodate the project, it is unlikely that the nearby village sites will be disturbed due to the proposed tenant improvements.

## Hazards

The project is located adjacent to the Borges-Clarksburg Airport, a private airstrip, and is within a safety zone, which has been established to minimize the number of people exposed to aircraft crash hazards. The overflight safety zone is the area under the air traffic pattern and is the least restrictive safety zone. According to the Borges-Clarksburg Airport Comprehensive Land Use Plan (CLUP), the airport averages approximately 58 aircraft operations per week, or approximately 6,000 operations per year, and there are no development plans for any future facilities at the airstrip at this time. The CLUP identifies compatible land uses within each safety zone. Eating and drinking establishments are allowed within the overflight zone, without restriction. According to SACOG/ALUC staff, since the location of the wine tasting room is located in the Overflight Safety Zone, and not the Approach Departure Zone, the Airport Land Use Commission has determined that the project is a compatible use with the Comprehensive Land Use Plan for the Borges-Clarksburg Airport.

Although the project is not expected to generate noise levels above and beyond the existing noise environment, proximity to the Borges-Clarksburg Airport was addressed in the Initial Study/Negative Declaration (Attachment C). Noise contours do not currently exist for the airport, which are typically used to determine impacts to surrounding land uses. Findings made in the Borges-Clarksburg Airport CLUP assumed that land uses located adjacent to the airport are those which are not sensitive to the impact of aircraft noise, and that no noise-sensitive land uses were anticipated to be developed having the potential to be impacted by aircraft noise. If, in the future, takeoffs and landings increase substantially at the airport, a noise study would be performed to determine a noise contour, and any future residential development, i.e., a home site, would be prohibited within that contour.

## Flooding

Although the approximately 215 miles of project levees in Yolo County once provided flood protection to West Sacramento, Woodland, Knights Landing, Clarksburg, Davis, and other agricultural lands, a recent determination by the State Department of Water Resources, in conjunction with FEMA, has concluded that the levees are not considered adequate to protect against the 100-year flood, and the levees have been decertified. According to the updated Flood Insurance Rate Maps for Yolo County (June 18, 2010), the project site is now within the newly designated 100-year floodplain. Any proposed improvements or new construction at the project site must comply with County and FEMA regulations for preventing flood hazards. Additionally, the project will be required to ensure that it complies with the requirements of the Central Valley Flood Protection Board (Attachment F).

## **SUMMARY OF AGENCY COMMENTS**

A Request for Comments was prepared and circulated for the proposed project from April 7, 2011, to April 21, 2011. A courtesy notice was also sent to adjoining property owners advising them of the proposed project. The Initial Study/Negative Declaration was circulated for public review from June 22, 2011, to July 12, 2011. The project was also reviewed by the Development Review Committee (DRC) on April 27, 2011, and on June 22, 2011. The applicants were present at the June 22<sup>nd</sup> DRC meeting to discuss the project's Conditions of Approval. The project was also sent to the Clarksburg Citizen Advisory Committee, which unanimously recommended approval of the project on July 7, 2011. Comments received during

the review periods from interested agencies are provided below and have been incorporated into the project's conditions as appropriate.

Date	Agency	Comment	Response
April 8, 2011	Yolo Natural Heritage Program	As long as the improvements are located within a 2.5-acre footprint, impacts to Swainson's hawk are not anticipated.	Addressed in the Initial Study/Negative Declaration
April 12, 2011	Yocha Dehe Wintun Nation Tewe Kewe Cultural Center	The Cultural Resources Department has determined that there are no known sites affected by the project. There are however, two prehistoric village sites nearby, whose boundaries have the potential to overlap with the property. The initial survey of those village sites was conducted in 1934 using survey methods and techniques that are outdated and ineffective when paired with today's land uses. It is recommended that, if there are proposed ground disturbance activities, the area first be surveyed. If archaeological discoveries are made, please notify the Tribe to determine proper disposition of any artifacts or culturally sensitive items.	Included in Conditions of Approval.
April 13, 2011	Yolo County Agricultural Commissioner's Office	<p>The current winery may be located within the European Grapevine Moth quarantine area of San Joaquin County. As Yolo County does not have the pest, extra care shall be required so as not to become infested. All regulated article and commodities moved from the European Grapevine Moth quarantine area of San Joaquin County must comply with the quarantine requirements and be free of all life stages of the pest.</p> <p>Requested the applicant work out issues with adjacent property owners and their spraying needs.</p>	Included in the project's Conditions of Approval. However, no articles or commodities will be moved from the Lockford winery, which is only a tasting room. The bulk of Miner's Leap Winery production will remain at their Estate Crush in Lodi.
April 22, 2011	Shirley Penn, Lisbon District resident	Expressed concern about the project's impacts.	Staff addressed concerns in a reply e-mail; applicant has since contacted the neighbor to further address outstanding

			concerns. Applicant has indicated he will notify the neighbor of all scheduled events.
April 19, 2011	Delta Protection Commission	The conversion of a barn into a wine tasting and storage facility is consistent with the Delta Protection Commission's Land Use and Resource Management Plan policies that require that local government general plans and zoning codes continue to promote agriculturally-supporting commercial and industrial uses, agricultural tourism, and value-added agricultural production. The project is aligned with the Management Plan's goal of preserving the Primary Zone's strong agricultural/economic base and encouraging agriculturally-related business and supporting infrastructure.	Comments noted.
April 27, 2011	Yolo County Environmental Health	<p>Expansion of food operation beyond wine tasting will require an upgrade of the facility to meet California Code Retail food facility requirements. A health permit will be required at that time as well as plan review prior to issuance of a building permit.</p> <p>Water provided to a permitted food facility must meet potable standards at all times.</p> <p>Increasing the capacity of the sewage disposal system will require a permit from Environmental Health. Due to proximity to high ground water, an alternative or elevated system may be required.</p> <p>Only domestic waste is allowed to be disposed of into a septic system. Non-domestic liquid waste must be hauled off site to an approved treatment facility or properly treated onsite. Handling of non-domestic liquid wastes should be under permit from the Regional Water</p>	Included in Conditions of Approval.

		Quality Control Board, Central Valley District.	
May 2, 2011	Yolo County Public Works	<p>Construction of the proposed development shall comply with the County of Yolo Improvement Standards that require best management practices to address storm water quality, erosion, and sediment control.</p> <p>In order to provide two-way traffic ingress and egress to/from the development, the applicant shall widen the paved driveway throat width to a minimum of twenty feet from South River Road to the parking area, or per Clarksburg Fire Protection District requirements.</p>	Included in Conditions of Approval.
May 10, 2011	Yolo County Building Division	<p>The applicant must complete and submit a Substantial Improvement Form and a signed appraisal from a licensed appraiser.</p> <p>The current 2010 Building Codes (i.e., Building, Electrical, Plumbing, Mechanical, Energy, ADA) will apply.</p> <p>The applicant must submit a signed letter from the Clarksburg Fire Chief stating that fire sprinklers will not be required.</p> <p>If the structure exceeds 50% value of the cost of the project, the applicant will need to submit a Floodplain Elevation Certificate and comply with the County's and FEMA's floodplain management requirements.</p>	Included in Conditions of Approval.
June 22, 2011	Sacramento Area Council of Governments/Airport Land Use Commission for Yolo County	Based on the County's verification that the location of the wine tasting room is located in the Overflight Safety Zone, and not the Approach Departure Zone, the ALUC has determined that the project is a compatible use with the Comprehensive Land Use Plan for the Borges-Clarksburg Airport.	Addressed in the Initial Study/Negative Declaration.
June 22, 2011	Central Valley Flood Protection Board	The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction,	<p>Included in Conditions of Approval.</p> <p>The applicant is</p>

		<p>maintenance and protection of adopted flood control plans that will protect public lands from floods. (See letter in Attachment F)</p>	<p>also aware that existing policies in the 2030 Countywide General Plan prohibit the installation of permanent improvements within 50 feet of the toe of any levee.</p>
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**APPEALS**

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of the Board of Supervisors within **fifteen (15) days** from the date of the action. A written notice of appeal specifying the grounds for appeal and an appeal fee immediately payable to the Clerk of the Board must be submitted at the time of filing. The Board of Supervisors may sustain, modify, or overrule this decision.

**ATTACHMENTS**

- A: Site Plan
- B: Location Map
- C: Initial Study/Negative Declaration
- D: Findings
- E: Conditions of Approval
- F: Correspondence



# SITE PLAN

## VICINITY MAP



## PROJECT DATA

**PROJECT LOCATION:** 54250 S. River Rd. CLARKSBURG, VA 24030  
**AAA:** SA-200-000  
**PROJECT DESCRIPTION:** BUILD IMPROVEMENT  
**CONTRACT ALIGNMENT:** 0.714  
**TYPE OF ALIGNMENT:** TO  
**SURVEY AREA:** 20000 SQ. FT. (200' BY 1000')  
 (SEE MAP OF THIS PROJECT)

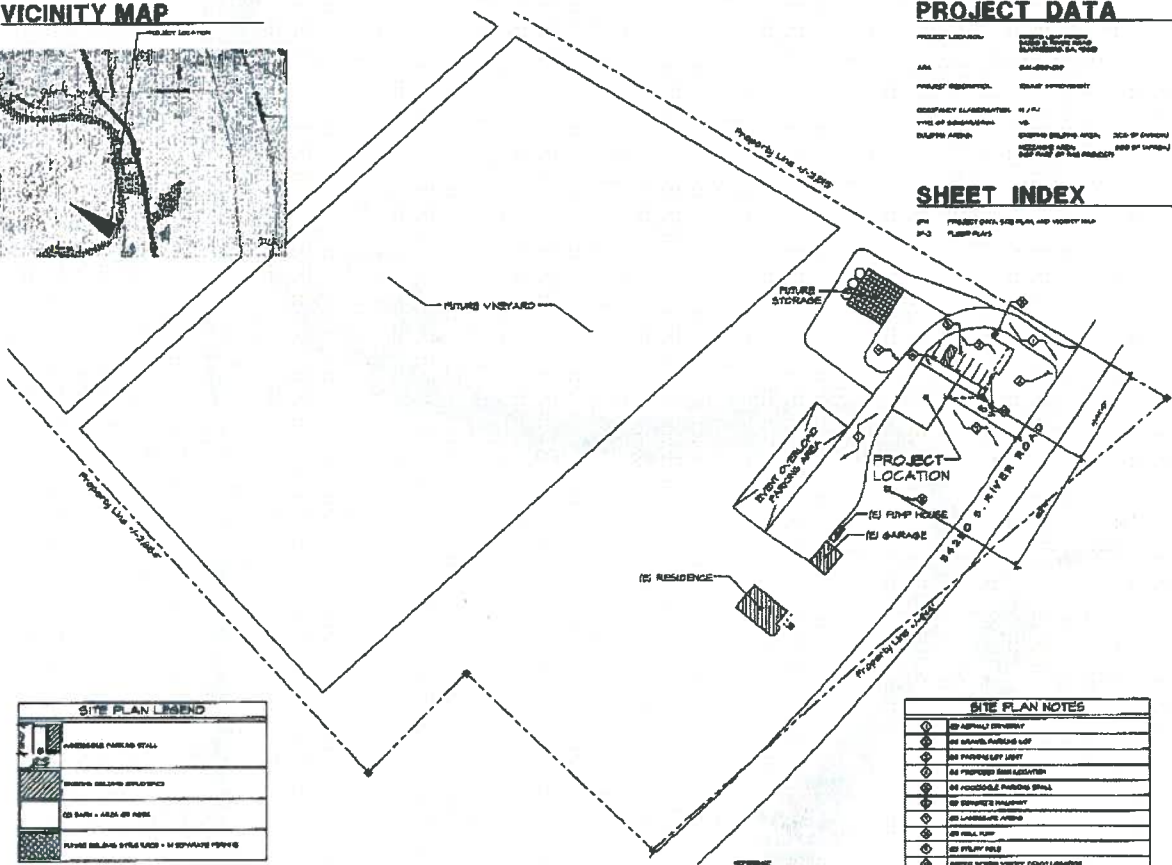
**PROJECT NO.:**  
 Minor Leases Winery  
 54250 S. River Rd.  
 Clarksburg, VA 24030  
 Phone: 816.813.6909

