County of Yolo

DEPARTMENT OF COMMUNITY SERVICES

Taro Echiburú, AICP
DIRECTOR

Planning & Public Works
292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775
FAX (530) 666-8156
www.yolocounty.org

Environmental Health
292 West Beamer Street
Woodland, CA 95695
(530) 666-8646
FAX (530) 669-1448
www.yolocounty.org

Integrated Waste Management
44090 CR 28H
Woodland, CA 95776
(530) 666-8852
FAX (530) 666-8853
www.yolocounty.org

NOTICE OF AVAILABILITY AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

TO: Interested Parties

FROM: Yolo County Community Department

DATE: July 13, 2016

SUBJECT: **Heringer Estates Multi-Use Project**

Applicant: Stephen, Stacy, and Michael Heringer
Heringer Estates Vineyards LLC
PO Box 418
Clarksburg, CA 95612

File Name: **ZF2016-0012**

Description of Project: The project is a proposal to construct a phased project that includes multi-use facilities for agricultural processing, tastings and commercial food service (wine pairings and catering), special events, lodging, a boutique winery and brewery/distillery, and other vineyard/farm-supporting activities. The project site is located approximately one mile southwest of the community of Clarksburg on a 128.9-acre agricultural parcel planted in vineyards (APN: 043-150-014) and a 4.5-acre agricultural parcel developed with a home site (APN: 043-150-015).

The project proposal includes the construction of new structures, including a production facility, and tasting and event areas, that will encompass approximately 3.7 acres of the 128.9-acre vineyard parcel (APN: 043-150-014). The wine grapes will continue in active production with approximately three percent of the property allocated to development of the project. The adjacent family-owned residence, located on APN: 043-150-015, may be utilized in the future as a bed and breakfast with the gardens dedicated to private and charity events. Both properties are zoned Agricultural Intensive (A-N)/Clarksburg Agricultural District Overlay (CADO).

Heringer Estates proposes to enhance, support, promote, and grow their direct-to-consumer diversified farm business as market conditions develop and resources become available through the development of a multi-phase project. Phase 1 includes the construction of a 9,000-square foot tasting/hospitality facility with processing and storage areas, a farm stand, an access road surrounding the facilities, restrooms, a vintage water tower, and a stand-alone pavilion. Phase 2 construction includes a 7,000-square foot events center structure that will adjoin the tasting/hospitality structure with decking. Development of the project will require elevating building pads, which will include importing up to 20,000 cubic yards of fill dirt from Sacramento, in order to address flood protection requirements.

Daily hours of operation for the multi-use facility will be from 7:00 AM to 10:00 PM, with events running to 11:00 PM. Daily traffic generation from the project is expected to be commensurate with existing traffic from existing regional tasting rooms, but is projected to grow with market demand and project development.

Environmental Determination: An Initial Study was prepared to examine potential areas of impact resulting from the multi-use facility project. The Initial Study found that the proposed project would not have a significant effect on the environment with the implementation of proposed mitigation. As a result, an Environmental Impact Report is not required and a Mitigated Negative Declaration has been prepared.

Availability of Documents: The Initial Study/Mitigated Negative Declaration (IS/MND) is now available for public review at the following location during normal business hours: the Yolo County Community Services Department, 292 W. Beamer Street, Woodland, CA 95695. **The IS/MND has been posted to the Yolo County Web site and may be downloaded and printed at http://www.yolocounty.org/community-services/planning-public-works/planning-division/current-projects.** A PDF digital file of the IS/MND, or a hard (paper) copy of the IS/MND, is also available upon request from the Planning Division at the address or e-mail depicted below.

Comments on the Initial Study/Mitigated Negative Declaration: The County requests your comments on the Initial Study/Mitigated Negative Declaration during a **30±-day review period**, which commences **July 14, 2016,** and **ends on August 15, 2016**.

The Initial Study/Mitigated Negative Declaration may be obtained from, and comments (written, e-mailed, or oral) may be directed to:

Stephanie Cormier, Senior Planner
Yolo County Community Department
292 W. Beamer Street
Woodland, CA. 95695
(530) 666-8850
stephanie.cormier@yolocounty.org

A public hearing will be scheduled once the review period has concluded. **The Yolo County Zoning Administrator will consider the matter at the Community Services Department, located at 292 W Beamer St, Woodland, California. A separate public notice will be sent once an agenda has been finalized. Call the number or e-mail to the above staff member to confirm the hearing date and time.**

All interested parties are invited to send written communications to the Yolo County Community Services Department no later than the relevant ending date.

YOLO COUNTY
DEPARTMENT OF COMMUNITY SERVICES

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION
ZONE FILE # 2016-0012

HERINGER ESTATES
MULTI-USE PROJECT
USE PERMIT

JULY, 2016

Initial Environmental Study

1. **Project Title:** Zone File #2016-0012 (Heringer Estates Use Permit)

2. **Lead Agency Name and Address:**
   Yolo County Department of Community Services
   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

4. **Project Location:** The project is located at 37375 Netherlands Road and 52151 Central Avenue, southwest of the community of Clarksburg (APNs: 043-150-014 and 043-150-015). See Figure 1 (Vicinity Map).

5. **Project Sponsor's Name and Address:**
   Stephen, Stacy, and Michael Heringer
   Heringer Estates Vineyards LLC
   PO Box 418
   Clarksburg, CA 95612

6. **Land Owner's Name and Address:**
   Heringer Estates Vineyards LLC/SF Heringer Revocable Family Trust
   (same as above)

7. **General Plan Designation(s):** Agriculture (AG)/Agricultural District Overlay (ADO)/Delta Protection Overlay (DP-O)

8. **Zoning:** Agricultural Intensive (A-N)/Clarksburg Agricultural District Overlay (CADO)

9. **Description of the Project:** See attached "Project Description" on the following pages.

10. **Surrounding Land Uses and Setting:**

Relation to Project	Land Use	Zoning	General Plan Designation
Project Site	Vineyards/rural home site; Elk Slough	Agricultural Intensive (A-N)/Clarksburg Agricultural District Overlay (CADO)	Agriculture (AG)/Agricultural District Overlay (ADO)/Delta Protection Overlay (DPO)
North	Agricultural (farming operation); rural home sites	Agricultural Intensive/CADO	Agriculture/ADO/DPO
South	Vineyards	Agricultural Intensive/CADO	Agriculture/ADO/DPO
East	Elk Slough; vineyards	Agricultural Intensive/CADO	Agriculture/ADO/DPO
West	Netherlands Rd; vineyards	Agricultural Intensive/CADO	Agriculture/ADO/DPO

11. **Other public agencies whose approval is required:** Yolo County Public Works Division; Yolo County Building Division; Environmental Health Division; Delta Protection Commission; Central Valley Regional Water Quality Control Board

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 California Building Code, the State Health and Safety Code, and the State Public Resources Code. The project is reviewed and analyzed under the County's Code of Zoning Ordinances; particularly, the Agricultural Zoning Ordinance and the Clarksburg Agricultural District Overlay Zoning Ordinance. The purpose of the Agricultural Zoning Ordinance is to provide for land uses that support and enhance agriculture as the predominant land use in the unincorporated area of the County. Further, the Clarksburg Agricultural District Overlay Zone is intended to enhance and promote the distinctive agricultural and recreational character of the Clarksburg area by providing greater flexibility to allow farmers the ability to produce and market agricultural products and agricultural tourism services. Such uses shall be compatible with agriculture, and may include uses that support open space, natural resource management, outdoor recreation, and enjoyment of scenic beauty (Yolo County Code Sections 8-2.301 and 8-2.401).

    The project is also subject to the regulatory authority of the Delta Protection Commission (DPC) under the Land Use and Resource Management Plan (LURMP). The DPC has jurisdiction in the Primary Zone of the Delta, a state designation given to lands defined within the Sacramento-San Joaquin Delta and outside an adopted urban growth boundary. The project has also been reviewed by the Delta Stewardship Council with respect to consistency with the 2013 Delta Plan.

Project Description

Heringer Estates is requesting a Use Permit to construct a phased project that includes multi-use facilities for agricultural processing, tastings and commercial food service (wine pairings and catering), special events, lodging, a boutique winery and brewery/distillery, and other vineyard/farm-supporting activities. The project site is located approximately one mile southwest of the community of Clarksburg on a 128.9-acre agricultural parcel planted in vineyards and a 4.5-acre agricultural parcel developed with a home site. Elk Slough runs along the eastern side of the property separating the vineyard and home site from Merritt Island. The property is accessed off Netherlands Road, between the major corridors of South River Road and Jefferson Boulevard, which are the primary access points to the Clarksburg area.

The project proposal includes the construction of new structures, including a production facility, and tasting and event areas, that will encompass approximately 3.7 acres of the 128.9-acre vineyard parcel (APN: 043-150-014). The wine grapes will continue in active production with approximately three percent of the property allocated to development of the project. The adjacent family-owned residence, located on APN: 043-150-015, may be utilized in the future as a bed and breakfast with the gardens dedicated to private and charity events. Both properties are zoned Agricultural Intensive (A-N)/Clarksburg Agricultural District Overlay (CADO). The 129-acre parcel is under a Williamson Act contract.

Heringer Estates proposes to enhance, support, promote, and grow their direct-to-consumer diversified farm business as market conditions develop and resources become available. The intention of the project is to showcase and share the family's regional agricultural heritage and the rich Clarksburg agricultural land. According to the applicant, development of the project will facilitate the production, distribution, and marketing of agricultural products and will enhance the economic viability of the family's farm, as well as the greater Delta region. The project is expected to add diversity to the family's agricultural land to assist in sustaining the agricultural value of the land for future generations.

Property and Project Details

The 129-acre property is currently planted in wine grapes with existing general farming operations year-round, including harvest activities running 24 hours per day from August through November. The property also operates under an existing ABC license for wine storage and related tastings and events. Under the ABC permit, the applicant holds three non-profit events per year for up to 300 people per event, which includes use of amplified music. Together with the adjoining 4.5-acre residential parcel, the property houses a barn, the "Purple Thread" building (previously moved from the town of Clarksburg), a residence, and the vineyards. Two paved driveways allow access to the property, with one driveway providing access to the residence and the second driveway providing access to the barn and irrigation pump.

The project, which is proposed to develop as a multi-phase project, includes as Phase 1 the construction of a tasting/hospitality facility, processing and storage areas, a farm stand, an access road surrounding the facilities, restrooms, a vintage water tower, and a pavilion. The vines to be removed to accommodate construction of the project are the shortest rows on the property, and, according to the applicant, the most inefficient and uneconomic to farm. Fill dirt will be used to increase the slope of the land to the southeast side of the tasting room. The extra dirt is necessary to meet current flood protection requirements and will serve to provide outdoor seating areas and views of the levees, Elk Slough, and vineyards. This berming will also provide a natural barrier to enclose and control project noise, light, and glare.