## SHEET INDEX

P-1 PROJECT DATA, SITE PLAN, AND VICINITY MAP  
 P-2 FLOOR PLANS

**PROJECT:**  
 Building Remodel

**SHEET CONTENTS:**  
 Project Data, Site Plan,  
 and Vicinity Map



SITE PLAN LEGEND	
	PARKING STALLS
	EXISTING BUILDING FOOTPRINT
	SITE AREA
	FUTURE BUILDING SITE AREA - 100' BY 100'

SITE PLAN NOTES	
	SEE ARCHITECT DRAWING
	SEE ARCHITECT DRAWING
	SEE ARCHITECT DRAWING
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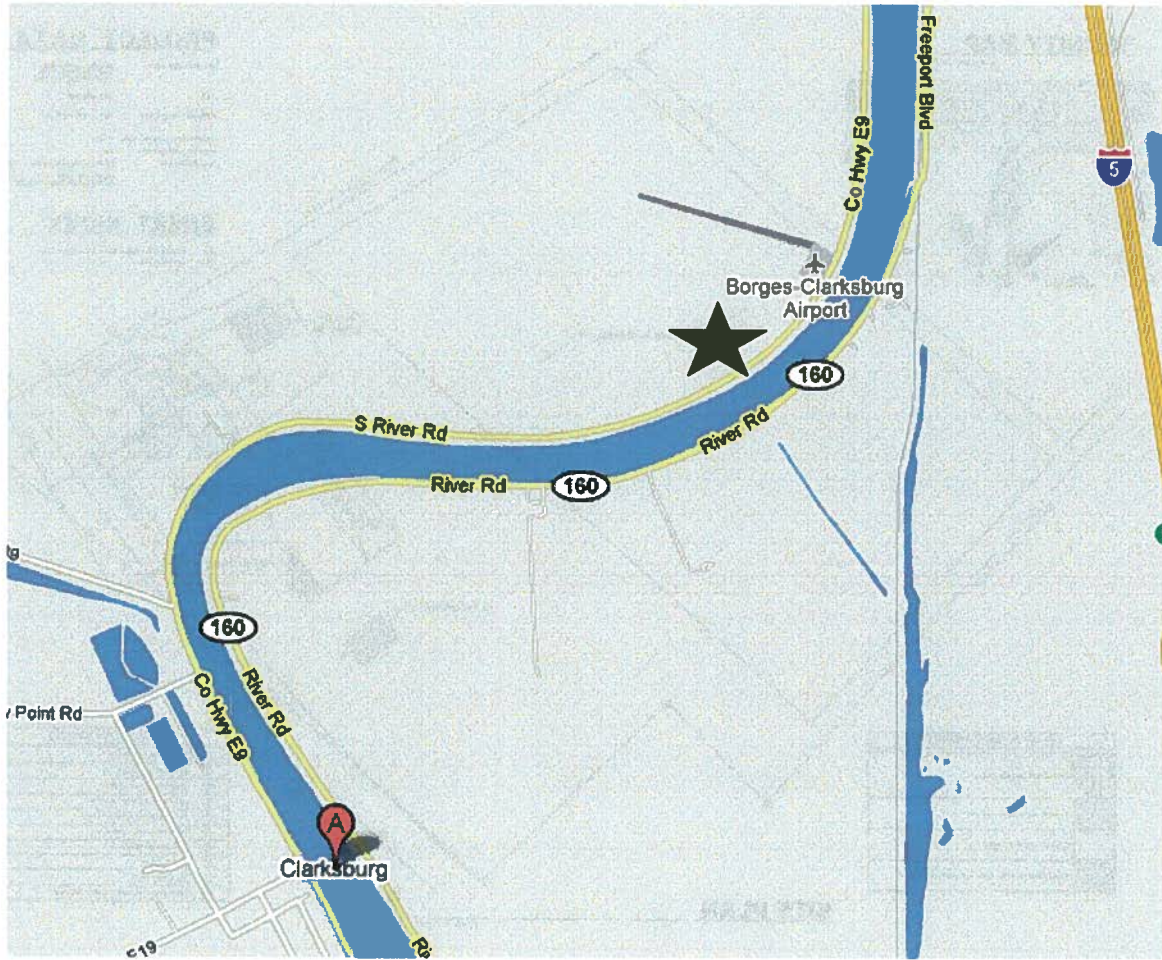
DATE:	08/11/11
BY:	UP-1
SCALE:	AS SHOWN
NO.:	08/11/11
REV:	

**SITE PLAN**

SCALE: 1" = 40'-0"

**ATTACHMENT A**

# VICINITY MAP



# ATTACHMENT B



**YOLO COUNTY  
PLANNING AND PUBLIC WORKS DEPARTMENT**

**INITIAL STUDY/NEGATIVE DECLARATION**

**FILE # 2011-013**

**MINER'S LEAP WINERY**

**USE PERMIT**

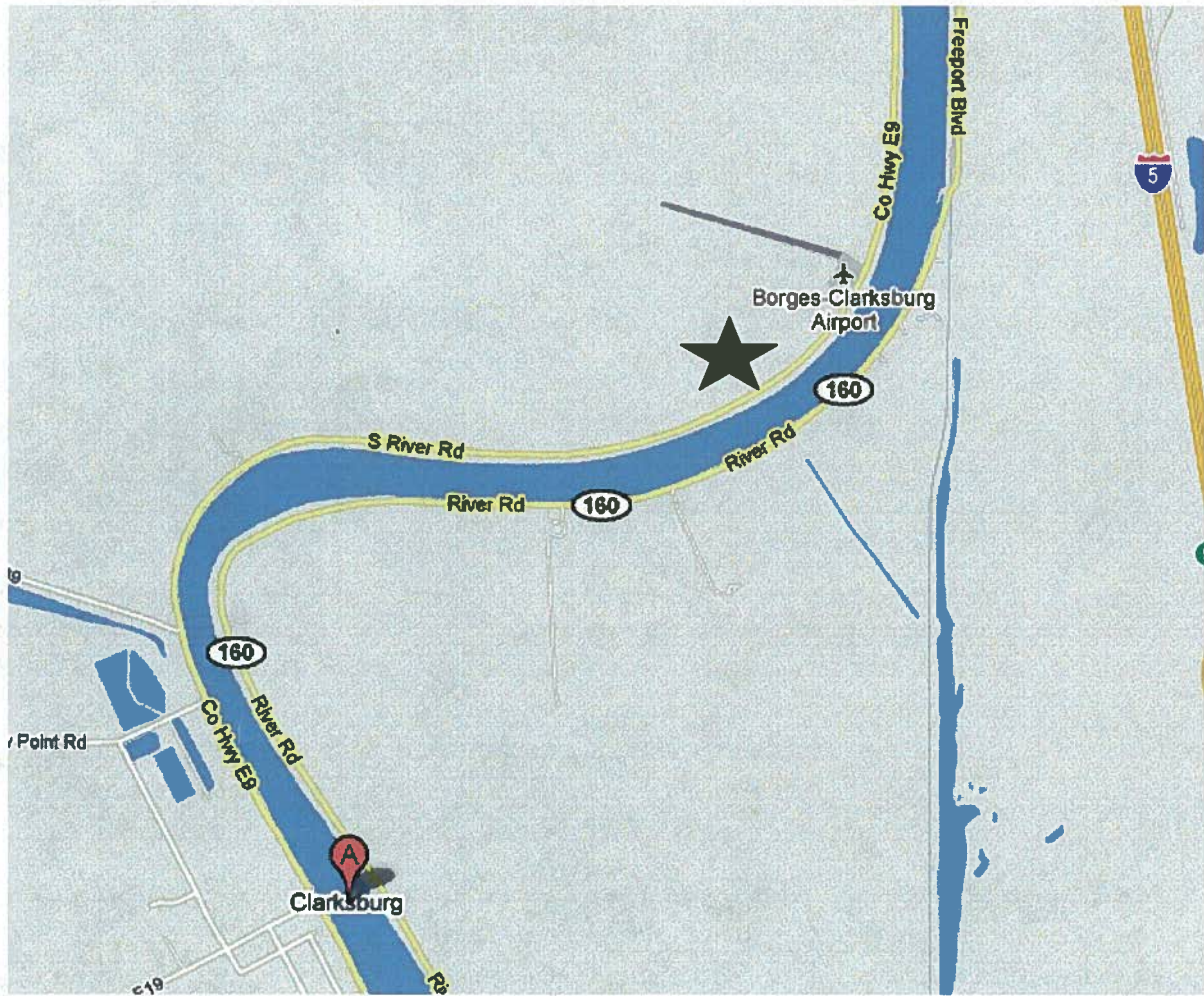
June, 2011

**ATTACHMENT C**

## Initial Environmental Study

1. **Project Title:** Miner's Leap Winery Use Permit (ZF #2011-013)
2. **Lead Agency Name and Address:**  
Yolo County Planning and Public Works Department  
292 West Beamer Street  
Woodland, CA 95695
3. **Contact Person, Phone Number, E-Mail:**  
Stephanie Cormier, Senior Planner  
(530) 666-8850  
[stephanie.cormier@yolocounty.org](mailto:stephanie.cormier@yolocounty.org)
4. **Project Location:**  
The project site is located at 54250 South River Road (Assessor Parcel Number (APN): 044-080-010; see Figure 1(Vicinity Map) and Figure 2 (Aerial Map)
5. **Project Sponsor's Name and Address:**  
Sacramento Wine Works, LLC  
DBA Miner's Leap Winery  
54250 S. River Road  
Clarksburg, CA 95612
6. **Land Owner's Name and Address:**  
(same)
7. **General Plan Designation(s):**  
Designated as "Agriculture" in the 2030 Yolo Countywide General Plan
8. **Zoning:**  
Currently zoned Agricultural General (A-1)
9. **Description of the Project:**  
See attached "Project Description" on the following pages for details
10. **Surrounding Land Uses and Setting:**  
Agricultural uses surround the project site to the north, east, and west. South River Road and the Sacramento River lie to the south. Rural residences lie to the east and west, and the Borges-Clarksburg Airport lies to the west. Most of the surrounding farmland is in row crops and vineyards.





**Figure 1 - Vicinity Map**



**FIGURE 2**  
**AERIAL MAP OF PROJECT SITE**





**11. Other public agencies whose approval is required:**

Yolo County Public Works; Yolo County Environmental Health; Reclamation District 307 (Lisbon District)

**12. Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the State Health and Safety Code, and the State Public Resources Code.

**Project Description**

The "Project" Under CEQA

This Environmental Initial Study is prepared in accordance with the California Environmental Quality Act (CEQA). The term "project" is defined by CEQA as the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment (CEQA Guidelines Section 15378). This includes all phases of a project that are reasonably foreseeable, and all related projects that are directly linked to the project. The "project," which is the subject of this Environmental Initial Study, is a request for a Use Permit to convert an old barn into a wine tasting and storage facility (Figure 3).

Proposed Use Permit

The project involves a Use Permit for a small, boutique winery, located on an approximately 23-acre agriculturally zoned parcel on South River Road, north of Clarksburg. The property currently contains a rural residence, landscaping improvements, and a 111-year old barn. The remainder of the property is lease farmed in wheat.

The applicant proposes to convert the existing 2,126-square foot barn into a wine tasting and storage facility. Miner's Leap Winery is relocating from Lockeford, CA, to Clarksburg with the intent of establishing a boutique winery and tasting room with a future small crush/storage facility for their custom wines. Any future crush operation would be for small production (less than 1,000 cases per year). The remainder of the property will continue to be farmed, and a future vineyard will be established on approximately five to 15 acres.

The barn will require improvements to change the use from agricultural storage to a tasting room. The applicant intends to preserve the rustic look of the barn, and thus, no changes will be made to the exterior. The property is in a flood zone with an undetermined base flood elevation, as designated by the Federal Emergency Management Agency (FEMA). Improvements to the barn will be regulated under the County's Flood Damage Prevention Ordinance in compliance with FEMA regulations.

The amount of wine produced at the proposed new location will be minimal (under 1,000 cases per year). The bulk of the wine production for Miner's Leap Winery will continue at their "Estate Crush" facility in Lodi, California.

In addition to wine tasting, the applicant also proposes to host approximately 10 to 15 weekend events per year with between 50 to 85 guests at each event, and up to 150 guests at a large event. Hours of operation for wine tasting will be Fridays, Saturdays, and Sundays from 11:00 A.M. to 5:00 P.M. with approximately 50 to 80 visitors expected to enter the winery. Parking,



including accessible parking, will be located onsite, with overflow parking accommodated as needed.

**Relationship to the 2030 Yolo Countywide General Plan**

The project is consistent with policies in the 2030 Countywide General Plan, the Clarksburg General Plan (December 13, 2001), and the Delta Protection Commission's Land Use and Resource Management Plan that promote tourism to showcase agricultural products in a manner that compliments the rural environment and sustains a vital agricultural economy, including value-added agricultural processing, such as wineries.

### Environmental Factors Potentially Affected

The environmental factors checked below could potentially be affected by this project, involving at least one impact that is still a "Potentially Significant Impact" (before any proposed mitigation measures have been adopted or, alternatively, have been made or agreed to by the project proponent) as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agricultural and Forest Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials     | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                 | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                   | <input type="checkbox"/> Recreation                         |
| <input 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:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" 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.
- I find that although the proposed project could have a significant effect on the environment, because the project is consistent with an adopted general plan and all potentially significant effects have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT, the project is exempt from further review under the California Environmental Quality Act under the requirements of Public Resources Code section 21083(a).

Planner's Signature

Date

Planner's Printed name

### Purpose of this Initial Study

This Initial Study has been prepared consistent with CEQA Guideline Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

### **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 if 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 offsite as well as onsite, 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, 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. A "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from a "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 XVIII, "Earlier Analyses", may be cross-referenced.)
5. A determination that a "Less Than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."
6. 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) of the California Government Code. Earlier analyses are discussed in Section XVIII at the end of the checklist.
7. 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, when appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. AESTHETICS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion of Impacts

a) and b) *Less than Significant Impact*. There are currently no highways within Yolo County that have been officially designated within the California Scenic Highway System. The Yolo County 2030 Countywide General Plan designates several routes in Yolo County as local scenic roadways. South River Road, from Jefferson Boulevard in the City of West Sacramento to the Sacramento County line, is a locally designated scenic roadway. The project site, which is accessed off South River Road, is visible from the roadway. The property currently contains a rural residence, an old barn, and landscaping improvements. The 111-year old barn is proposed to be converted into a wine tasting and storage facility for weekend tastings and other special events. The applicant proposes to keep the rustic look of the barn, with modifications made to the interior structure to conform with building and fire codes for changing the use from agricultural storage to a commercial (public use) structure. No other significant changes are proposed at the project site, other than typical landscaping improvements, construction of a future small crush/storage facility, and converting approximately five to 15 acres of row crops to vineyards. Improvements made to the property will not obscure the scenic quality of the County's rural roadway system or negatively affect the quality of views from the designated scenic roadway.

c) *Less than Significant Impact*. The proposed project will allow improvements to be made to a 111-year old barn to convert the use from agricultural storage to a commercial structure for public use. The property currently contains a rural residence, the old barn, and approximately 21 acres of row crops. The rustic look of the barn will be maintained, with interior tenant improvements designed to comply with building and fire codes. The closest rural residences are 219 feet east and 519 feet west of the project, and are surrounded by agricultural uses. Overall, the conversion of a barn to a wine tasting and storage facility would not degrade the existing agricultural visual character or the quality of the site and its surroundings.

d) *No Impact*. Any additional outdoor lighting would be required to be designed to minimize any glare or lighting on adjacent neighbors. All lighting would be required to be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties.

II. AGRICULTURAL AND FOREST RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
<p>In determining whether impacts on 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 Department of Conservation. 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 the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Involve other changes in the existing environment that, 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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

The Yolo County General Plan designates land use on the project site as "Agricultural." An Agricultural land use designation is applied to lands best suited for agriculture, to preserve them from the encroachment of nonagricultural uses. Examples of uses which are considered appropriate under the agricultural designation include, but are not limited to, the full range of cultivated agriculture, such as row crops, orchards, vineyards, dryland farming, livestock grazing, etc., including agricultural commercial support uses.

The California Department of Conservation Division of Land Resource Protection maintains a Farmland Mapping and Monitoring Program (FMMP) that has developed Important Farmland Maps for the state. The FMMP is a classification system that combines technical soil ratings and current land use as the basis for the Important Farmland Maps. The Important Farmland Maps identify prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, grazing land, urban and built-up land, other land and water. The designation for the project site is Prime Farmland.

The Soil Survey of Yolo County, California (U. S. Soil Conservation Service, 1972) indicates that the project site is composed of Sycamore silt loam (So), which is a Class II soil, with a Storie Index of 76; Sycamore silty clay loam, which is a Class II soil, with a Storie Index of 65; and Merritt silty clay loam, which is a Class II soil, with a Storie Index of 65. The Sycamore and Merritt series consist of poorly drained silty clay loams that are suited to irrigated row crops, forage crops, truck crops, dryfarmed grain, wildlife habitat, and recreation.

The project site has historically been farmed with row crops, and is currently in wheat production. Conversion of a barn to a wine tasting room and planting approximately five to 15 acres of grapes will not significantly impact the overall agricultural use of the area.

**Discussion of Impacts**

a) *Less than Significant Impact.* The proposed project could result in the conversion of approximately five to 15 acres of wheat crops to a vineyard, and includes improvements to the interior of an existing barn for conversion to a tasting room. These impacts are considered less than significant because the Yolo County General Plan and zoning regulations consider crop production a primary agricultural use; commercial and industrial uses of primary and essential service to the agricultural use of the area are also considered to be agricultural uses.

b) *No Impact.* As described above, the project site is designated Agricultural by the Yolo County General Plan and the zoning is Agricultural General (A-1). The proposed use is consistent with applicable zoning, which requires a Major Use Permit for wineries. The project site is not under a Williamson Act contract.

c) and d) *No Impact.* The project does not conflict with existing zoning for, or cause rezoning of, forest land and would not result in the loss of forest land or conversion of forest land to non-forest use.

e) *Less than Significant Impact.* The project is consistent with the General Plan and zoning designations and does not involve any other changes that could result in the conversion of farmland to non-agricultural uses. Although the project proposal may result in drawing more agricultural tourism to the area, the surrounding farmland will continue to remain in production. In order to ensure that any impacts resulting from the project do not affect adjoining farming practices, the applicant will be required to notify adjoining property owners and current lease farmers of any major scheduled events, other than wine tasting hours of operation, not less than one week in advance; if applicable, the applicant will be required to amend the event schedule, as feasible, in order to accommodate the lease farmers' aerial application spraying needs.

The applicant's current winery, located in Lockeford, CA, is within the European Grapevine Moth quarantine area of San Joaquin County. In order to protect Yolo County from the pest, the project will be required to comply with the quarantine requirements. As a Condition of Approval, if any regulated articles and commodities are moved from the current winery in Lockeford, CA, to the proposed winery in Clarksburg, CA, the applicant must comply with the quarantine requirements to ensure that all regulated articles and commodities are free of all life stages of the pest. Impacts to farmland are expected to be less than significant.

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		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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III. AIR QUALITY.

III. AIR QUALITY.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Where applicable, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

The project site is within the Yolo-Solano Air Quality Management District (YSAQMD), and the Sacramento Valley Air Basin regulates air quality conditions within Yolo County. Yolo County is classified as a non-attainment area for several air pollutants, including ozone (O<sub>3</sub>) and particulate matter 10 microns or less in diameter (PM<sub>10</sub>) for both federal and state standards, the partial non-attainment of the federal particulate matter 2.5 (PM<sub>2.5</sub>), and is classified as a moderate maintenance area for carbon monoxide (CO) by the state.

Development projects are most likely to violate an air quality plan or standard, or contribute substantially to an existing or project air quality violation, through generation of vehicle trips.

The YSAQMD sets threshold levels for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources in the Handbook for Assessing and Mitigating Air Quality Impacts (YSAQMD, 2007). The handbook identifies quantitative and qualitative long-term significance thresholds for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources. These thresholds include:

- Reactive Organic Gases (ROG): 10 tons per year (approx. 55 pounds per day)
- Oxides of Nitrogen (NO<sub>x</sub>): 10 tons per year (approx. 55 pounds per day)
- Particulate Matter (PM<sub>10</sub>): 80 pounds per day
- Carbon Monoxide (CO): Violation of State ambient air quality standard

### Discussion of Impacts

a) *No Impact.* A project is deemed inconsistent with air quality plans if it would result in population and/or employment growth that exceeds growth estimates included in the applicable air quality plan. The proposed project would not result in any employment growth as the

operation will be managed by the owners. The project would be consistent with the adopted air district plan.

b) *Less than Significant Impact.* Potential short-term impacts may occur from equipment exhaust emissions and dust during improvement activities for the proposed barn conversion to a wine tasting room and storage facility. Though, vehicle emissions of ozone, ozone precursors, PM<sub>10</sub> and PM<sub>2.5</sub> will not contribute significantly to local violations of regulatory standards. The project applicant would be required to comply with all standards as applied by the YSAQMD to minimize dust and other construction related pollutants. In addition, prior to any building permit issuance, the applicant is required to obtain any permits as required by the YSAQMD to ensure the project complies with District regulations. To ensure that thresholds for project-related air pollutant emission would not exceed significance levels as set forth in the 2007 YSAQMD Handbook, the following District Rules and Regulations shall be included as conditions of project approval:

- Visible emissions from stationary diesel-powered equipment are not allowed to exceed 40 percent opacity for more than three minutes in any one hour, as regulated under District rule 2.3, Ringelmann Chart.
- Dust emissions must be prevented from creating a nuisance to surrounding properties as regulated under District Rule 2.5, Nuisance.
- Portable diesel fueled equipment greater than 50 horsepower (HP), such as generators or pumps, must be registered with either the Air Resources Board's (ARB's) Portable Equipment Registration Program (PERP) or with the District.
- Architectural coatings and solvents used at the project shall be compliant with District Rule 2.14, Architectural Coatings.
- All stationary equipment, other than internal combustion engines less than 50 horsepower, emitting air pollutants controlled under District rules and regulations require an Authority to Construct (ATC) and Permit to Operate (PTO) from the District.

c) *Less than Significant Impact.* Development projects are considered cumulatively significant by the YSAQMD if: (1) the project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and (2) projected emissions (ROG, NOx, or PM<sub>10</sub> and PM<sub>2.5</sub>) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation. The project is a barn conversion to a wine tasting room and storage facility, and would not result in significant projected emissions; wineries are conditionally permitted uses in the agricultural zones.

The anticipated improvements to the barn could result in temporary impacts to air quality during construction activity. Temporary construction emissions could contribute to levels that exceed State ambient air quality standards on a cumulative basis, contributing to existing nonattainment conditions, when considered along with other construction projects. By implementing the above Conditions of Approval, construction-related emissions for the proposed project would result in a less than significant level.

Short-term air quality impacts will be generated by truck trips during tenant improvement activities.