The planned tasting/hospitality facility will be approximately 9,000 square feet, with exterior and interior design features to reflect the surrounding agricultural land and architecture. The design will also take advantage of the area's sunlight and topography to minimize energy use and noise

levels. Solar panels may be incorporated in the future. The main level of the tasting/hospitality facility will be constructed one foot above the base flood elevation, in order to comply with FEMA and local requirements for developing within a floodplain, and will include restrooms, a commercial kitchen, storage, office space, laundry, a private tasting room, and a public tasting room. The exterior of this main level will be surrounded by decking and a verandah with views of the agricultural land. The bottom floor (below the main level) will consist of covered open air-storage, production, and an auxiliary private event space made possible by retaining walls.

A separate open-air multi-purpose structure is proposed adjacent to Netherlands Road and constructed to sit three feet above the current property elevation to provide views of the vineyard. This covered outdoor pavilion will provide seating for up to 200 people and will include adjacent parking. Outdoor restrooms will also be constructed adjacent to the tasting/hospitality structure to serve the public and farm employees. A vintage water tower, flag poles, and signage will be placed at the project site to reflect the family's heritage and surrounding agricultural land.

Parking for the tasting room will be provided along the current property driveways, which will be widened to accommodate visitors and employees. Additional parking, including accessible spaces, will occur along the new access road built around the project site encircling the structures. The access road is intended to provide adequate access to the property by both visitors and emergency personnel.

Phase 2 construction includes an approximately 7,000-square foot events center structure placed one-foot above the base flood elevation. The events center will be situated east of and will adjoin the tasting/hospitality structure with decking. Unlike the hospitality/tasting structure, fill dirt will be graded to surround the entire structure without a lower level storage area; although, an option may exist to place the event center on retaining walls, similar to the tasting/hospitality facility. The events center will include an open multi-purpose space, restrooms, a service room, and storage.

Phase 3 construction consists of the future renovation of two existing structures: the vintage "Purple Thread" building and the residence, which is now currently owner-occupied. Potential uses for the residence include a bed and breakfast with the surrounding gardens dedicated to private and charity events. The buildings would have access from both driveways and will include parking west of the residence, with emergency ingress and egress. Specific plans for the vintage building have not yet materialized.

Development of the project will require elevating building pads, and will include importing up to 20,000 cubic yards of fill dirt from Sacramento, which is estimated at approximately 1,667 truck trips. This estimate does not consider an alternative approach that would place the event center (Phase 2 building) on retaining walls, similar to the tasting/hospitality facility (Phase 1), and decrease the need for additional fill materials by approximately 3,100 cubic yards (or, 258 truck trips) for a total of 16,900 cubic yards and 1,409 truck trips.

Construction of the project is expected to last up to six months for each phase (1 and 2), and will include approximately two to three truck trips per day, per phase, exclusive of the truck trips bringing in fill dirt. Thus, Phase 1 construction of the 9,000-square foot tasting/hospitality and storage facility, access road, farm stand, restrooms, and pavilion will result in approximately 360 to 540 truck trips over a six-month period. Likewise, Phase 2 construction of the 7,000-square foot events facility, and overall completion of the project, could generate a similar level of truck trips over the estimated six-month construction period.

Daily hours of operation for the multi-use facility will be from 7:00 AM to 10:00 PM, with events running to 11:00 PM. Daily traffic generation from the project is expected to be commensurate with existing traffic from existing regional tasting rooms, but is projected to grow with market demand and project development. For the sake of comparison, daily traffic from the Heringer Estates tasting facility at the Old Sugar Mill currently includes between 150 to 225 vehicle trips

per day for an average of 300 to 450 daily visitors (with an average of three to four passengers per car). Thus, projected traffic generation over the next several years is expected to draw up to 250 daily vehicle trips for tastings and pairings, tours, and other farm-related activities, with a slightly higher traffic count on weekends to accommodate large events. Private events, such as weddings, are expected to generate around 150 round trips to accommodate an average of 300 people. The project identifies 170 parking stalls, with an area for overflow parking in the event of a large gathering. All project parking will be onsite as identified on the Site Plan (Figure 2).

Up to 20 employees are expected to run operations. Onsite wine production will be less than 100,000 cases per year. Truck deliveries will occur between normal business hours, with up to three truck trips per day. Fire protection will include running a 1.5-inch waterline from a 400-gallon pressurized holding tank, with fire hydrants placed at the site as per the Clarksburg Fire District.

Noise and light generated by the project will be buffered through the use of berming for the building pad areas; the addition of fill dirt will act as a soft barrier, in addition to the natural barrier of Elk Slough, to decrease much of the project noise and light sources. Amplified music used during events could generate up to 115dB at the source, according to the applicant. Agricultural processing done at the site is expected to generate up to 110dB at the source, and would not be louder than other typical agricultural operations already occurring at the site and within the vicinity of the project, as is typical in the rural, agricultural areas of Clarksburg.

The property is surrounded by other large rural parcels in active agricultural production, mostly wine grapes, with a few scattered rural residences on smaller parcels. The nearest residence to the project site is located approximately 1,000 feet to the northwest. Most of the surrounding properties, including the project site, are under the Williamson Act.

2030 Countywide General Plan and Clarksburg Area Community Plan

The 2015 Clarksburg Area Community Plan is a part of the Yolo County 2030 Countywide General Plan that reflects the Clarksburg community's long-range aspirations and provides guidance in establishing subsequent development regulations, among other things, for the Clarksburg community. The Area Community Plan is a stand-alone document that has been updated to be consistent with the Countywide General Plan and Delta Protection Commission's Land Use and Resource Management Plan (LURMP). First and foremost, The Clarksburg Area Community Plan continues to preserve the heritage of the Clarksburg community's past and strongly supports the continued preservation, conservation, enhancement, and support for the productivity and viability of agricultural land. The Plan recognizes, describes, protects and enhances the unique cultural, recreational, natural resources, and agricultural values of the Plan area as an evolving place (Yolo County, 2015).

The project's consistency with the Area Community Plan is analyzed in Section X, Land Use, of this Initial Study. As indicated above, the purpose of the project is to enhance agriculture in the Clarksburg area to complement the broader values of the Delta region, which is one of the Goals in the 2030 Countywide General Plan (Goal AG-6). Specifically, the primary goals of the project are to enhance and assist in the sustainability of the agricultural land while maintaining farming capabilities, and showcase the heritage of the Heringer family and greater Clarksburg region. Thus, consistent with the overarching theme for the Clarksburg Area Community Plan, the project aims to promote the Clarksburg commerce and agriculturally-related tourism in order to sustain the agricultural land values for generations to come.

Delta Protection Commission Land Use and Resource Management Plan

The project site lies within the Clarksburg community planning area, but outside the established town limits (growth boundary) and is a part of the greater Sacramento-San Joaquin Delta. Those areas in the Clarksburg community that lie outside the town limits fall within the Primary Zone of

the Delta, and are subject to land use authority under the Delta Protection Commission's (DPC) Land Use and Resource Management Plan (LURMP). Therefore, in addition to complying with the 2030 Countywide General Plan and Clarksburg Area Community Plan, the project must be found to be consistent with the DPC's LURMP.

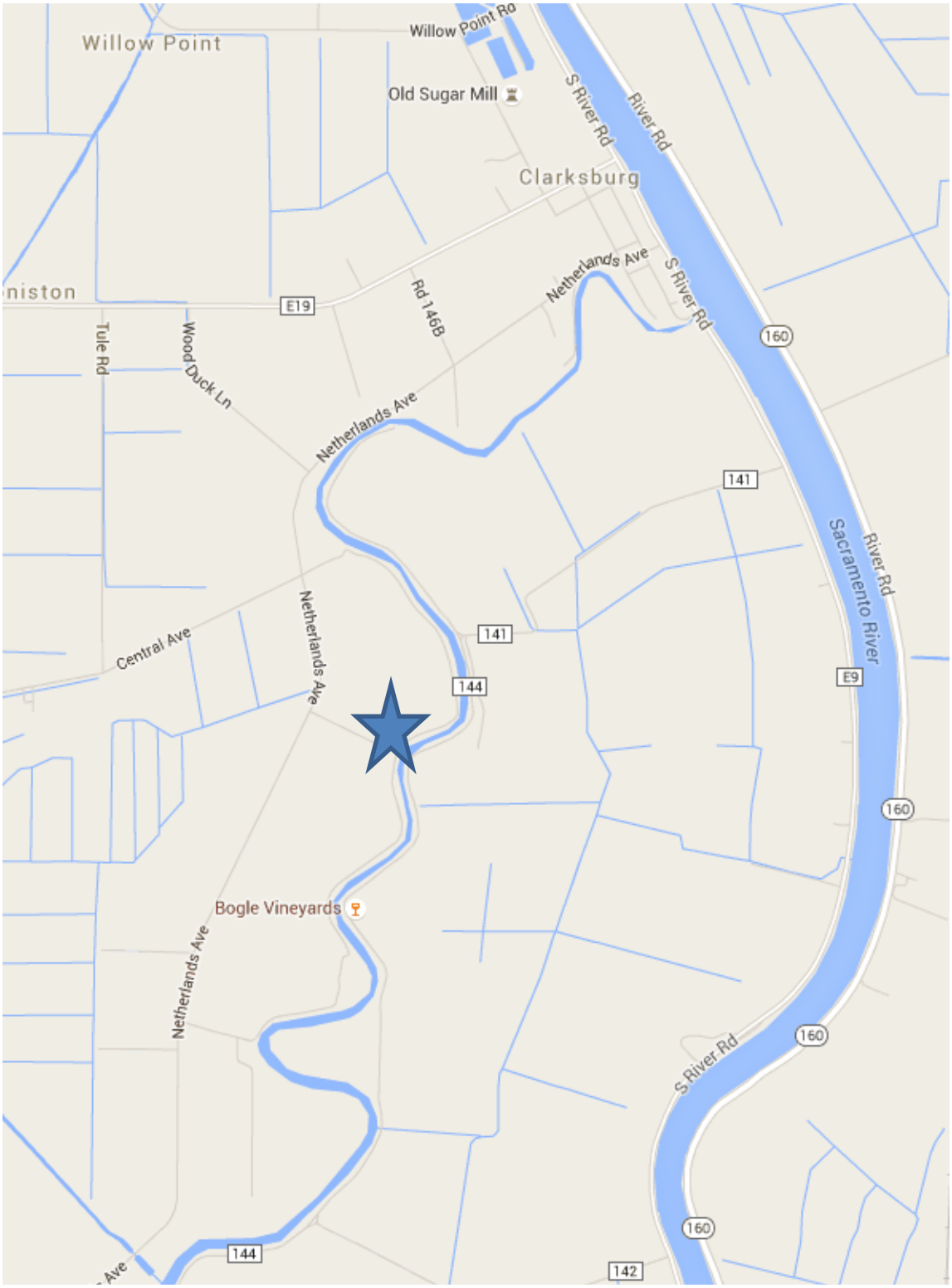
The project's consistency with the LURMP is analyzed in Section X, Land Use, of this Initial Study. As recommended by the DPC, the project will be reviewed for compliance with the LURMP policies. In a letter dated March 18, 2016, the DPC stated that the Commission is supportive of projects that maintain the agricultural economy through agricultural tourism and value-added agricultural production and minimize conversion of agricultural land.

Delta Stewardship Council Delta Plan

The Delta Stewardship Council (DSC) adopted the Delta Plan in May 2013, which became effective with legally-enforceable regulations on September 1, 2013. The Delta Plan is a comprehensive, long-term management plan for the Sacramento-San Joaquin Delta which creates new rules and recommendations to further the State's coequal goals for the Delta. The coequal goals have been established to improve statewide water supply reliability and protect and restore a vibrant and healthy Delta ecosystem, in a manner that preserves, protects, and enhances the Delta's unique agricultural, cultural, and recreational characteristics.

The project's consistency with the Delta Plan is analyzed in Section X, Land Use, of this Initial Study. As stated above, under the *Clarksburg Area Community Plan*, the primary goal of the project is to enhance the sustainability of the agricultural land while maintaining its farming capabilities, and to showcase the heritage of the Clarksburg region by promoting commerce and agri-tourism. The project is expected to maintain the value of agricultural productivity on the land for future generations, a core strategy supported by the DSC for protecting and enhancing agriculture, tourism, and recreation uses in the Delta (Delta Stewardship Council, 2013).

Figure 1
Vicinity Map



Approximate Project Limits

Project site (zoomed-in)

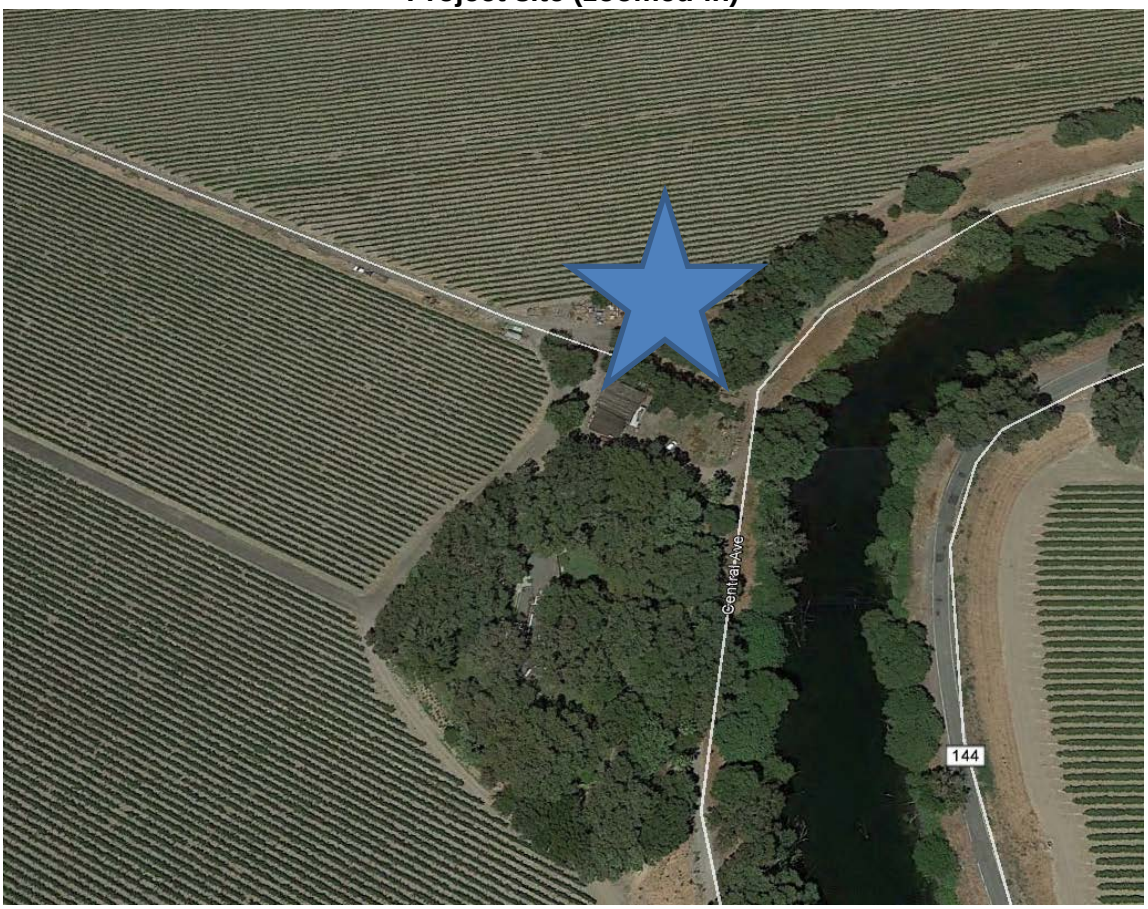
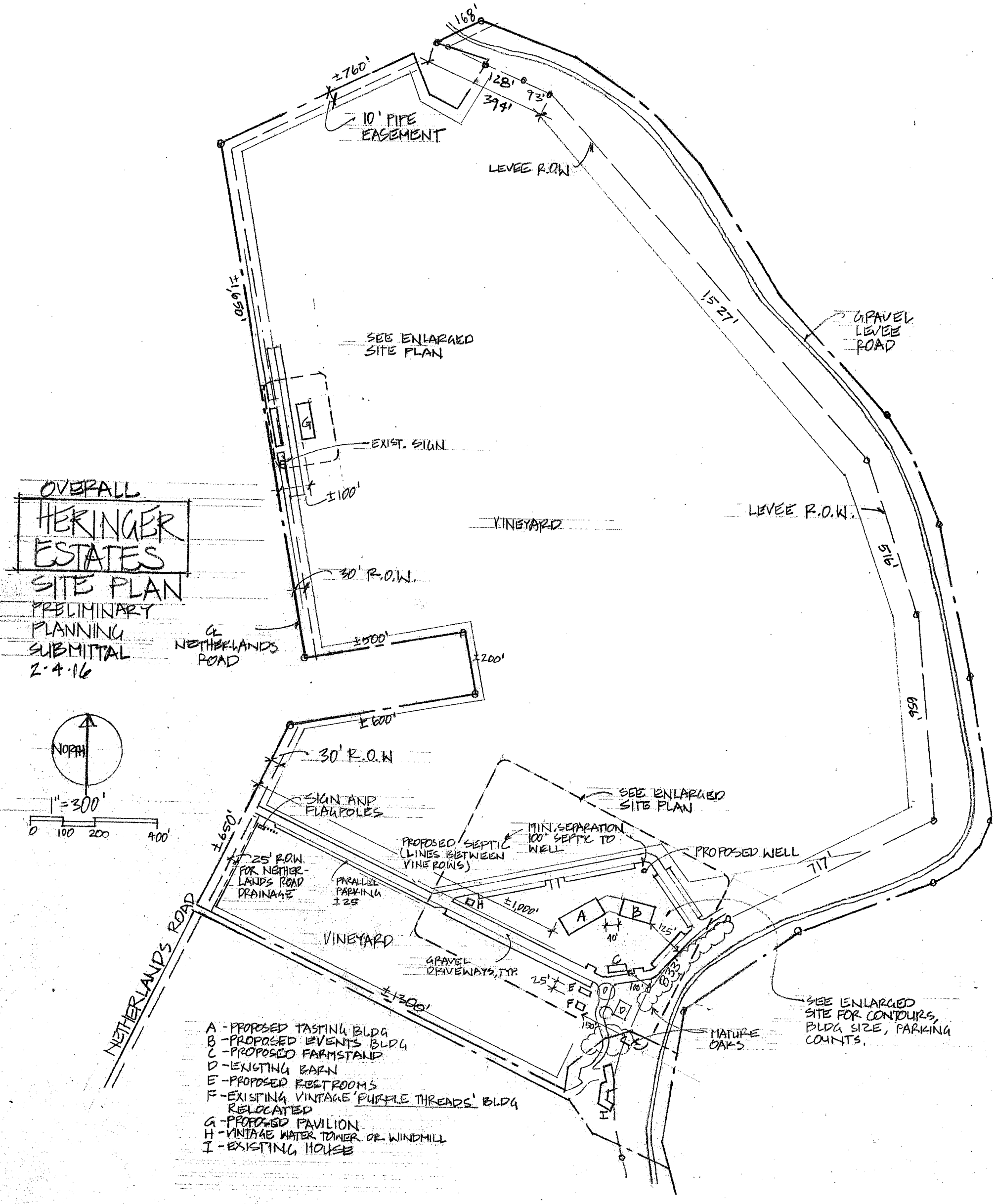


Figure 2
Site Plan

OVERALL
HERINGER ESTATES
SITE PLAN
PRELIMINARY
PLANNING
SUBMITTAL
2-4-16



A - PROPOSED TASTING BLDG
B - PROPOSED EVENTS BLDG
C - PROPOSED FARMSTAND
D - EXISTING BARN
E - PROPOSED RESTROOMS
F - EXISTING VINTAGE 'PURPLE THREADS' BLDG RELOCATED
G - PROPOSED PAVILION
H - VINTAGE WATER TOWER OR WINDMILL
I - EXISTING HOUSE