Long-term mobile source emissions from the anticipated small, boutique winery would also not exceed thresholds established by the Yolo-Solano Air Quality Management District Handbook (2007) and would not be cumulatively considerable for any non-attainment pollutant from the project. Small truck deliveries to the facility would occur approximately once or twice per year during harvest. Vehicle trips would also be associated with visitors entering the winery, which may include up to 80 round-trip vehicle trips between the hours of 11:00 A.M. to 5:00 P.M. Fridays, Saturdays, and Sundays, and up to 160 round-trip vehicle trips up to 15 times per year for special events. The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant.



d) *Less than Significant Impact.* The proposed project is located in a rural agricultural area and there are no sensitive receptors in the vicinity. ("Sensitive receptors" refer to those segments of the population most susceptible to poor air quality, i.e. children, elderly and the sick, and to certain at-risk sensitive land uses such as schools, hospitals, parks, or residential communities.) There are two rural residences located in the vicinity of the project; however, individual rural homes are not considered sensitive receptors. The proposed tenant improvements and operation of the boutique winery are not expected to generate pollutant concentrations at a sufficient level to be noticed by any rural residences, particularly given the agricultural nature of the project area.

The nearest rural residences in the project vicinity include two homes that are located approximately 219 feet east and 519 feet west of the proposed project. The air pollutants generated by the boutique winery would be primarily dust and particulate matter during construction activities, vehicle trips generated through visitor activity, and two small truck deliveries per year. The project could have the potential to expose residents to minimal pollutant concentrations from construction equipment. However, dust will be controlled through effective management practices, such as water spraying during construction activity. Dust control measures will be incorporated into the project's Conditions of Approval, as defined in the following list of best management practices:

- All construction areas shall be watered as needed.
- All trucks hauling soil, sand, or other loose materials shall be covered or required to maintain at least two feet of free board.
- Unpaved access roads, parking areas, and staging areas shall be paved, watered, or treated with a non-toxic soil stabilizer, as needed.
- Exposed stockpiles shall be covered, watered or treated with a non-toxic soil stabilizer, as needed.
- Traffic speeds on unpaved access roads shall be limited to 15 miles per hour.
- Any visible soil materials that is carried onto adjacent public streets shall be swept with water sweepers, as needed.

Wine tasting activities would be conducted on the property grounds and within an existing barn converted to a wine tasting and storage facility. The project would have a less than significant impact on air pollutant concentrations.

e) *Less than Significant Impact.* The proposed small, boutique winery is not anticipated to create objectionable odors. Any future small crush operation would be subject to applicable requirements of the Central Valley Regional Water Quality Control Board, which may include the incorporation of best management practices for solid waste removal and/or reuse of solid wastes. Objectionable odors from the proposed uses will be less than significant.

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		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
<b>IV.</b>	<b>BIOLOGICAL RESOURCES.</b>				

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IV. BIOLOGICAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

As noted above in the Agricultural Resources section, the project site has historically been in row crop production. According to the Final Environmental Impact Report for the Yolo County 2030 Countywide General Plan, the project site lies in an agriculturally-rich resource area. While special-status species occur throughout the County in all vegetation communities and habitats, most are known to occur in the more disturbed agricultural lands, including the Swainson's hawk.

### Discussion of Impacts

a) *Less than Significant Impact.* The project site has historically been farmed in row crops, and is currently planted in wheat. No agricultural land will be removed from production to accommodate the project, which includes conversion of an old barn into a wine tasting and storage facility, and planting five to 15 acres of grapes. According to a report prepared for the Yolo Natural Heritage Program, *The Distribution, Abundance, and Habitat Associations of the Swainson's Hawk in Yolo County, California* (March, 2008), there are a few Swainson's hawk nests and/or sightings and breeding habitat in the greater project vicinity. However, with the exception of converting five to 15 acres of wheat into vineyards, the proposed improvements will occur within the property's existing building envelope. Impacts to foraging habitat are expected to be less than significant.

In order to reduce the potential for impacts to nesting raptors, including the Swainson's hawk, the applicant will be required to hire a qualified biologist to conduct preconstruction surveys to locate all active raptor nest sites within ½ mile of construction activities, prior to the issuance of any grading or building permit for any future construction of a small crush facility. All surveys shall be submitted to the appropriate state and/or federal wildlife agencies, as well as the Yolo County Planning and Public Works Department for review. Direct disturbance, including removal of nest trees and activities in the immediate vicinity of active nests, shall be avoided during the breeding season (March through September). No-disturbance buffers will be established around any identified active nest to avoid disturbing nesting birds. The size and configuration of buffers shall be based on the proximity of active nests to construction, existing disturbance levels, topography, the sensitivity of the species, and other factors, and will be established through coordination with California Department of Fish and Game representatives on a case-by-case basis.

b) and c) *Less than Significant Impact.* No watercourses traverse through the property, but the Sacramento River, defined as "Riverine" wetlands, runs adjacent to the South River Road levee system, south of the project site. Additionally, the most northerly portion of the 23-acre subject property (a little less than one-half mile north of the project site) contains non-tidal wetlands, or "Palustrine" wetlands which are described as having been physically altered for crop production. A records search was conducted through the National Wetland Inventory (NWI). A formal wetland delineation was not performed. Although the project lies within the vicinity of two distinct wetlands, the project is not expected to have a substantial adverse effect on any riparian habitat or any other sensitive natural community identified in local or regional plans, policies, or regulations. All proposed uses and improvements are confined to the previously disturbed and developed portions of the property, where a rural homestead and barn have been in existence for at least 100 years.

d) *Less than Significant Impact.* Construction of the project could temporarily disrupt use of the project site by local wildlife; however, any disruption would be temporary. The project would not impact migratory patterns of any species.

e) *No Impact.* The proposed project would not conflict with any local policies or ordinances protecting biological resources.

f) *No Impact.* The Yolo County Habitat Conservation Plan (HCP)/Natural Communities Conservation Plan (NCCP) is in preparation by the Natural Heritage Program, with an anticipated adoption sometime in 2011. The proposed project would not conflict with the HCP/NCCP effort or any conservation plan protecting biological resources.

V.	CULTURAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V.	CULTURAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
d.	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

a) *Less than Significant Impact.* The site has not been designated as an historical site, nor does it contain any known historical resources. Although many of the pioneer era homes in the Lisbon District (homes located on South River Road between Babel Slough Road and Pumphouse Road) were inventoried in the historic resources survey conducted by the Yolo County Historic Committee in 1986, the project site was not included in this survey. One home in the Lisbon District has been designated as a local historic resource, located at 54080 S. River Road, just southwest of the project site, and will not be affected by this project. The applicant proposes to keep the rustic look of the barn and only intends to make interior improvements in order to convert the use from agricultural storage to a commercial (public) use building. The project proposes no changes to the exterior structure, and the project will not cause an adverse change to the barn or in the significance of an historical resource.

b) *Less than Significant Impact.* Although the project site has been previously disturbed, two prehistoric village sites have the potential to overlap with the subject project site. According to the Yocha Dehe Wintun Nation Cultural Resources Department, there are no known archaeological sites affected by the project; however, there are two prehistoric village sites nearby, whose boundaries have the potential to overlap with the property. The initial survey of the village sites was conducted in 1934 using survey methods and techniques that are outdated by today's standards and land uses. In order to protect the significance of an archaeological resource, the project will be required to perform an archaeological survey previous to any ground disturbing activities. If archaeological discoveries are made, the Yocha Dehe Wintun Nation, or other applicable authority, shall be notified to determine proper disposition of any artifacts or culturally sensitive resources.

c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project site.

d) *Less than Significant Impact.* No human remains are known or predicted to exist in the project area. However, the potential exists during construction to uncover previously unidentified resources. Any development that uncovers cultural resources is required to follow procedures and recommendations as set forth in the CEQA Guidelines, Section 15064.5. In addition, Section 7050.5 of the California Health and Safety Code states that, when human remains are discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

VI.	GEOLOGY AND SOILS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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VI. GEOLOGY AND SOILS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. 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.				
2. Strong seismic groundshaking?				
3. Seismic-related ground failure, including liquefaction?				
4. Landslides?				
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Geological Setting

According to the 2030 Countywide General Plan, the only fault in Yolo County that has been identified by the California Division of Mines and Geology (1997) to be subject to surface rupture (within an Alquist-Priolo Earthquake Fault Zone) is the Hunting Creek Fault, which is partly located in a sparsely inhabited area of the extreme northwest corner of the county. Most of the fault extends through Lake and Napa counties. The other potentially active faults in the county are the Dunnigan Hills Fault, which extends west of I-5 between Dunnigan and northwest of Yolo, and the newly identified West Valley and East Valley Faults (Fault Activity Map of California, California Geological Survey, 2010). These faults are not within an Alquist-Priolo Earthquake Fault Zone, and are therefore not subject to surface rupture.

### Discussion of Impacts

a) *Less than Significant Impact.* The project site is relatively flat, with no potential for landslide. However, the project site can be expected to experience moderate to strong ground shaking during future seismic events along active faults throughout Northern California, or on smaller

active faults located in the project vicinity. Any proposed construction would be required to comply with all applicable Uniform Building Code requirements, and will generally be flexible enough to sustain only minor structural damage from ground shaking or ground failure.

b) *Less than Significant Impact.* The Soil Survey of Yolo County, California (Soil Conservation Service 1972) indicates the project site is composed of silty clay loam soils. Surface runoff on this soil type is slow, and the erosion hazard is none to slight. However, ground disturbance caused by project activities has the potential to increase erosion and sedimentation above preconstruction levels.

Substantial soil erosion or loss of topsoil is unlikely to occur, and any new construction proposed by the project will be subject to a grading permit that requires implementation of best management practices to minimize any adverse effects. A storm water soil loss prevention plan designed specific to the site is required for projects less than one acre. Impacts are expected to be less than significant.

c) and d) *Less than Significant Impact.* The project site is not located on unstable geologic materials and will not have any effect on the stability of the underlying materials, which could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The site is typically blanketed with clays of expansive potential. Expansive soils will experience volume changes with seasonal moisture variations. Such volume changes may crack and heave lightly loaded, shallow foundations and slabs. As long as pavement, foundation, and underground pipeline construction follow generally accepted geotechnical procedures to minimize the consequences of expansive soils, no substantial risks should occur.

e) *Less than Significant Impact.* The project would generate domestic wastewater from visitors to the site for wine tasting activities and related events. A domestic sewage septic system is currently in place on the property; any additional improvements and/or new septic system will require approval from Yolo County Environmental Health. Additionally, any future operation of a small crush facility would be subject to applicable requirements of the Central Valley Regional Water Quality Control Board.

VII. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The issue of combating climate change and reducing greenhouse gas emissions (GHG) has been the subject of recent state legislation (AB 32 and SB 375). The Governor's Office of Planning and

Research has recommended changes to the California Environmental Quality Act (CEQA) Guidelines, and the environmental checklist which is used for Initial Studies such as this one. The recommended changes to the checklist, which have not yet been approved by the state, are incorporated above in the two questions related to a project's GHG impacts. A third question has been added by Yolo County to consider potential impacts related to climate change's effect on individual projects, such as sea level rise and increased wildfire dangers. To date, specific thresholds of significance to evaluate impacts pertaining to GHG emissions have not been established by local decision-making agencies, the Yolo Solano Air Quality Management District, the state, or the federal government. However, this absence of thresholds does not negate CEQA's mandate to evaluate all potentially significant impacts associated with the proposed project.

The following discussion of GHG/climate change impact relies upon, and "tiers off" the analysis, conclusions, and mitigation measures included in the Final Environmental Impact Report (FEIR) of the 2030 Yolo Countywide General Plan, as well as the recently adopted Climate Action Plan (CAP). The 2030 Countywide General Plan and accompanying Climate Action Plan include numerous policies and measures to reduce fossil fuel reliance and greenhouse gas emissions through the implementation of climate change-focused actions. While the FEIR analysis concluded that the severity of impacts related to planned urban growth and GHG/climate change could be reduced by some policies and some available mitigation measures, the overall impact could not be reduced to a less than significant level. The impacts of countywide cumulative growth on GHG emissions, and the impacts of climate change on cumulative growth, are considered significant and unavoidable at this time.

### **Discussion of Impacts**

a) *Less than Significant Impact.* The project could affect GHG emissions through vehicle trips generated during improvements made at the project site, as well as from operation of the small, boutique winery. To identify impacts of trip generation associated with the project, GHG emissions have been based on the project's typical vehicle trips.

As noted above in the Air Quality section, short-term air quality and GHG impacts will be generated by vehicle trips during improvement activity to renovate the barn for use as a wine tasting and storage facility. The carbon dioxide emissions (the main GHG associated with auto and truck trips) generated by project improvement vehicle trips would be a temporary impact.

Long-term GHG impacts from the anticipated small boutique winery would be caused by one to two small truck deliveries per year and weekend visitors to the site. Traffic generated by the completed boutique winery is thus estimated at approximately 80 daily vehicle trips to and from the site on Fridays, Saturdays, and Sundays; up to four truck trips once per year; and up to 160 round-trip vehicle trips up to 15 times per year for special events.

The small, boutique winery, proposed to locate just north of Clarksburg, is within the vicinity of the Old Sugar Mill, where a handful of other boutique wineries are currently in operation. It is assumed that some of the traffic captured by the proposed project would have already been generated by the existing attractions at the Old Sugar Mill where similar wine tasting activities occur.

The proposed project is not considered to have an individually significant or cumulatively considerable impact on global climate change. Considering that California produces over 500 million tons of CO<sub>2</sub> annually, the proposed project will only contribute a tiny fraction of the total annual statewide CO<sub>2</sub> emissions.

The applicant will be required to comply with meeting the newly adopted 2010 CAL Green Building Codes that will serve to reduce the level of energy consumed in the construction and operation of

the project, and thus help to further reduce GHG impacts of the project. The following measures will be incorporated into the proposed project, as a Condition of Approval:

The applicant shall incorporate all feasible “green building” features into the design of all new buildings in order to reduce greenhouse gas emissions. These features would comply with the General Plan policies cited below:

Policy CC-4.1: Reduce dependence upon fossil fuels, extracted underground metals, minerals and other non-renewable resources by:

- Requiring projects to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.
- Encouraging projects to use regenerative energy heating and cooling source alternatives to fossil fuels.
- Encouraging projects to select building materials that require less energy-intensive production methods and long-distance transport, in compliance with Leadership in Energy and Environmental Design (LEED) or equivalent standards.

Policy CC-4.6: Encourage all new residences to exceed Title 24 energy standards by at least 15 percent, and encourage all new commercial buildings to exceed Title 24 by at least 20 percent.

b) *No Impact.* The proposed project would not conflict with any applicable plan, policy or regulation adopted to reduce GHG emissions, including the numerous policies of the 2030 Yolo Countywide General Plan and newly adopted Climate Action Plan.

c) *Less than Significant Impact.* The project could be affected by climate change impacts, specifically flood hazards. The project is located in the Sacramento River corridor. Sea level rise is one of the major areas of concern for global climate change. Projections of worldwide rising sea levels caused by climate change have been documented in the FEIR of the 2030 Yolo Countywide General Plan, which indicate that California’s coastline is expected to continue to rise, which could worsen the flooding in Yolo County and expand the County’s floodplains. Additionally, this sea level rise could reduce the effectiveness of the County’s levee systems by raising the overall base level of the adjacent water body, thereby reducing the levee’s relative height.

Numerous flood hazard policies and action programs included in the 2030 Yolo Countywide General Plan will help to reduce the potential impacts of future climate change and flood hazards, including provisions to protect the public and reduce damage to property from flooding. Conditions of Approval will require that the project comply with applicable flood control and protection measures implemented in the General Plan. The project is not expected to be significantly affected by climate change impacts.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
<b>VII.</b>	<b>HAZARDS AND HAZARDOUS MATERIALS.</b>				
Would the project:					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



VII.	HAZARDS AND HAZARDOUS MATERIALS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
c.	Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

a) and )b *Less than Significant Impact*. Construction activities involved in implementation of the project proposal may include the transport, use, and disposal of hazardous materials or substances, which would be required to be stored and handled in accordance with all applicable federal, state, and local requirements, including Yolo County Environmental Health Division regulations. The applicant would be required to provide a Hazardous Materials Business Plan and inventory to the satisfaction of the Yolo County Environmental Health Division if hazardous materials and/or hazardous wastes are present in reportable quantities on-site. Hazardous impacts to the public or environment are unlikely and would be considered less than significant.

c) *No Impact*. No schools exist or are proposed within 0.25 mile of the proposed project area.

d) *No Impact*. Although no Phase I Environmental Site Assessment has been conducted for the project site, based on the long term use of the site for row crop production, no underground or other hazardous materials are anticipated to be located at the project site. Additionally, the project site is not located on a site that is included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Division-Hazardous Waste Site Files pursuant to Government Code 65962.5. The proposed project will not be impacted nor will the project expose the public to any risk of impact.

e) *No Impact*. The proposed project is located more than two miles from a public airport. The project would not result in a safety hazard for people residing or working in the project area.

f) *Less than Significant Impact.* The project is located adjacent to a private airstrip, the Borges-Clarksburg Airport, and is within the overflight safety zone. Airport safety zones have been established to minimize the number of people exposed to aircraft crash hazards. The overflight zone is the area under the traffic pattern and is the least restrictive safety zone. The designation of safety zones around the airport and the restriction of incompatible land uses can reduce the public's exposure to safety hazards from aircraft operations.

The Borges-Clarksburg Airport Comprehensive Land Use Plan (April 1994) identifies compatible land uses within each safety zone. Although wineries are not a listed use in the overflight safety zone, similar uses, such as eating and drinking establishments are allowed within the overflight zone without restriction. The Sacramento Area Council of Governments (SACOG), the designated Airport Land Use Commission (ALUC) for Yolo County, has verified that the project, as proposed, is considered a compatible use in the overflight safety zone (personal conversation with Greg Chew, SACOG/ALUC, on 6/21/2011). The project has been deemed a compatible use in the overflight zone of the Borges-Clarksburg Airport, and would not result in a safety hazard for people residing or working in the project area.

g) *No Impact.* No emergency response plans will be affected by the proposed project during or upon completion of construction.

h) *No Impact.* The project site is not located in a hazardous fire zone, as mapped by the State, and would not expose people or structures to wildland fires.

VIII. HYDROLOGY AND WATER QUALITY.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in 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 that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 that would result in substantial erosion or siltation onsite or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY.		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j.	Contribute to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion of Impacts

a) *Less than Significant Impact.* A barn will be converted to a wine tasting and storage facility as part of the project. An improved driveway and accessible parking areas will also be added. Absorption rates will decrease slightly, but would be minimal. The barn currently includes restroom facilities with a self-contained septic system established for domestic wastewater purposes, and is regulated by Yolo County Environmental Health. Any improvements made to the sewage disposal system will be regulated by Environmental Health. Any future small crush facility will be regulated under requirements of the Central Valley Regional Water Quality Control Board. Construction of the proposed project would be required to comply with the County of Yolo Improvement Standards that require best management practices to reduce water quality impacts. Additionally, a storm water soil loss prevention plan designed specific to the site is required for projects less than one acre. Impacts on water quality and discharge of pollutants into the wastewater system, or violations of existing water quality standards or waste discharge requirements, would be less than significant.

b) *Less than Significant Impact.* The project will be served by an existing well which currently serves the rural residence and barn. Process water requirements for any future small crush facility is expected to be extremely low (producing less than 1,000 cases per year). It is highly unlikely that the project will have any impact on water flows on any neighboring wells.

c) *Less than Significant Impact.* The proposed project would not substantially alter the existing drainage pattern of the project site or the surrounding area and would not, therefore, result in substantial erosion or siltation on- or off-site. Any increased impervious runoff would not significantly alter land topography in a way that would substantially alter the site's drainage pattern. No development is proposed to occur outside of the general building envelope that currently exists for the home site and barn. Any new construction proposed would be required to comply with the good housekeeping practices defined in the County Improvement Standards in order to minimize erosion.

d) *Less than Significant Impact.* The old barn will be converted to a wine tasting and storage facility as part of this project. Implementation of the proposed project could result in slightly modified drainage patterns to accommodate improvements to the property, but would not significantly alter land topography in a way that would substantially alter the site's drainage pattern. Absorption rates would likely decrease slightly and runoff would increase incrementally onsite from the possible construction of a future small crush and/or storage facility, but would be retained so as not to impact adjoining areas. The overall effects of the proposed project would not

substantially modify any drainage patterns or change absorption rates, or the rate and amount of surface runoff.

e) *Less than Significant Impact.* See (d), above. The project would not provide significant additional sources of runoff pollution.

f) *No Impact.* See (a), (d), and (e), above. No additional impacts to water quality are anticipated.

g) *No Impact.* The project does not include any additional housing and would not place any new housing in an existing floodplain.

h) *Less than Significant Impact.* Yolo County has approximately 215 miles of project levees, managed by various agencies, including the County, 13 reclamation districts, one levee district, one drainage district, and the California Department of Water Resources. These levees once provided flood protection to West Sacramento, Woodland, Knights Landing, Clarksburg, Davis, and important agricultural lands. In addition, the Yolo Bypass helps protect Sacramento and other urban communities in the region from flooding by the Sacramento River. The local levees, previously assumed to provide adequate protection since their acceptance into the Sacramento River Flood Control Project in 1918, have recently been decertified. Where insufficient geotechnical information existed to evaluate the integrity of the levees, the State Department of Water Resources took the position, in conjunction with FEMA, that levees would not be recertified, resulting in a determination that the local levees are not considered adequate to protect against the 100-year flood.

FEMA recently completed an update to the Flood Insurance Rate Maps for the Yolo County area. The updated map released by FEMA and adopted on June 18, 2010, indicates that a wide area of Clarksburg, including the project site, is included within the newly designated 100-year floodplain. Thus, any proposed improvements or new construction on the project site is subject to comply with County and FEMA regulations for preventing flood hazards.

Because the proposed boutique winery is adjacent to a levee system along the Sacramento River that could fail, the project would be required to comply with the County's Flood Damage Prevention Ordinance that regulates structures being built in a flood plain. Thus, the project would not be expected to impede any flood flows or subject individuals on the project site to risk from flooding.

i) *Less than Significant Impact.* See (h), above. The project site is located in a dam inundation zone and is adjacent to a levee system that could expose people to flooding. Policies in the 2030 Countywide General Plan, designed to protect the public and reduce damage to property from flood hazards, require adherence to requirements of State law and the County Flood Damage Prevention Ordinance in order to protect people, structures, and personal property from unreasonable risk from flooding and flood hazards. Additionally, the project will be required to ensure that, as a conditionally permitted land use activity, it is compatible with applicable flood control and protection policies of the Land Use and Resource Management Plan of the Delta Protection Commission.

j) *Less than Significant Impact.* The project area is located near the Sacramento River that could potentially pose a seiche hazard. However, based on a review of available literature for the Draft Environmental Impact Report for the 2030 Countywide General Plan, no identified or measurable seiches have been documented in Yolo County surface water bodies. Similarly, the potential for a tsunami is not expected to represent a hazard in Yolo County. Thus, the potential for the project to contribute to inundation by a seiche or tsunami is considered less than significant. The project site is relatively level, and is not located near any physical or geologic features that would produce a mudflow hazard.

IX. LAND USE AND PLANNING.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion of Impacts

a) *No Impact.* The project site is located in a rural agricultural area, near the town of Clarksburg, with no potential of dividing any unincorporated urban area. Therefore, there would be no impact.

b) *Less than Significant Impact.* As already noted above in the Project Description, the proposed project would not conflict with any Yolo County General Plan policies or other applicable land use documents designed to avoid or mitigate an environmental impact. The project would, however, implement several key policies that call for allowing additional commercial projects to enhance the overall agricultural economy. The project is consistent with the following 2030 Countywide General Plan Policies:

- Policy LU-1.1 specifically defines the Agriculture land use designation to include agricultural commercial uses (e.g., roadside stands, "Yolo Stores," wineries, farm-based tourism, crop-based seasonal events, etc.) serving rural areas.
- Policy AG-1.1 encourages the growth of emerging crops and value-added processing;
- Policy AG-3.2 calls for allowing uses that support agriculture, such as agricultural commercial uses, direct product sales, processing, farm-based tourism, etc. on agricultural land subject to appropriate design review and development standards;
- Policy AG-3.16 promotes agricultural innovation, including agri-tourism, in order to expand and improve business and marketing opportunities for those engaged in agriculture;
- Policy AG-3.18 allows for the location of agricultural commercial, industrial and tourism activities on land designated as Agriculture;
- Policy AG-5.1 promotes markets for locally and regionally grown food and/or prepared food;
- Policy ED-1.3 encourages businesses that promote, provide services, and support farming, with an emphasis on value-added agriculture, agri-tourism, etc.;
- Policy ED-4.3 seeks opportunities to expand tourism around local attractions and amenities;
- Policy ED-4.7 supports the development of visitor-serving private businesses that retain and complement the county's rural character; and
- Several other Economic Development policies supporting agricultural tourism in Yolo County.