SCALE AS SHOWN

DATE

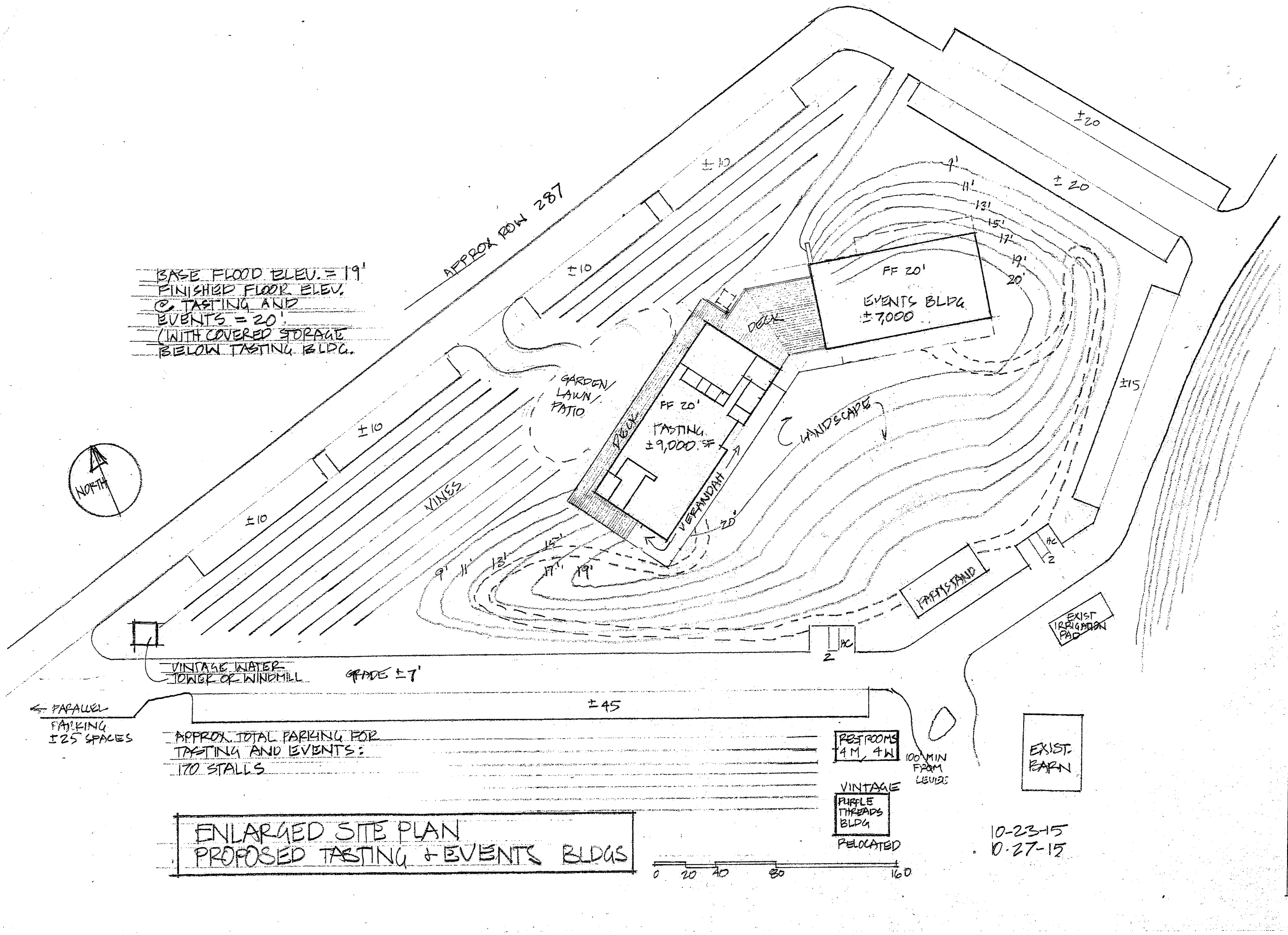
HERINGER ESTATES
PRELIMINARY
MASTERPLANNING

THESE DRAWINGS ARE SCHEMATIC AND NOT FOR USE IN CONSTRUCTION. DIMENSIONS ARE APPROXIMATE. THESE DRAWINGS HAVE NOT BEEN REVIEWED FOR CODE COMPLIANCE.

SAGE ARCHITECTURE INC
947 ENTERPRISE DR LOFT B
SACRAMENTO, CA 95825
TEL 916.929.2288
FAX 916.929.2282

Herinrae (916) 744-1094
37375 Netherlands Road, Clarksburg CA 95612 (043-150-015)
52151 Central Ave, Clarksburg CA 95612 (043-150-014)

BASE FLOOD ELEV. = 19'
FINISHED FLOOR ELEV.
@ TASTING AND
EVENTS = 20'.
(WITH COVERED STORAGE
BELOW TASTING BLDG.



ENLARGED SITE PLAN
PROPOSED TASTING & EVENTS BLDGS

10-23-15
10-27-15

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INC
947 ENTERPRISE DR LOFT B
SACRAMENTO, CA 95825
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HERRINGER ESTATES
PRELIMINARY
MASTER PLANNING

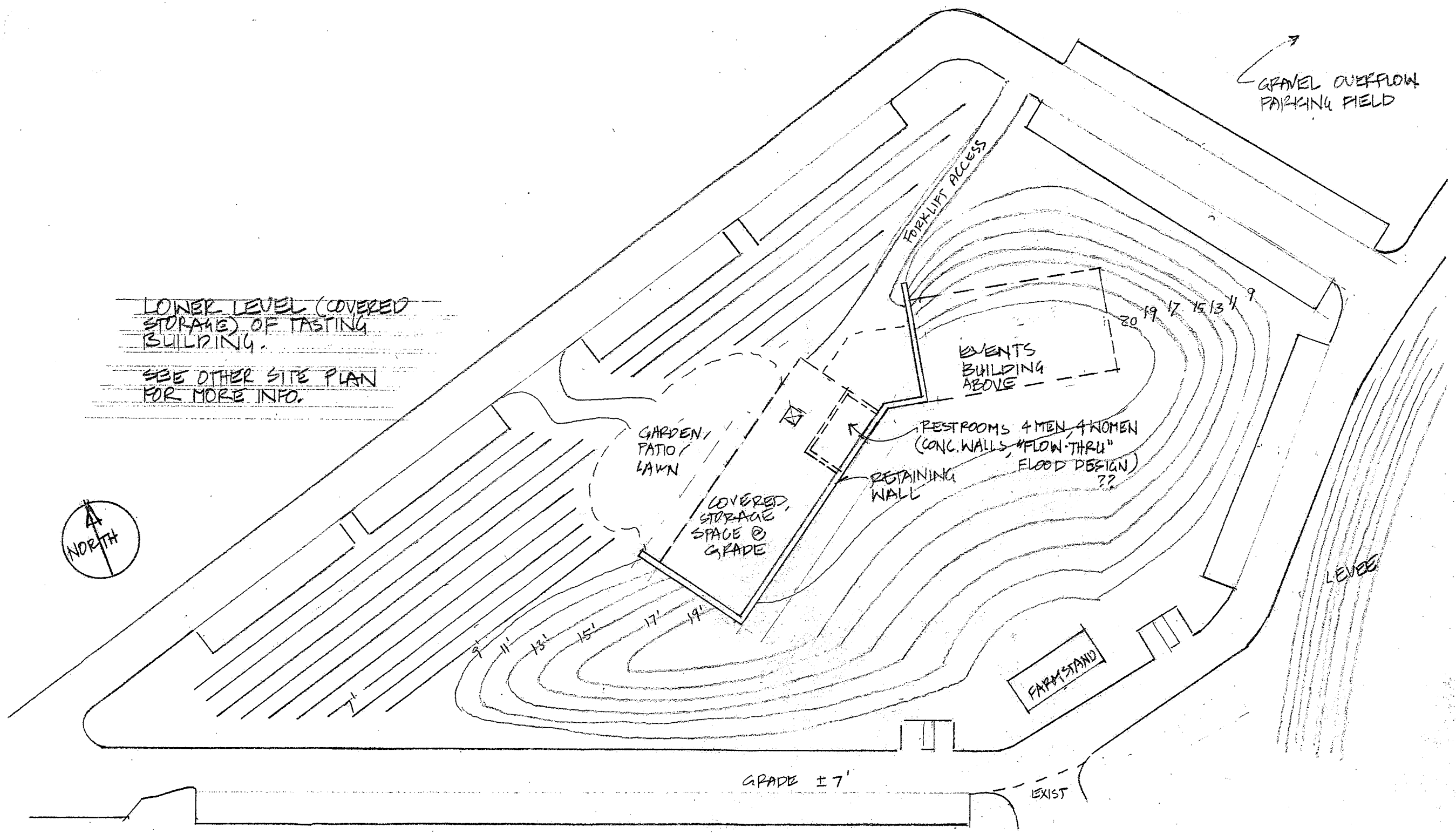
Herringer (916) 744-1094
3737 Netherlands Road, Clarksburg, CA 95612 (043-150-015)
5215 Central Ave, Clarksburg, CA 95612 (043-150-014)

DATE

SCALE AS SHOWN

LOWER LEVEL (COVERED STORAGE) OF TASTING BUILDING.

SEE OTHER SITE PLAN FOR MORE INFO.



LOWER LEVEL BUILDING / GRADING CONCEPTUAL LAYOUT

10.23.15
10.27.15

0 20 40 80 160

SAGE ARCHITECTURE INC
947 ENTERPRISE DR LOFT B
SACRAMENTO, CA 95825
TEL 916.929.2288
FAX 916.929.2282

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HEPPINGER ESTATES
PRELIMINARY MASTER PLANNING

Heppinger (916) 744-1044
3737 Netherlands Road, Clarksburg CA
52151 Central Ave, Clarksburg CA

DATE
SCALE AS SHOWN

043-150-015
043-150-014

Environmental Factors Potentially Affected

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

☐ Aesthetics	☐ Agricultural and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☒ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Service Systems	☐ 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 21083.3(b) and CEQA Guidelines Section 15183.

Stephanie Cormier

Planner's Signature | Date | Planner's Printed name

Environmental Factors Potentially Affected

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

☐ Aesthetics	☐ Agricultural and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
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☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Service Systems	☐ 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 21083.3(b) and CEQA Guidelines Section 15183.

SCormier 7·13·2016 Stephanie Cormier

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 off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, 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?	☐	☐	☒	☐
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	☐	☐	☒	☐
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. For purposes of determining significance under CEQA, a "scenic vista" is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. While there are no officially designated scenic vistas near the project area, the site does provide expansive views of the Clarksburg rural landscape that is dotted with vineyards, waterways, and other agricultural features. Elements of the project proposal include construction of a 9,000-square foot tasting/hospitality facility, an adjoining 7,000-square foot event facility, and an open air pavilion, among other ancillary features. With the exception of the open-air pavilion the majority of the project footprint will be set back a considerable distance (approximately 1,300 feet) from the roadway (Netherlands Rd). The open-air pavilion, which will be situated adjacent to the roadway, will be nestled among an existing row of mature oak and walnut trees which will serve to minimize a break in the rural scenery along the county road. Scenic vistas would not be obstructed by the proposed changes to the property and aesthetic impacts would be considered less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?

Less than Significant Impact. There are no officially designated scenic highways near the project area, although, as described above, the area provides expansive views of the agricultural landscape and waterways in the Clarksburg vicinity. The closest County-designated scenic roadway is South River Road, which is located approximately 1.5 miles east of the project site but provides no views of the property from the roadway. As identified in (a), above, the proposal includes construction of new facilities to implement a multi-use project featuring tastings, events, and agricultural processing. However, these proposed changes to the property's grounds will be designed to enhance scenic resources; impacts are expected to be less than significant.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less than Significant Impact. The project proposes the construction of a 9,000-square foot tasting/hospitality facility, an adjoining 7,000-square foot event center, and an open-air pavilion to accommodate vineyard/farm-supporting activities. The project will occupy approximately three

percent of the 129-acre property, which includes using an existing equipment yard and removal of short-row vines, but will leave the majority of the vineyards in active wine grape production. This development will be in addition to onsite access (ingress and egress) and parking that will encircle the approximately 3.7-acre project footprint, which is set back approximately 1,300 feet from the roadway.

The approximately 129-acre property and 4.5-acre home site are bound by Elk Slough to the east, Netherlands Road to the west, rural home sites and agricultural property to the north, and vineyards to the south, which is characteristic of other large agricultural parcels in the Clarksburg and greater Delta region. The project is not expected to degrade the existing aesthetic character of the site and its surroundings, and moreover relies on the surrounding beauty of the property and surrounding scenery to attract visitors. The project will be screened from views from certain vantage points due to buffering from Elk Slough and berming for building pads. Additionally, the proposed architectural design features, including landscaping, is intended to showcase the agricultural heritage of the region. No trees will be removed for project construction. Impacts would be considered less than significant.

d) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Less than Significant Impact. The proposal could introduce new sources of temporary and permanent lighting to the project area during night-time operations and/or occasional lighting associated with vehicle traffic headlights. Much of the project, however, will be buffered by landscaping and berming around the structures, and features of the architectural design propose to take advantage of natural sunlight and topography to minimize lighting and energy use. The nearest neighbors are nearly 1,000 feet away from the project site, and the project will be conditioned to require that any outdoor lighting must include light fixtures that are low-intensity, shielded and/or directed away from adjacent properties in order to minimize glare and overspill on adjacent parcels, the night sky, and the public right-of-way. Impacts from new light sources will be less than significant.

II.	AGRICULTURE AND FOREST RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
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?	☐	☐	☒	☐
b.	Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	☐	☐	☒	☐
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)?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☒	☐

DISCUSSION

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?

Less than Significant Impact. The proposed multi-use facility project would occupy approximately three percent (3.7 acres) of the 129-acre parcel of agriculturally zoned land which is planted in wine grapes. The adjacent 4.5-acre agriculturally-zoned parcel contains a home site. Together, the entire property includes a barn, the vintage "Purple Thread" building, and the residence, with the balance of the land planted in vineyards. The applicant currently hosts three non-profit events per year under an existing ABC license.

Soils within the project site are identified as Sycamore silt loam, Sycamore silty clay loam, Tyndall very fine sandy clay loam, and Tyndall silty clay loam. The Sycamore soils are identified as good, Class II soils by the U.S. Soil Conservation Service *Soil Survey of Yolo County*, and the Tyndall soils are classified as fair, Class III soils. The project site is designated as "Prime

Farmland" on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Prime Farmland is a designation given to land that has the best combination of physical and chemical features for maintaining long-term sustainable crop production.

The project will convert approximately 3.7 acres of land that is identified as "Prime Farmland" for construction of the project, which is equivalent to approximately 2.5 percent of the agriculturally-productive area. Although a significant portion of the project will be developed on an existing headland (i.e., strip of land left unplowed at the end of vine rows) and an equipment yard, some vines will be removed from production. However, according to the applicant, only the shortest rows, which are the most inefficient to farm, and the least economically viable grape varietals, will be impacted. The primary goal of the project is to facilitate wine production and sales of wine products and services in a manner that will enhance the agricultural value of the land and promote the Clarksburg farm economy. The majority of the property is actively farmed in wine grapes and will continue in active farming and production.

The project's impact to prime farmland is considered less than significant because the Yolo County General Plan, the Clarksburg Area Community Plan, and County zoning regulations consider agricultural commercial and industrial support services to be an agricultural use. The Yolo County Code defines "agricultural use" as those principal, accessory, and conditional uses and structures that are defined in the Agricultural Zoning Ordinance (Yolo County Code Sections 8-2.304 and 8-2.404). Large special event facilities with tasting rooms and commercial kitchens are listed as conditionally permitted uses in the Clarksburg Agricultural District Overlay zone; boutique wineries and farm stands are allowed "by-right" as accessory uses.

According to the 2030 Countywide General Plan, the Agricultural District Overlay was designated in Clarksburg in 2008 to specifically encourage agricultural business development and expansion. Loss of a few short row, aging vines to construct the project would not be required to mitigate under the County's adopted Agricultural Conservation and Mitigation Program (Section 8-2.404 of the Yolo County Code), since the proposed uses are either allowed by right, and/or are accessory or conditionally permitted uses in the CADO zone. Although the proposed project would result in the conversion of approximately 2.5 percent of the vineyards, the rest of the vineyard property would remain in wine grape production. Furthermore, the multi-use facility will be used for agricultural processing, hospitality, and related uses in order to support long-term production of the vineyard. Impacts resulting in the conversion of prime farmland would be considered less than significant.

b) Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?

Less than Significant Impact. The proposed project is located on A-N (Agricultural Intensive) zoned property that is overlain by the Clarksburg Agricultural District Overlay zone. The vineyard property is also enrolled in the Williamson Act. The Clarksburg Agricultural District Overlay (CADO) zone is a set of regulations that overlays the existing base zoning on those parcels designated as Agriculture by the 2030 Countywide General Plan and Clarksburg Area Community Plan. The CADO zone is intended to enhance and promote the distinctive agricultural and recreational character of the Clarksburg area by providing greater flexibility that allows famers the ability to produce and market agricultural products, as well as provide agricultural tourism services. The CADO regulations are generally less restrictive than the countywide agricultural regulations. As per Section 8-2.401 of the Yolo County Code, the CADO zone is intended to work concurrently with Williamson Act contracts.

<u>Zoning</u>

The CADO zone implements the Agricultural District Overlay that was established for the Clarksburg community in 2008, as defined in the 2030 Countywide General Plan. The purpose

of the Agricultural District Overlay is to encourage agricultural business development in the Clarksburg agricultural areas. The proposed project is classified as a large special events facility (holds more than 18 events per year), a small winery (produces less than 100,000 cases per year), and a small bed and breakfast (6 beds or less) under Section 8-2.401 (CADO zone) of the County Code. This particular code section references applicable portions of the Agricultural Zones under Sections 8-2.306(k) and 8-2.306(l) of the County Code. Although a small bed and breakfast is allowed by right and a small winery is allowed with a non-discretionary Site Plan Review in the CADO zone, a large special events facility requires issuance of a Minor Use Permit. In accordance with the relevant zoning regulations, discretionary review of the project shall consider permanent parking needs, including accessible spaces, access, signage, and other performance measures such as hours of operation for outdoor noise and lighting considerations.

The project proposes to construct a multi-use facility for agricultural processing, including a boutique winery and brewery/distillery, tastings and commercial food service (wine pairing and catering), special events, lodging, and other vineyard/farm-supporting activities. The project will be constructed in phases, with the initial phase of construction (Phase 1) to develop a 9,000-square foot building for tasting/hospitality uses, as well as processing and storage areas. Phase 1 also includes construction of a farm stand, standalone pavilion, permanent restrooms, water tower, and internal access road with parking areas. Phase 2 would construct an approximately 7,000-square foot events center that would be placed east of and adjoined to the tasting/hospitality facility with decking.

According to the applicant, the multi-use project will allow Heringer Estates to enhance, support, promote, and grow their direct-to-consumer diversified farm business in accordance with the Agricultural District Overlay zone and Williamson Act. The applicant's project description explains that the project will act as a hub and catalyst to showcase and share the "fruits" of the Delta region, the family's regional agricultural heritage, and the rich Clarksburg agricultural land. The applicant anticipates that the project will assist in the production, distribution, and marketing of the family's agricultural products and will enhance the economic viability of the farm and greater Delta region. These principles are also supported by the Clarksburg Area Community Plan and Countywide General Plan.

Williamson Act

The project proposes converting approximately 3.7 acres of the 129-acre property, including short-row, lower value, 20-year old aging vines, to develop an agricultural processing, tasting/hospitality, agricultural storage, and event center multi-use facility. The property, which has been enrolled in the Williamson Act since 1972, has been farmed and owned by the Heringer family for over one hundred years. According to the applicant, the project will support the viability of continued wine grape production through direct to consumer sales of wine. The proposal is projected to sustain the family's farming business by adding diversity to the land through the promotion of wine and other farm-to-fork product sales during tastings and events. The property currently supports three non-profit events per year under an existing ABC permit.

The Clarksburg Area Community Plan, recently updated and adopted in September 2015, maintains that the development of agricultural tourism, and the industrial and commercial businesses and services necessary to support a successful agricultural economy in Yolo County, and the Clarksburg community in particular, are critical to ensuring that agricultural uses continue and thrive (Yolo County, 2015). The Clarksburg Agricultural District Overlay zone implements those policies in the Area Community Plan that support conservation and enhancement of existing agricultural operations.

The Department of Conservation (DOC), the state agency responsible for monitoring farmland conversion and administering the Williamson Act, is generally supportive of agricultural business ventures on land under a Williamson Act contract so long as the use supports and promotes the

agricultural commodity being grown on the premises and the number of attendees does not temporarily or permanently impair agricultural operations. In their review of the project, the DOC recommended that staff carefully consider impacts resulting from a potential increase in population to the area. The DOC's primary concern appears to be related to the proposed event facility. As described above, the project is proposed as an effort to support the long term agricultural capability of the land by allowing the continuation of farming operations through direct-to-consumer sales. The Clarksburg area generally relies on visitors to support existing wine-making operations and related ancillary uses through tastings and events. Such activities already occur on other contracted agricultural lands in the Clarksburg region.

The Agricultural District Overlay is intended to complement existing agricultural operations in the Clarksburg community by enhancing agriculturally supportive commercial and industrial activities. These agricultural support services, such as the proposed project, are designed to be compatible with the existing operations at the property in an effort to increase economic viability. More specifically, conditionally permitted uses in the CADO zone are designed to be consistent with the Williamson Act in such a way as to support the long-term viability of a property's agricultural operations.