The project is also consistent with policies in the Clarksburg General Plan, a component of the Yolo County General Plan, that call for sustaining a vital agricultural economy through continued growth and development of the wine industry and alternative value-added crops.

The project site is within the Primary Zone of the Legal Delta, and therefore subject to the Delta Protection Commission's Land Use and Resource Management Plan (Management Plan). In a comment letter provided by the Delta Protection Commission regarding the proposed project, Michael Machado, Executive Director, stated, "The conversion of a barn into a wine tasting and storage facility is consistent with the Management Plan policies that require local government general plans and zoning codes to continue to promote agriculturally-supporting commercial and industrial uses, agricultural tourism, and value-added agricultural production. The project is aligned with the Management Plan's goal of preserving the Primary Zone's strong agricultural/economic base and encouraging agriculturally-related business and supporting infrastructure." (Exhibit A)

c) *No Impact*. The County does not have an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP), although a draft plan is now being prepared by the Yolo County Natural Heritage Program (the Joint Powers Agency).

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
<b>X.</b>	<b>MINERAL RESOURCES.</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

a) and b) *No impact*. The project area has not been identified as an area of significant aggregate deposits.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XI.</b>	<b>NOISE.</b>				
Would the project:					
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XI.	NOISE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

Yolo County has not adopted a noise ordinance which sets specific noise levels for different zoning districts or for different land uses in the unincorporated area, except for mining activities along Cache Creek, which are restricted to no more than 65 dBA Leq measured at the property boundaries between 6 p.m. and 6 a.m.

### Discussion of Impacts

a) *Less than Significant Impact.* Construction of the proposed project could temporarily increase noise in the vicinity of the project area. Noise increases would result from onsite improvement activities. The 2030 Yolo Countywide General Plan Final Environmental Impact Report (FEIR) (Yolo County, 2009) notes that typical construction noise ranges between 80 to 88 dBA at 50 feet generated by tractors, front loaders, trucks, and dozers. However, the project only proposes tenant improvements to convert a barn into a wine tasting and storage facility, and it is unlikely that typical construction noises associated with grading and construction activities will occur, unless a future small crush and/or storage facility are constructed. Temporary noise associated with the improvement activities would be similar to or less than existing noise associated with ongoing agricultural activities, such as tractors disking fields in the adjacent areas, as well as traffic South River Road.

The proposed improvement activities are not expected to generate noise levels at the boundaries of the property that will significantly impact the nearest neighbors. Noise levels diminish or attenuate as distance from the noise source increases, based on an inverse square rule. Noise from a single piece of construction equipment attenuates at a rate of 6dB for each doubling of distance.

The proposed project is located in a rural agricultural area and there are no sensitive receptors in the vicinity. There are two rural residences located in the vicinity of the project; however, individual rural homes are not considered sensitive receptors. The two homes are approximately 219 feet east and 519 feet west of the project site.

b) *Less than Significant Impact.* Groundborne vibration levels may be measured similar to noise in vibration decibels (VdB). The 2030 Yolo Countywide General Plan FEIR notes that typical construction vibration levels range from 58 VdB at 25 feet for a small bulldozer up to 112 VdB for a pile driver. However, improvement activities are not expected to generate vibration levels at the boundaries of the property that will significantly impact the nearest neighbors. Any future



construction of a small crush and/or storage facility would not expose nearby residents to excessive groundborne noise levels.

c) *Less than Significant Impact.* See a), above. Upon completion of the improvements to the property, i.e., converting the barn into a wine tasting and storage facility, noise from the wine tasting operations would be generated from visitors to the winery. However, noise generated by normal operations of a wine tasting facility would not be expected to adversely impact the nearest homes.

d) *Less than Significant Impact.* As described above, temporary construction activities could result in substantial increases in ambient noise levels but would be attenuated at the property boundaries to acceptable levels. Operational noise levels of the wine tasting facility would not be adverse to the nearest homes.

e) *No Impact.* The proposed project is located more than two miles from the nearest public airport. The project would not expose people residing or working in the project area to excessive noise levels.

f) *Less than Significant Impact.* The proposed project is located within proximity to the Borges-Clarksburg Airport, a private airstrip that averages approximately 58 aircraft operations per week (source: [www.airports-worldwide.com](http://www.airports-worldwide.com)) or approximately 6,000 operations per year (*Borges-Clarksburg Airport Comprehensive Land Use Plan, 1994*). No development plans for any future facilities at the private airstrip currently exist. According to the Borges-Clarksburg Airport Comprehensive Land Use Plan (CLUP), studies of a community's reaction to noise have shown that community response to aircraft noise is affected not only by how loud the noise is, but also how often the noise occurs. Based on studies of noise, the State of California has established noise standards in the California Code of Regulations, Title 21, Subchapter 6. These standards designate the Community Noise Equivalency Level (CNEL) as the noise rating method to be used at airports.

The criteria established by the code for airports with four-engine turbojet or turbofan aircraft and 25,000 annual operations is 65dBCNEL. Findings made in the Borges-Clarksburg Airport CLUP indicate that noise contours do not exist for the airport, which are typically used to determine impacts to surrounding land uses. The assumption was made that land uses located adjacent to the airport are those which are not sensitive to the impact of aircraft noise; and that no noise-sensitive land uses were anticipated to be developed having the potential to be impacted by aircraft noise.

The Sacramento Area Council of Governments (SACOG) is the designated Airport Land Use Commission (ALUC), whose purpose is to protect public health, safety, and welfare through the adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of noise. In the event that the airport operations exceed 15,000 annual takeoffs and landings for two years in a row, SACOG recommends that Yolo and Sacramento Counties prepare a noise study to determine the location of the 65 CNEL noise contour. Any future residential development within the established 65 CNEL contour would subsequently be considered an incompatible land use.

Thus, because there are no expansion plans at the airport, the proposed project is not expected to expose people residing or working in the project area to excessive noise levels, since the number of airport operations that currently exist at the Borges-Clarksburg Airport is less than 25 percent of the criteria used by the State to establish noise rating levels at airports.



XII. POPULATION AND HOUSING.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion of Impacts

a) *No Impact.* The proposed project would not induce any population growth either directly or indirectly. Construction of a boutique winery would not be expected to induce population or housing growth beyond the demand for housing that already exists in the area and in the region.

b) *No Impact.* The proposed project would not displace any existing housing units.

c) *No Impact.* Implementation of the proposed project would not displace any housing units or people.

XIII. PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIII.	PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion of Impacts

a) *Less than Significant Impact.* The addition of a small, boutique winery to the area could slightly increase the demand for fire and emergency medical services. The Clarksburg Fire Department provides primary service to the project site. The project will be required to comply with any applicable fire suppression measures, as determined by the Chief Building Official and/or Fire Marshall. Impacts to fire protection services will be less than significant.

b) *Less than Significant Impact.* The addition of a small, boutique winery to the area is not expected to increase the demand for police protection services. The proposed project would not significantly impact police services provided by the Yolo County Sheriff's Department.

c) d) and e) *No Impact.* The proposed small, boutique winery would not increase the need for schools, parks or other public facilities and services.

XIV.	RECREATION.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion of Impacts

a) *Less than Significant Impact.* The project would not require the construction of additional recreational facilities. However, visitors to the winery may increase the use of surrounding parks or recreational facilities, but not at the rate that would substantially accelerate the deterioration of any such facility.

b) *No Impact.* The project would not require the construction of nor include additional recreational facilities.

XV. TRANSPORTATION/TRAFFIC.		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The project site would be accessed by an existing driveway off South River Road, a levee road classified as a "Minor Two-Lane County Road" in the 2030 Yolo Countywide General Plan, which functions as a collector facility. South River Road primarily provides access to adjacent land and carries local agricultural, resident, and visitor traffic.

### Discussion of Impacts

a) *Less than Significant Impact.* Approval of the project would allow the conversion of an existing barn to a wine tasting and storage facility. Improvement activities would be short-term and are not expected to generate significant levels of traffic.

Long-term changes to local traffic circulation from the proposed project would be generated by additional vehicle trips from truck deliveries and visitors to the small, boutique winery. The applicant estimates that truck deliveries would occur approximately two times per year. Traffic would be generated by weekend visitors entering the winery during the hours of 11:00 AM to 5:00 PM Fridays, Saturdays, and Sundays, and from approximately 15 weekend special events per year. Total traffic generated by the project is estimated at approximately 80 daily vehicle trips Friday through Sunday, to and from the site, four yearly truck trips, and up to 160 round trip vehicle

trips for large events up to 15 times per year. However, this analysis does not consider that operation of the project will most likely capture some traffic already generated by similar attractions in the area; thus, the level of additional traffic will not significantly affect the capacity of existing circulation patterns.

As a Condition of Approval for the project, the applicant will be required to apply for a County encroachment permit for any proposed work within the County right-of-way. Required improvements to the driveway include widening the paved driveway throat width to a minimum of 20 feet from South River Road to the parking area, or as per Clarksburg Fire Protection District requirements, whichever are greater.

b) *No Impact.* The project would not conflict with any applicable congestion management program.

c) *No Impact.* The project would not affect air traffic patterns at the neighboring private airport. No improvements are proposed that would introduce an incompatible safety hazard.

d) *No Impact.* The proposed project does not have any design features that would result in hazardous traffic conditions.

e) *No Impact.* The proposed project would not result in inadequate emergency access.

f) *No Impact.* Construction of the proposed project would not conflict with any adopted policies, plans, or programs supporting alternative transportation.

XVI.	UTILITIES AND SERVICE SYSTEMS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI.	UTILITIES AND SERVICE SYSTEMS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

a) *Less than Significant Impact.* The property currently contains an onsite septic system for domestic liquid wastes. Any future construction of a small crush facility (fewer than 1,000 cases per year) would be subject to Regional Water Quality Control Board requirements for wastewater disposal and treatment. The applicant will be required to contact Yolo County Environmental Health for necessary approvals for the continued use of an existing septic system or for the construction of any new septic system. Impacts from the project are anticipated to be less than significant. The proposed project would not create any new demand for public utilities or public service systems. It would not exceed wastewater requirements, nor would it necessitate expansion of any public wastewater treatment facilities or water supply entitlements.

b) *Less than Significant Impact.* No new wells are proposed for wine tasting and related activities, as water for the project will be supplied by an existing onsite well with adequate capacity for the proposed new use, subject to any Yolo County Environmental Health requirements for providing drinking water to the public. Any future need for an additional well to accommodate a small crush facility, if necessary, will be subject to Yolo County Environmental Health regulations.

c) *No Impact.* The project will not require the construction of new stormwater drainage facilities. Any future construction of a small crush facility (fewer than 1,000 cases per year) would be subject to Regional Water Quality Control Board requirements for wastewater disposal and treatment.

d) *No Impact.* An existing onsite domestic well will serve the project, as described in (b), above. Any provision of potable drinking water to the public will be regulated under Yolo County Environmental Health.

e) *No impact.* There is no wastewater treatment provider; the project will use an existing septic system, subject to any applicable approvals from Yolo County Environmental Health.

f) *No Impact.* The existing County landfill would adequately accommodate the project. The project would not significantly impact disposal capacity at the landfill.

g) *Less than Significant Impact.* The proposed project would be required to comply with any applicable County and/or State requirements and regulations.