The temporary increase of visitors at the project site is not expected to impair operations, nor will the project affect surrounding agricultural operations in the vicinity of the project site since it is located at least 1,300 feet away from the roadway (Netherlands Road) and other nearby farms and vineyards. The overall goal of the project is to support the viability of the existing agricultural operations in a manner that is consistent with the Williamson Act.

Existing visitor traffic already occurring in the Clarksburg region, including within the vicinity of the project site, is largely due to wineries and tasting rooms. Additionally, three large non-profit events are held each year at the project site under an existing ABC permit. The project is not expected to generate a significant increase in overall regional visitor traffic, but will rely on visitors currently accessing the Heringer Estates tasting room at the Old Sugar Mill, as well as capturing visitors from other winery/tasting rooms in the region. It is expected that the regional traffic will increase over time with market demand. The project site has free-flow access along the 24-foot wide two-lane roadway, and can be reached via Jefferson Boulevard and/or South River Road.

The approximately 129 acres and adjoining 93 acres are family-owned vineyards farmed and operated by common, albeit separate, family interests. Continuation of active wine grape cultivation is paramount to the project. The project is expected to support, not compromise or displace, the long term agricultural capability of the land by encouraging the continuation of the land's productivity through direct to consumer sales at tastings and events, and through consumer education about the local farming heritage. The project is consistent with the regulations of the CADO Zone, which provide for compatibility with the Williamson Act. The project is not expected to conflict with zoning or the Williamson Act; impacts will be less than significant.

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)?; *and*

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

No Impact. The proposed multi-use facility project would not conflict with existing zoning for, or cause rezoning of, or result in the loss or conversion of forest or timberland.

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?

Less than Significant Impact. As identified in (a), above, the project site has been shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency as "Prime Farmland." The surrounding area has similarly been mapped. Most of the surrounding farmland is under active agricultural production, including wine grapes and rotating crops.

Typically, the Yolo County Agricultural Commissioner's Office recommends maintaining a 500-foot buffer from adjacent agricultural operations to allow for the application of crop protection materials. The Office's primary concerns relate to spraying or other application operations that could occur within a few hundred feet of a project site. In this case, however, the project site will be located internal to the existing agricultural operations at the property, operated by the same owner, allowing the project applicant to coordinate project-related activities with existing agricultural operations. These changes to the approximately 129-acre vineyard property would occupy approximately 3.7 acres (2.5 percent of the agriculturally-productive land) and are not expected to impact any adjacent farming operations. Additionally, agricultural processing and hospitality events will operate around the owner's daily farming and harvest activities that currently exist at the site. See discussion in (a), above, regarding removal of low-value short-row, aging vines to accommodate the project. Impacts to agricultural resources would be considered less than significant.

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?	☐	☐	☐	☒
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
d.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e.	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Thresholds of Significance:

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_3) and particulate matter 10 microns or less in diameter (PM_{10}) for both federal and state standards, the partial non-attainment of the federal particulate matter 2.5 ($PM_{2.5}$), 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.

For the evaluation of project-related air quality impacts, the YSAQMD recommends the use of the following thresholds of significance:

- Long-term Emissions of Criteria Air Pollutants (ROG, NO_X, and PM_{10})—The criteria air pollutants of primary concern include ozone-precursor pollutants (ROG and NO_X) and PM_{10}. Significance thresholds have been developed for project-generated emissions of reactive organic gases (ROG), nitrogen oxides (NO_X), and particulate matter of 10 microns or less (PM_{10}). Because $PM_{2.5}$ is a subset of $PM_{10,}$ a separate significance threshold has not be established for $PM_{2.5}$. Operational impacts associated with the proposed project would be considered significant if project-generated emissions would exceed YSAQMD-recommended significance thresholds, as identified below:

Table AQ-1 YSAQMD-Recommended Quantitative Thresholds of Significance for Criteria Air Pollutants	
Pollutant	**Threshold**
Reactive Organic Gases (ROG)	10 tons/year (approx. 55 lbs/day)
Oxides of Nitrogen (NO_X)	10 tons/year (approx. 55 lbs/day)
Particulate Matter (PM_{10})	80 lbs/day
Carbon Monoxide (CO)	Violation of State ambient air quality standard
Source: Handbook for Assessing and Mitigating Air Quality impacts (YSAQMD, 2007)	

- Emissions of Criteria Air Pollutants (ROG, NO_X, and PM_{10})—Construction impacts associated with the proposed project would be considered significant if project-generated emissions would exceed YSAQMD-recommended significance thresholds, as identified in Table AQ-1, and recommended control measures are not incorporated.

- Conflict with or Obstruct Implementation of Applicable Air Quality Plan— Projects resulting in the development of a new land use or a change in planned land use designation may result in a significant increase in vehicle miles traveled (VMT). Substantial increases in VMT, as well as, the installation of new area sources of emissions, may result in significant increases of criteria air pollutants that may conflict with the emissions inventories contained in regional air quality control plans. For this reason and given the region's non-attainment status for ozone and PM_{10}, project-generated emissions of ozone precursor pollutants (i.e., ROG and NO_x) or PM_{10} that would exceed the YSAQMD's recommended project-level significance thresholds, would also be considered to potentially conflict with or obstruct implementation of regional air quality attainment plans.

- Local Mobile-Source CO Concentrations—Local mobile source impacts associated with the proposed project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e., 9.0 ppm for 8 hours or 20 ppm for 1 hour).

- Toxic Air Contaminants. Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than 1.

- Odors. Odor impacts associated with the proposed project would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

DISCUSSION

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

No Impact. The multi-use facility project would not substantially conflict with or obstruct implementation of the Yolo Solano Air Quality Management District Air Quality Attainment Plan (1992), the Sacramento Area Regional Ozone Attainment Plan (1994), or the goals and objectives of the Yolo County 2030 Countywide General Plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less than Significant Impact. The Yolo-Solano Region is a non-attainment area for state particulate matter (PM_{10}) and ozone standards, the federal ozone standard, and the partial non-attainment of the federal particulate matter 2.5 ($PM_{2.5}$). Development of the multi-use facility would not contribute significantly to air quality impacts, but could generate significant amounts of PM_{10} and $PM_{2.5,}$ during grading and construction activities to develop the project. To address the potential for short-term impacts related to grading and construction activities, standard dust and emissions control measures which are recommended by the Yolo Solano Air Quality Management District will be attached as Conditions of Approval to the Use Permit, and include the following best environmental practices:

To reduce tailpipe emissions from diesel-powered construction equipment, all applicable and feasible measures would be implemented, such as:

- Maximizing the use of diesel construction equipment that meet CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines;
- Using emission control devices at least as effective as the original factory-installed equipment;
- Substituting gasoline-powered for diesel-powered equipment when feasible;
- Ensuring that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation; and
- Using Tier 2 engines in all construction equipment, if available.

To reduce construction fugitive dust emissions, the following dust control measures would be implemented:

- Water all active construction sites at least twice daily in dry conditions, with the frequency of watering based on the type of operation, soil, and wind exposure;
- Effectively stabilize dust emissions by using water or other approved substances on all disturbed areas, including storage piles, which are not being actively utilized for construction purposes;
- Prohibit all grading activities during periods of high wind (over 20 miles per hour);
- Limit onsite vehicle speeds on unpaved roads to 15 miles per hour;
- Cover all trucks hauling dirt, sand, or loose materials;
- Cover inactive storage piles;
- Post a publicly visible sign with the telephone number and person to contact regarding dust complaints; and
- Limit the area under construction at any one time

Additionally, the project proposes to use crushed asphalt on roads and a water truck to sprinkle parking areas that are maintained with gravel, as necessary. Impacts to air quality will be less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

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_{10} and $PM_{2.5}$) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation. The project is a multi-use facility that will include construction of a 9,000-square foot hospitality/tasting room facility that includes processing and storage, as well as a 7,000-square foot event center. Additional project amenities include a farm stand, an access road surrounding the facilities, permanent restrooms, a vintage water tower, a pavilion, and associated parking for up to 170 cars, including accessible stalls. The project would not result in significant projected emissions. Large event facilities are conditionally permitted uses in the agricultural zones.

The project is proposed to be constructed in phases with Phase 1 construction to include the approximately 9,000-square foot tasting/hospitality facility, the farm stand, the access road, restrooms, water tower, and pavilion. Fill dirt will be brought to the site to increase the slope of the land to the southeast side of the tasting room in order to meet flood protection requirements. Phase 2 construction will include the approximately 7,000-square foot events center that will be adjoined to the tasting/hospitality structure with decking. Fill dirt will be graded to surround the entire structure.

Temporary project 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. However, the project is located in a rural area that largely supports ongoing agricultural activities, including daily farming operations and harvesting of wine grapes. Construction of the site will require bringing in approximately 20,000 cubic yards of fill to address local flood protection and FEMA requirements for building within a floodplain. This translates to approximately 1,667 truck trips to bring in fill (at approximately 12 cubic yards per truck) in addition to approximately three truck trips per day for two six-month construction phases to implement the project. Thus, a total of 2,700 truck trips are anticipated for initial site development, followed by Phase 1 and Phase 2 construction.

By implementing the above Conditions of Approval identified in (b), potential for construction-related emissions for the proposed project would result in less than significant levels. Short-term air quality impacts would be generated by truck trips during construction activities.

Long-term mobile source emissions from the anticipated multi-use facility 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. Truck deliveries to the facility would occur approximately two to three times per day in addition to existing agricultural operations, which include daily farming activities and up to 10 truck/vehicle round-trips per day August through November during harvest. Project vehicle trips would also be associated with employees, guests, vendors, and delivery trucks accessing the facility, which may include approximately 250 round-trip vehicle trips per day for tastings, tours and other farm-related activities with a slight increase on weekends to accommodate large events. Daily hours of operation will be from 7:00 am to 10:00 pm with events until 11:00 pm.

Lodging for the future bed and breakfast and private events are not expected to generate significant daily vehicle trips above and beyond that already anticipated for Phase 1 and Phase 2 operations. Parking areas will be maintained with water sprinkling, crushed asphalt, and graveling as necessary, to reduce dust generation.

Traffic generated by implementation of the project is thus estimated at approximately 250 daily vehicle trips (not including existing traffic from daily farming, harvest activities, and non-profit events) to and from the site. This traffic would create air emissions that are lower than the significance thresholds set by the YSAQMD.

The Yolo-Solano Air Quality Management District also regulates Volatile Organic Compound (VOC) emissions through a permit process for combustion sources with a rated heat input greater than 1 MMBtu/hr. The applicant would be required to obtain permits for the agricultural processing operations (winery and other) in accordance with existing Yolo-Solano Air Quality Management District regulations 3.1 (general permit) and 3.2 (exemptions). Therefore, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant.

Altogether, although the proposed project will increase daily use of the project site, it would not create a cumulatively considerable net increase of any criteria pollutants.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The proposed project is located in the agricultural area of the Clarksburg community, approximately one mile southwest of the town of Clarksburg, with relatively few sensitive receptors within proximity to the project site. ("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.) The closest residence, other than the adjacent family-occupied 4.5-acre home site that is a part of the project, is located approximately 1,000 feet northwest of the project site. Existing agricultural operations at the site include daily farming operations, wine grape harvest activity 24-hours per day August through November, and three large non-profit events per year.

The project could have the potential to expose nearby receptors to minimal pollutant concentrations from construction equipment, truck deliveries, and fermentation emissions. However, dust will be controlled through effective management practices, such as water spraying during construction activity. Thus, short term air quality impacts due to construction activities to implement the project would not have an adverse impact on rural homes in the area and the proposed project will not expose sensitive receptors to pollutant concentrations in excess of standards.

Agricultural processing, such as wine-making, would be conducted at a considerable distance from the closest rural residence with no adverse impacts from the fermentation process. However, the onsite processing will produce less than 100,000 cases per year. These additional agricultural operations would have a less than significant impact on air pollutant concentrations. Other long-term impacts would be from vehicles, including passenger cars and delivery trucks, accessing the site for daily tastings and private events, and for future lodging in the small bed and breakfast (in addition to ongoing harvest activities).

Construction activities to develop the multi-use facility will be required to control dust through effective management practices. As a condition of project approval, the following list of best management practices will be required 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.

Air quality impacts to sensitive and other nearby receptors are expected to be less than significant.

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

Less than Significant Impact. The proposed multi-use facility is not expected to generate objectionable odors. The project includes agricultural processing and commercial food service, which may create new odors in the area; however, these impacts are expected to be less than significant.

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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

BIOLOGICAL SETTING

Description of the Project Site

The following description is excerpted from the Biological Site Assessment prepared for the project by Estep Environmental Consulting (Estep, 2016).

The majority of the Heringer Estates property consists of vineyards. The only exceptions are the farmyard and farm residence located in the southeast corner of the property, which include a dense canopy of mature valley oak (*Quercus lobata*) trees, and Elk Slough, which borders the southern and eastern boundaries of the property. Proposed project facilities occur entirely within the existing vineyard and farmyard area. The farmyard area is used for equipment storage, repair, water pumping, vehicle parking, and other farming activities. The site includes a barn and other outbuildings. The nearby farm residence is family occupied and includes other buildings and landscaping. Mature valley oak trees create a dense canopy over the entire farmyard and farm residence area.

Elk Slough is immediately adjacent to the property extending approximately 5,000 linear feet around the southern and eastern perimeter of the property. A single row of valley oak trees

extends intermittently along this entire distance at the outside toe of the Elk Slough levee. A cleared, graveled levee road separates this row of trees from the waterside of the levee. A narrow, but dense riparian corridor extends along both side of Elk Slough. Valley oak is the dominant species along the slough, with sycamore (*Platanus racemosa*), cottonwood (*Populus fremontii*), walnut (*Junglans hindsii*), and willow (*Salix* spp) occurring as secondary overstory species. Elderberry (*Sambucus mexicana*) and Himalayan blackberry (*Rubus armeniacus*) occur as understory shrubs. The outer slope of the Elk Slough levee is mostly annual grasses with scattered seedling valley oak trees. Elk Slough is a perennial stream with downed wood and other habitat elements along its length.

The project site occurs within an intensively-farmed agricultural landscape dominated by vineyards. Natural habitats are limited to stream corridors, like Elk Slough, roadside trees, and small remnant oak groves. The Sacramento River is 1.2 miles east of the project site. The Yolo Bypass Wildlife Refuge is approximately four miles west.

Due to the potential for biological resources to occur within proximity to the project site, a biological assessment was conducted by Jim Estep, Estep Environmental Consulting. The results of the May 26, 2016, Biological Site Assessment of the Heringer Estates Multi-Use Project are included as Attachment A to this Initial Study.

DISCUSSION

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?

Less Than Significant Impact. The site of the proposed multi-use facility is located in a relatively flat, predominantly agricultural area of the rural Clarksburg community. The property is separated from Merritt Island by Elk Slough at its eastern border. According to the applicant's environmental plan for sustainable farming, the riparian corridor along the slough is currently maintained as habitat with a 30-foot buffer. A majority of the 129-acre property is planted in wine grapes with the adjoining 4.5-acre parcel used as a family home site. The property is adjacent to other large agricultural parcels that are in active production, including wine grapes and other intensive farming such as row crops. Approximately 2.5 percent of the vineyards will be converted to develop the project; however, only the short-row, low-value aging vines will be removed from production. Portions of the project will also be built at the edge of the farm field in an already disturbed area used for staging operations totaling approximately three percent of the overall 129-acre parcel.

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The proposal includes construction of an approximately 9,000-square foot tasting/hospitality facility that will include processing and storage, as well as an approximately 7,000-square foot adjoining events center. Other project amenities include a farm stand, pavilion, outdoor restrooms, and an internal access road with parking areas that will hold up to 170 cars.

According to the Yolo Habitat Conservancy (YCH), there is one documented Swainson's hawk nest site a little over one mile away from the proposed project site, and several Swainson's hawk and White-tailed kite nest sites within 10 miles of the project. In addition to nesting raptor habitat, there is suitable habitat for five species of concern within one mile of the project site, three of which have suitable habitat within the project site's parcel boundaries along Elk Slough. This information has also been confirmed by referencing the California Natural Diversity Data Base. The four species include the Western burrowing owl, a California species of special concern, the Giant garter snake, a federally and California threatened species, the Western pond turtle, a California species of special concern, the Tricolored blackbird, a California species of special concern, and the Valley elderberry longhorn beetle (VELB), a federally threatened species.

Information provided by YHC indicates that there are 11.9 acres of active season upland habitat, 1.53 acres of aquatic habitat, and 1.21 acres of overwintering habitat for the Giant garter snake located within the vicinity of project site; similarly, there are 1.53 acres of aquatic habitat and 12.40 acres of nesting and overwintering habitat for the Western pond turtle. Additionally, there are 15.33 acres of nesting habitat at the project site for the Swainson's hawk and White-tailed kite, and 12.40 acres of riparian habitat for the VELB. There is no identified foraging habitat for the Western burrowing owl or Tricolored blackbird located within the project boundaries.

As a result of existing habitat and the potential for special status species to occur within proximity to the project site, a biological survey was conducted. The following includes excerpts from the 2016 biological assessment prepared by Jim Estep.

A field assessment was conducted on the property on May 24, 2016. The project site was inspected to determine land uses and proximity to other land uses and habitats. Mr. Estep drove and walked the levee along Elk Slough where it borders the Heringer Estates vineyard property to observe and characterize natural communities and wildlife habitats present on and adjacent to the property. Using binoculars and spotting scope, species occurrences were documented focusing on the potential presence of special-status species. All trees were searched within and adjacent to the property boundary for the presence of nesting Swainson's hawks (*Buteo swainsoni*), white-tailed kites (*Elanus leucurus*), and other raptors. The potential for and magnitude of impact from implementation of the proposed project was assessed.

According to the assessment, wildlife use of the vineyard is limited primarily to incidental use by passerine birds and mammals. Vineyards generally provide low value habitat due to their structure, which reduces accessibility, the lack of a vegetated substrate that provides habitat for rodents and other ground-dwelling species, and the perennial nature of the land use. Unlike some cultivated fields that provide important surrogate habitat for many wildlife species (e.g., hay, row and grain crops, and rice), vineyards and orchards essentially remove most habitat value from the landscape. Thus, the project site currently provides very low value wildlife habitat.

In contrast, the Elk Slough corridor provides important habitat for many wildlife species. During the survey, a variety of birds were detected along the slough including California quail (*Callipepla californica*), belted kingfisher (*Megaceryle alcyon*), black-crowned night heron (*Nycticorax nycticorax*), Nuttall's woodpecker (*Picoides nuttallii*), black phoebe (*Sayornis nigricans*), northern mockingbird (*Mimus polyglottos*), shrub jay (*Apbelocorna coerulescen*), bushtit (*Psaltriparus minimus*), Bewick's wren (*Thryomanes bewickii*), and Bullock's oriole (*Icterus bullockii*), among others. Pond turtles (Actinemys marmorata) were observed basking on downed logs. The slough also provides habitat for other reptiles, including common garter snake (*Thamnophis sirtalis*) and gopher snake (*Pituophis catenifer*), and a variety of mammals including grey fox (*Urocyon cinereoargenteus*) coyote (*Canis latrans*), striped skunk (*Mephitis mephitis*), and river otter (*Lontra Canadensis*).

Although Elk Slough provides important breeding, foraging, and dispersal habitat for many riparian dependent species, those species that also require adjacent open foraging habitat were generally not present. According to Estep, this is mainly a result of the vineyard landscape that occupies most of this part of Yolo County. Vineyards preclude foraging by most species due to the inaccessibility of the substrate and lack of prey or food availability in vineyards. This was most notable with the lack of raptors in the area. There were no nesting or observed occurrences of any raptor species along Elk Slough despite the otherwise suitable nesting conditions.

Table 1 indicates the special-status species that have potential to occur on or in the vicinity of the project site, along with their habitat association, the availability of habitat on the project site, and whether or not the species has been detected on the project site.

Table 1.
Special-status species with potential to occur on the Heringer Estates project site.