XVII.	MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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, substantially 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion of Impacts

a) *Less than Significant Impact.* Based on the information provided in this Initial Study, the project would not degrade the quality of the environment. The project site includes a rural residence, and a barn that is proposed to be converted to a wine tasting and storage facility. The property will remain in agricultural production with a future five to 15 acre vineyard. Surveys will be required prior to any new ground disturbing activities for determining culturally-sensitive resources. The project will also be required to comply with Conditions of Approval that regulate construction activity during raptor nesting season, if any nearby nests are identified. The habitat and/or range of any special status plants, habitat, or plants would not be substantially reduced or eliminated. Impacts to biological and cultural resources will be less than significant.

b) *Less than Significant Impact.* The proposed project has temporary construction impacts which could degrade air quality cumulatively, in combination with other construction projects in Yolo County. These potential impacts will be reduced to a less-than-significant level through implementation of the standard air quality measures described in this Initial Study. In addition, the project will contribute incrementally to an increase in cumulative energy demand, traffic levels, and greenhouse gas (GHG) emissions in the region and globally. The latter cumulative impacts are associated with growth allowed under the 2030 Yolo Countywide General Plan. The General Plan and recently adopted Climate Action Plan include numerous policies and measures that require new development, including this project, to reduce air quality, energy, transportation, and GHG impacts, through application of design features and specific mitigation measures. In addition, Cal Green Codes require that the applicant reduce the level of energy consumed during construction of the project. Although these impacts may be mitigated at an individual level, at a cumulative level these impacts cannot be fully mitigated and would be considered significant and unavoidable, as noted in the certified Final Environmental Impact Report for the 2030 Yolo Countywide General Plan. Additional agricultural tourism activities proposed by the project will not have cumulatively considerable impacts to the surrounding area.



c) *Less than Significant Impact*. Based on the analysis provided in this Initial Study, impacts to human beings resulting from the proposed project would be less than significant. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly, and would be required to comply with Conditions of Approval to manage dust control from construction-related activities; developing in an overflight safety zone; building in the flood plain; airport noise; and the approval of any new wells or wastewater design systems. Impacts to air quality, hazards, noise, and utilities will be less than significant.

#### **References Consulted and Cited**

Application and supporting materials

Airport Land Use Commission, 1994, *Borges-Clarksburg Airport Comprehensive Land Use Plan*

Delta Protection Commission, *Land Use and Resource Management Plan*

Yolo County, 2001, *Clarksburg General Plan*

Yolo County. 2009. *Yolo County 2030 Countywide General Plan and Final Environmental Impact Report*.

Yolo County, 2011. *Climate Action Plan*

Yolo-Solano Air Quality Management District (YSAQMD). 2007. *Handbook for Assessing and Mitigating Air Quality Impacts*.



**FINDINGS  
MINER'S LEAP WINERY USE PERMIT  
ZONE FILE #2011-013**

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2011-013, the Yolo County Planning Commission finds the following:  
*(A summary of evidence to support each FINDING is shown in Italics)*

**California Environmental Quality Act (CEQA) and Guidelines**

That the recommended Negative Declaration/Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

*The environmental document for the project, prepared pursuant to Section 15000 et. seq. of the CEQA Guidelines, provides the necessary proportionate level of analysis for the proposed project, and sufficient information to reasonably ascertain the project's potential environmental effects. The environmental review process has concluded that there will not be a significant effect on the environment as a result of the proposed project.*

**General Plan**

That the proposal is consistent with the Yolo County General Plan as follows:

*The Yolo County General Plan designates the subject property as Agriculture (AG).*

*The project is consistent with the following General Plan Policies:*

*Land Use Policy LU-1.1 defines Agriculture as including the full range of cultivated agriculture, such as row crops, orchards, vineyards, dryland farming, livestock grazing, forest products, horticulture, floriculture, apiaries, confined animal facilities and equestrian facilities. It also includes agricultural industrial (e.g. processing and storage) and agricultural commercial uses (e.g. roadside stands, "Yolo Stores," wineries, farm-based tourism, crop-based seasonal events, ancillary restaurants and/or stores) serving rural areas.*

*Agriculture Policy AG-1.1 seeks to protect and enhance the County's key agricultural sectors, which includes retaining existing growers and processors of crops; encouraging the growth of emerging crops and value-added processing; and supporting small producers and their ability to serve visitors.*

*Agriculture Policy AG-3.2 allows uses that support agriculture, such as agricultural commercial uses, agricultural industrial uses, direct product sales, processing, and farm-based tourism on agricultural land subject to appropriate design review and development standards.*

*Agriculture Policy AG-3.16 promotes agricultural innovation, including agri-tourism and non-traditional agricultural operations in order to expand and improve business and marketing opportunities for those engaged in agriculture.*

**ATTACHMENT D**

*Agriculture Policy AG-3.18 allows the location of agricultural commercial, industrial, and tourism activities on land designated as Agricultural, consistent with the Land Use and Community Character Element.*

*Agriculture Policy AG-5.1 promotes markets for locally and regionally grown and/or prepared food and other products and services.*

*Economic Development Policy ED-1.3 encourages businesses that promote, provide services, and support farming, with an emphasis on value-added agriculture, agri-tourism, food processing, and agricultural suppliers.*

*Economic Development Policy ED-4.3 seeks opportunities to expand tourism around local attractions and amenities.*

*Economic Development Policy ED-4.7 supports the development of visitor-serving private businesses that retain and complement the County's rural character.*

*Economic Development Policy ED-4.16 supports local events that showcase Yolo County products such as wine, produce, and art and crafts.*

*The project is also consistent with policies in the Clarksburg General Plan (2001) that promote the continued preservation of agricultural land and sustaining a vital agricultural economy.*

## **Zoning**

That the proposal is consistent with the property's zoning.

*The property is zoned A-1 (Agricultural General). The proposed use is consistent with Section 8-2.604.5(g) of the Yolo County Code, which requires a Major Use Permit for conditional uses such as wineries.*

That, as required by Section 8-2.604.5(g), upon review and conditional approval by the Planning Commission, the project shall be authorized by Major Use Permit.

*The project proposes convert an old barn into a small, boutique wine tasting room and storage facility. The proposed new use also includes the future construction of a small crush facility and the planting of five to 15 acres of grapes. The proposed project will enhance surrounding agricultural uses by increasing agricultural tourism and the retail sales of locally grown products.*

That the proposal is consistent with findings required for approval of a Use Permit (Section 8-2.2804 of the Yolo County Code) as follows:

The requested land use is listed as a permitted use in the zoning regulations.

*Pursuant to Section 8-2.604.5 (g), the proposed winery is allowed within the A-1 Zone through the Major Use Permit review and approval process.*

The request is essential or desirable to the public comfort and convenience.

*The project promotes the commercial sale of local agricultural products, and increases the opportunity for local agriculturally based tourism, thereby increasing economic development in Clarksburg and the unincorporated area of Yolo County.*

The requested land use will not impair the integrity or character of a neighborhood or be detrimental to public health, safety or general welfare.

*As evidenced in the Initial Study/Mitigated Negative Declaration, the proposed project will not create a significant effect on the character of the surrounding rural area. The project site is located on a 23-acre parcel, which is surrounded by other similar-sized properties in active agricultural production. Although agricultural tourism will be enhanced, no farmland will be taken out of production, and the public's health, safety, or general welfare will not be impaired.*

Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

*All necessary infrastructure and utilities will be required of the proposed project. An existing paved drive leads to a parking area. The driveway will be required to be widened to accommodate two-way traffic ingress and egress. Any new construction and/or paving will be required to meet best management practices for addressing drainage and erosion control. The applicant will be required to work with Yolo County Environmental Health for approval of any required sewage disposal system(s). Additionally, construction of a future small crush facility will be regulated under the Central Valley Regional Water Quality Control Board.*

The requested use will serve and support production of agriculture, the agricultural industry, animal husbandry or medicine; or is agriculturally related, and not appropriate for location within a city or town; and the requested use, if proposed on prime soils, cannot be reasonably located on lands containing non-prime soils.

*The proposed use will serve to further support the local agricultural industry by increasing opportunities for direct local sales and agricultural tourism related activities.*





**CONDITIONS OF APPROVAL  
MINER'S LEAP WINERY  
USE PERMIT  
ZONE FILE #2011-013**

**ON-GOING OR OPERATIONAL CONDITIONS OF APPROVAL:**

**PLANNING DIVISION—PPW (530) 666-8850**

1. The project shall be developed in compliance with all adopted Conditions of Approval approved for Zone File #2011-013. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval as contained herein.
2. Development of the site, including construction and/or placement of structures, shall be as described in this staff report for this Use Permit (ZF #2011-013), as shown in the Site Plan (Attachment A of the staff report). Improvements to the property include: 1) conversion of the barn to a wine tasting and storage facility; and 2) construction of a future small crush and/or storage facility (producing less than 1,000 cases per year).
3. Any minor modification or expansion of the proposed use shall be consistent with the purpose and intent of this Use Permit, and shall be approved through Site Plan Review or an amendment to this Use Permit, as determined by the Director of Planning and Public Works. The facility shall be operated in a manner consistent with the project's approval.
4. This Use Permit shall commence within one year from the date of the Planning Commission's approval or said permit shall be null and void. The Director of Planning and Public Works may grant an extension of time. However, such an extension shall not exceed a maximum of one year.
5. Assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4 will be required. The fees (\$2,044 plus a \$50 Recorder fee) are payable by the project applicant upon filing of the Notice of Determination by the lead agency, within five working days of approval of this project by the Planning Commission.
6. Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent properties, public right-of-way, and the night sky. Lighting fixtures shall use low-glare lamps or other similar lighting fixtures.
7. Hours of operation shall be from 10:00 AM until 6:00 PM, daily. Additionally, up to 15 weekend events (Fridays, Saturdays, and/or Sundays), with a maximum of 150 people per event, may be held each year with hours of operation from 10:00 AM until 10:00 PM.

**ATTACHMENT E**

8. The applicant shall be required to maintain a current Alcoholic Beverage license with the Department of Alcoholic Beverage Control.
9. The applicant shall provide adequate onsite parking, including the required accessible parking stall(s) and path of travel, as required by County Code Section 8-2.2506.
10. In order to ensure that any impacts resulting from the project do not affect adjoining farming practices, the applicant shall notify the adjoining property owners and current lease farmers of all major scheduled events, other than wine tasting hours of operation, not less than one week in advance. If applicable, the applicant will be required to amend the event schedule, as feasible, in order to accommodate the lease farmers' aerial application spraying needs.

**ENVIRONMENTAL HEALTH DIVISION (530) 666-8646**

11. The applicant shall submit a hazardous materials business plan and inventory for review and approval by Yolo County Environmental Health Division by the time hazardous materials and/or hazardous wastes are present in reportable quantities on-site, at the facility. Reportable quantities are amounts of hazardous materials that equal or exceed 500 pounds, 55 gallons, 200 cubic feet of gas, or any quantity of hazardous waste.
12. Expansion of a food operation beyond wine tasting will require an upgrade of the facility to meet California Code Retail Food Facility requirements. A health permit will be required at that time as well as plan review prior to issuance of a building permit.
13. Health permits shall be required for providing drinking water to the public, prior to service to the public. Contact Yolo County Environmental Health to determine what qualifies as a public water supply.
14. Increasing the capacity of the sewage disposal system will require a permit from Environmental Health. Due to the proximity of high ground water, an alternative or elevated system may be required.
15. Water provided to a permitted food facility must meet potable standards at all times.
16. Only domestic waste is allowed to be disposed of into a septic system. Non-domestic liquid waste must be hauled off site to an approved treatment facility or properly treated onsite. Handling of non-domestic liquid wastes should be under permit from the Regional Water Quality Control Board, Central Valley District.

**DEPARTMENT OF AGRICULTURE—(530) 666-8148**

17. All regulated article and commodities moved from the European Grapevine Moth quarantine area of San Joaquin County must comply with the quarantine requirements, and be free of all life stages of the pest.

COUNTY COUNSEL—(530) 666-8172

18. In accordance with Yolo County Code Section 8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the county or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attach, set aside, void, or annul an approval of the county, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The county shall promptly notify the applicant of any claim, action or proceeding and that the county cooperates fully in the defense. If the county fails to promptly notify the applicant of any claim, action, or proceeding, or if the county fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the county harmless as to that action.

The county may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

19. Failure to comply with the Conditions of Approval as approved by the Yolo County Planning Commission may result in the following actions:
  - a. non-issuance of future building permits;
  - b. legal action.

**PRIOR TO LAND DISTURBANCE OR ISSUANCE OF BUILDING PERMITS:**

PLANNING DIVISION—PPW (530) 666-8808

20. Construction details shall be included in construction drawings, submitted concurrent with any building permit application, and are subject to review and approval by the Director of the Planning and Public Works Department.
21. Prior to commencement of any construction or grading activity, the applicant will be required to hire a qualified biologist to conduct preconstruction surveys to locate all active raptor nest sites within ½ mile of construction activities. All surveys shall be submitted to the appropriate state and/or federal wildlife agencies, as well as the Yolo County Planning and Public Works Department for review. Direct disturbance, including removal of nest trees and activities in the immediate vicinity of active nests, shall be avoided during the breeding season (March through September). No-disturbance buffers will be established around any identified active nest to avoid disturbing nesting birds. The size and configuration of buffers shall be based on the proximity of active nests to construction, existing disturbance levels, topography, the sensitivity of the species, and other factors, and will be established through coordination with California Department of Fish and Game representatives on a case-by-case basis.
22. There are two prehistoric village sites near the project vicinity, whose boundaries have the potential to overlap with the property. Prior to any ground disturbance activities, the area shall first be surveyed by a qualified archaeologist. If archaeological discoveries are made, the Yocha Dehe Wintun Nation, or other

appropriate authority, shall be notified to determine the proper disposition of any artifacts or culturally sensitive resources.

Additionally, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts, and to notify the Yolo County Planning Director if anything is found during construction activity. If any cultural resources, such as chipped or ground stone, historic debris, building foundations, or paleontological materials are encountered during grading, all work within 75 feet shall immediately stop and the Planning and Public Works Director shall be immediately notified. Any cultural resources found on the site shall be recorded by a qualified archaeologist and the information shall be submitted to the Planning and Public Works Department. In accordance with Section 7050.5 of the California Health and Safety Code, if human skeletal remains are encountered during construction, all work within 75 feet shall immediately stop and the County Coroner shall be notified within 24 hours. If the remains are of Native American Heritage origin, the appropriate Native American community, as identified by the Native American Heritage Commission, shall be contacted and an agreement for relocating the remains and associated grave goods shall be developed.

23. During construction, all disturbed soils and unpaved roads shall be adequately watered to keep soil moist to provide dust control, and comply with YSAQMD requirements listed below.

**PUBLIC WORKS DIVISION—PPW (530) 666-8811**

24. Construction of the proposed project shall be required to comply with the County of Yolo Improvement Standards that require best management practices to address storm water quality, erosion, and sediment control. Construction disturbance one acre or greater shall require coverage under California's "National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (State General Permit)" for controlling construction activities that may adversely affect water quality. The developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP), and provide Yolo County with its State-issued Waste Discharge Identification Number (WDID#) and a copy of the SWPPP prior to issuance of a County building or grading permit. If construction disturbance is less than one acre, a storm water soil loss prevention plan designed specific to the site will be required.

25. In order to provide two-way traffic ingress and egress to/from the project, the applicant shall widen the paved driveway throat width to a minimum of 20 feet from South River Road to the parking area, or per Clarksburg Fire Protection District requirements, whichever are greater. The applicant shall secure a County encroachment permit for any proposed work along or within South River Road prior to grading permit issuance. Any associated Public Works permit review, issuance, and inspection costs will be reimbursed through an established County work order. Permits may also be required from the Central Valley Flood Protection Board and/or Reclamation District No. 307 (Lisbon District) for any work within the Sacramento River levee right-of-way.

26. The applicant shall apply for transportation permits through all necessary jurisdictions for the movement of all vehicles/loads (construction or business operations related) exceeding statutory limitations on the size, weight, and loading of vehicles contained in Division 15 of the California Vehicle Code.
27. The applicant shall file a Record of Survey, prepared by a licensed surveyor in the State of California, whenever any of the following instances occur:
  1. A legal description has been prepared that is based upon a new field survey disclosing data that does not appear on any previously filed Subdivision Map, Parcel Map, Record of Survey, or other official map.
  2. Permanent monuments have been set marking any boundary.

**BUILDING DIVISION—PPW (530) 666-8775**

28. Prior to making improvements to the barn, the applicant must complete and submit a “Substantial Improvement Form” and a signed appraisal from a licensed appraiser. If the proposed improvements to the barn exceed 50 percent of the appraised value of the structure, the applicant will be required to submit a Floodplain Elevation Certificate and comply with the County’s floodplain management requirements.
29. A grading permit shall be required prior to any soil disturbance activity. Unless otherwise authorized by the Planning and Public Works Director, grading, excavation, and trenching activities shall be completed prior to November 1<sup>st</sup> of each year to prevent erosion. A drought-tolerant, weed-free mix of native and non-native grasses or alternate erosion control measures approved by the Planning and Public Works Director shall be established on all disturbed soils prior to November 1<sup>st</sup> of each year.
30. All current 2010 Building Codes, i.e., Building, Electrical, Plumbing, Mechanical, Energy, and ADA, shall apply to the project.
31. The applicant shall obtain building permits for the conversion of the barn to a tasting room and storage facility, and for the future small crush and/or storage facility, prior to commencement of construction. All buildings shall be built in accordance with the Uniform Building Code in effect at the time, including the new Cal Green codes, as required in Condition #28.
32. The applicant shall submit a signed letter from the Clarksburg Fire Chief stating that fire sprinklers will not be required in the converted barn.
33. The applicant shall pay all appropriate fees prior to the issuance of Building Permits, including but not limited to the River Delta Unified School District, Clarksburg Fire District, and County facility fees.

**ENVIRONMENTAL HEALTH DIVISION (530) 666-8646**

34. Prior to the issuance of any building permit, approval for use of a pre-existing onsite sewage disposal system must be obtained by Yolo Environmental Health.

35. Prior to the issuance of any building permit to construct, modify, or remodel a food facility, plans must be reviewed and approved by Yolo County Environmental Health.

CENTRAL VALLEY FLOOD PROTECTION BOARD (916) 574-0332

36. Prior to starting work within the 100-year and/or 500-year floodplain, the applicant shall apply for an encroachment permit to the Central Valley Flood Protection Board. The applicant shall provide a copy of the approved encroachment permit, or written confirmation that the permit is waived, prior to the issuance of a grading permit by the County.

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT—(530) 757-3650

37. The applicant shall acquire any required permits from the Yolo-Solano Air Quality Management District, as appropriate.

38. Any project-related air pollutant emissions, either from construction or operation of the project, shall be minimized through the implementation of the following Yolo-Solano Air Quality Management District (YSAQMD) Rules and Regulations :

- Visible emissions from stationary diesel-powered equipment are not allowed to exceed 40 percent opacity for more than three minutes in any one-hour, as regulated under District Rule 2.3, Ringelmann Chart;
- Dust emissions must be prevented from creating a nuisance to surrounding properties as regulated under District Rule 2.5, Nuisance;
- Portable diesel fueled equipment greater than 50 horsepower, such as generators or pumps, must be registered with either the Air Resources Board's Portable Equipment Registration Program or with the YSAQMD;
- Architectural coatings and solvents used at the project shall be compliant with YSAQMD's Rule 2.14, Architectural Coatings;
- Cutback and emulsified asphalt application shall be conducted in accordance with District Rule 2.28, Cutback and Emulsified Asphalt Paving materials; and
- All stationary equipment, other than internal combustion engines less than 50 horsepower, emitting air pollutants controlled under YSAQMD rules and regulations require an Authority to Construct and Permit to Operate from the YSAQMD.

39. In order to reduce construction-related air pollutants, the following best management practices will be required at the project site to control dust:

- All construction areas shall be watered as needed.
- All trucks hauling soil, sand, or other loose materials shall be covered or required to maintain at least two feet of freeboard.
- Unpaved access roads, parking areas, and staging areas shall be paved, watered, or treated with a non-toxic soil stabilizer, as needed.
- Exposed stockpiles shall be covered, watered, or treated with a non-toxic soil stabilizer, as needed.
- Traffic speeds on unpaved access roads shall be limited to 15 miles per hour.
- Any visible soil material that is carried onto adjacent public streets shall be swept with water sweepers, as needed.



**DELTA PROTECTION COMMISSION**

14215 RIVER ROAD, P.O. BOX 530  
WALNUT GROVE, CA 95690  
Phone (916) 776-2290 / FAX (916) 776-2293  
Home Page: [www.delta.ca.gov](http://www.delta.ca.gov)



*Contra Costa County Board of Supervisors*

*Sacramento County Board of Supervisors*

*San Joaquin County Board of Supervisors*

*Solano County Board of Supervisors*

*Yolo County Board of Supervisors*

*Cities of San Joaquin County*

*Cities of Contra Costa and Solano Counties*

*Cities of Sacramento and Yolo Counties*

*Central Delta Reclamation Districts*

*North Delta Reclamation Districts*

*South Delta Reclamation Districts*

*Business, Transportation and Housing*

*Department of Food and Agriculture*

*Natural Resources Agency*

*State Lands Commission*

April 19, 2011

County of Yolo  
Department of Planning and Public Works  
Attn: Stephanie Cormier, Senior Planner  
292 West Beamer Street  
Woodland, CA 95695

Subject: Use Permit Request (File Number ZF#2011-013)

Dear Ms. Cormier,

The staff of the Delta Protection Commission (Commission) has reviewed the proposal for a use permit request at 54250 S. River Road, to convert an existing 2,126-square foot barn into a wine tasting and storage facility. These comments are provided as the project site is within the Primary Zone of the Legal Delta, and therefore subject to the Commission's Land Use and Resource Management Plan (Management Plan).

The conversion of a barn into a wine tasting and storage facility is consistent with the Management Plan policies that require that local government general plans and zoning codes continue to promote agriculturally-supporting commercial and industrial uses, agricultural tourism, and value-added agricultural production. The project is aligned with the Management Plan's goal of preserving the Primary Zone's strong agricultural/economic base and encouraging agriculturally-related business and supporting infrastructure.

Thank you for the opportunity to provide input. Please contact the Commission office at (916) 776-2290, if you have any questions about the comments provided herein.

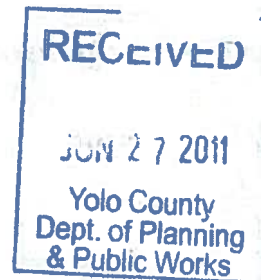
Sincerely,

Michael Machado  
Executive Director



**CENTRAL VALLEY FLOOD PROTECTION BOARD**

3310 El Camino Ave., Rm. 151  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-2380 FAX: (916) 574-0682



June 22, 2011

Ms. Stephanie Cormier  
Yolo County, Planning and Public Works  
292 W. Beamer Street  
Woodland, California 95695

Subject: Response to the Negative Declaration for Miner's Leap Winery (Sacramento Wine Works LLC – ZF#2011-013)

Dear Ms. Cormier:

Staff of the Central Valley Flood Protection Board (Board) has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be utilized within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (CCR Section 131).

Ms. Stephanie Cormier  
June 21, 2011  
Page 2 of 2

If you have any questions, please contact me via e-mail at [amauro@water.ca.gov](mailto:amauro@water.ca.gov).

Sincerely,



Andrea Mauro  
Environmental Scientist  
Flood Projects Improvement Branch