Species	Status State/ Federal	Habitat Association	Habitat Availability on the Project Site	Reported Occurrence on the Project Site
Valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	-/T	Elderberry shrubs	Numerous mature elderberry shrubs present along Elk Slough	No, but very good potential
Western pond turtle *Actinemys marmorata*	CSC/-	Streams, ponds, water conveyance channels	Suitable habitat along Elk Slough	Yes, detected during survey
White-tailed kite *Elanus leucurus*	FP/-	Nests in trees, forages in grasslands, seasonal wetlands, and fields.	Suitable nesting habitat along slough, but adequate foraging habitat may be lacking.	No
Swainson's hawk *Buteo swainsoni*	T/-	Nests in trees, forages in grassland and cultivated fields	Suitable nesting habitat along slough, but adequate foraging habitat may be lacking.	No. Nearest reported nest is about 1.2 miles northeast
Palid bat *Antrozous pallidus*	CSC/-/-	deserts, grasslands, shrub lands, woodlands.	No roosting, may hunt in grasslands, ponds, and riparian	No
Townsends big-eared bat *Corynorhinus townsendii*	CSC/-/-	Caves, bridges, buildings, rock crevices. tree hollows	No roosting, may hunt grasslands, ponds, and riparian	No
Western red bat *Lasiurus blossevillii*	-/CSC/-	Roosts in large trees, hunts over woodlands, grasslands and cultivated habitats	Possible roosting in valley oaks and cottonwoods along slough.	No

T=threatened; E=Endangered; PE=Proposed Threatened; CSC=California species of species concern; FP=state fully protected;

Valley Elderberry Longhorn Beetle. The valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*) is a medium-sized woodboring beetle, about 0.8 inches long. Endemic to California's Central Valley and watersheds that drain into the Central Valley, this species' presence is entirely dependent on the presence of its host plant, the elderberry shrub (*Sambucus* spp.). VELB is a specialized herbivore that feeds exclusively on elderberry shrubs, the adults feeding on leaves and flowers, and the larvae on the stem pith. Habitat for VELB consists of elderberry shrubs with stems greater than 1 inch in basal diameter. Elderberry grows in upland riparian forests or savannas adjacent to riparian vegetation, but also occurs in oak woodlands and savannas and in disturbed areas. It usually co-occurs with other woody riparian plants, including valley oak, Fremont cottonwood, various willows, and other riparian trees and shrubs (Barr 1991, U.S. Fish and Wildlife Service 1984, Collinge et al 2001).

Several mature elderberry shrubs were noted along Elk Slough during the field survey. All are located on the water side of the levee slope and none are in the immediate vicinity of any project elements.

Western Pond Turtle. Western pond turtles (*Actinemys marmorata*) are closely associated with permanent water bodies, such as lakes, ponds, slow moving streams, and irrigation canals that include downed logs or rocks basking sites, and that support sufficient aquatic prey. Western pond turtles also require upland habitat that is suitable for building nests and to overwinter. Nests are constructed in sandy banks immediately adjacent to aquatic habitat or if necessary, females will climb hillsides and sometimes move considerable distances to find suitable nest sites (Jennings and Hayes 1994).

The perennial flows, downed logs and other material in the stream, and grassy bank slopes along Elk Slough provide high value aquatic and upland habitat for western pond turtles. During the survey, several were detected basking on downed logs in the stream.

Swainson's Hawk. The Swainson's hawk (*Buteo swainsoni*) is a medium-sized raptor associated with generally flat, open landscapes. In the Central Valley it nests in mature native and nonnative trees and forages in grassland and agricultural habitats. Although a state-threatened species, the Swainson's hawk is relatively common in Yolo County due to the availability of nest trees and the agricultural crop patterns that are compatible with Swainson's hawk foraging. Numerous nest sites have been documented in Yolo County, but relatively few in the far western portion of the valley (Estep 2008).

Suitable nesting habitat for the Swainson's hawk occurs along Elk Slough; however, suitable foraging habitat is generally lacking in the area. Vineyards are the dominant agricultural land use throughout this area, which is likely responsible for the lack of nest sites in the project area and throughout the vineyard-dominated landscape of southeastern Yolo County.

White-tailed kite. The white-tailed kite (*Elanus leucurus*) is a highly specialized and distinctively-marked raptor associated with open grassland and seasonal wetland landscapes. It typically nests in riparian forests, woodlands, woodlots, and occasionally in isolated trees, primarily willow, valley oak, cottonwood, and walnut) and some nonnative trees. It forages in grassland, seasonal wetland, and agricultural lands, but is more limited in its use of cultivated habitats compared with the Swainson's hawk. As a result, the species occurs throughout most of Yolo County, but in low breeding densities (Dunk 1995, Erichsen 1995, Estep 2008).

White-tailed kites also require suitable foraging habitat in the immediate vicinity of the nest. This is lacking on the project site and throughout the vineyard-dominated landscape of southeastern Yolo County, and thus despite suitable nesting habitat along the length of Elk Slough, there are no white-tailed kites nests on or in the vicinity of the project.

Special-status Bats. Three special status bats potentially occur in the vicinity of the project site, including pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii townsendii*), and western red bat (*Lasiurus blossevillii*), all state species of special concern. Pallid bat occurs primarily in shrublands, woodlands, and forested habitats, but also can occur in grasslands and agricultural areas. Townsends's big-eared bat occurs in a variety of woodland and open habitats, including agricultural areas. Western red bat occurs in wooded habitats, including orchards, and grasslands. Pallid bat and Townsend's big-eared bat roost in mines, caves, rocky crevices, large hollow trees, and occasionally in large open buildings that are usually abandoned or infrequently inhabited. Western red bat usually roosts in large trees (Pierson and Rainey 1998, Pierson 1998, Fellers and Pierson 2002)

There is no roosting habitat for these species on the project site; however, western red bat could potentially roost in the large valley oak and cottonwood trees along Elk Slough. All species could potentially forage above the slough and the project site.

Other Special-Status Species in the Vicinity of the Project Site. Several other special-status species are known to occur in the general vicinity of the project where suitable habitat exists. These include northern harrier (*Circus cyaneus*), burrowing owl (*Athene cunicularia*), loggerhead shrike (*Lanius ludovicianus*), tricolored blackbird (*Agelaius tricolor*), and giant garter snake (*Thamnophis gigas*). The project site does not provide suitable habitat for these species.

Loss of Habitat

Potential Impacts

The project will remove three to five acres of the vineyard property, including active vines and staging areas, and convert the area to planned facilities and associated landscaping. The remaining vineyard will remain in operation. Due to the low value provided by the vineyard, this is not a biologically significant loss of habitat.

The project will increase the level of human presence within several hundred feet of Elk Slough. This may possibly result in an increase in noise levels and could disturb some wildlife along the slough corridor. However, all proposed facilities are at least 150 to 200 feet from the slough at their closest point. Also, most noise will be contained within the interior of the new buildings. Finally, the baseline noise level from pumping and operation of farm machinery is currently relatively high. As a result, an increase in noise levels resulting from operation of the tasting room and processing facility is not expected to reach a level of biological significance. Nighttime lighting may also influence the presence of some species along Elk Slough; however, with the existence of numerous other residences and farm facilities along the length of Elk Slough, this is not expected to increase the baseline condition to a level of biological significance.

Valley Elderberry Longhorn Beetle. All potential habitat for VELB occurs along the waterside levee of Elk Slough. Proposed project facilities will exceed the distance required under federal take avoidance guidelines necessary to avoid impacting VELB habitat or take of VELB. Therefore, the proposed project will not impact VELB.

Swainson's Hawk and White-tailed Kite. Neither the Swainson's hawk nor the white-tailed kite nest on or in the immediate vicinity of the proposed project. No nesting or foraging habitat for these species will be removed or otherwise affected by the project, and operational disturbances will have no impact on nesting birds. Therefore, the proposed project will not impact the Swainson's hawk or the white-tailed kite.

Western Pond Turtle. The proposed project will not impact any portion of Elk Slough, including the aquatic habitat within the channel and the levee slopes. The project will therefore not remove or otherwise impact habitat of the western pond turtle and will not interfere with local or dispersal movements of the species.

Special-Status Bats. The proposed project will not remove any potential roosting habitat for special-status bats. The removal of several acres of vineyard will not affect the ability of bats to forage above the project area and nighttime lighting may in fact increase bat presence. Therefore the proposed project will not impact special-status bats.

According to the results of the survey, Mr. Estep concluded that the project would not remove or otherwise significantly impact wildlife habitat or wildlife species. The project will convert only a minor portion of an active vineyard. No other habitats and no trees will be removed or otherwise affected. The components of the project comply with the Yolo County General Plan Policies related to biological resources, and are consistent with state and federal guidelines for avoidance of special-status species. The proposed project will therefore result in no significant impacts to biological resources.

Although the biological assessment prepared by Jim Estep found that the project would have no significant impact on special status species or their habitat, the 2030 Countywide General Plan contains policies which specifically prohibit development within a minimum of 100 feet from the top of banks for all lakes, perennial ponds, rivers, creeks, sloughs, and perennial streams for the protection of natural riparian or wetlands vegetation. Thus, as a standard Condition of Approval, the project, including construction-related activities, will be required to maintain a minimum 100-foot setback from Elk Slough in order to minimize impacts to aquatic and riparian features, including habitat.

The project's adopted Conditions of Approval will protect special status species that may exist in the project vicinity from construction related and project operation impacts. Impacts to species of concern would be considered less than significant.

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?; *and*

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?

Less than Significant Impact. The project is located within proximity to Elk Slough that borders the property on its eastern boundary. As stated in (a), above, Elk Slough contains aquatic habitat for the Giant garter snake and the Western pond turtle, as well as riparian habitat for the VELB, and nesting habitat for the Swainson's hawk and White-tailed kite. Elk Slough is recognized in the 1986 Yolo County Historic Resources Survey as a narrow slough that meanders and winds its way through banks covered with dense vegetation of all types. According to the survey, the slough, one of the lushest places in the County, has been altered little from its original configuration and its vegetated banks are undeveloped and in their natural state.

Elk Slough is identified as a riverine system that includes wetlands and deepwater habitats contained in a natural channel, as indicated by the Wetlands Mapper provided by the U.S. Fish and Wildlife Service. The project's adopted Conditions of Approval will ensure that no construction or project activity will occur within 100 feet of the slough. The applicant's existing farming practices already maintain a 30-foot buffer from Elk Slough to protect and maintain habitat and riparian features. (A wetlands delineation has not been prepared for the project.)

The project proposes use of approximately 3.7 acres of the vineyard property (2.5 percent of active vineyard) to develop a multi-use facility for tastings/hospitality, agricultural processing, commercial food service, storage, and events. In addition, there is a future proposal to use the adjacent home site property for a small bed and breakfast and private events. The project site is approximately 125 feet away from Elk Slough and includes use of existing disturbed areas currently used for other agricultural operations.

As noted above, the County prohibits new construction or development within 100 feet of any water course in order to limit impacts to aquatic and riparian features (General Plan Conservation Policy CO-2.22). Thus, the project will be required, through implementation of adopted Conditions of Approval, to maintain a minimum 100-foot buffer from Elk Slough for all new development. With these project-specific Conditions of Approval, impacts to riparian habitat are expected to be less than significant. The project is not expected to significantly impact wetlands.

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?

Less than Significant Impact. The project is located on a parcel where the majority of the land is planted in wine grapes, which include daily farming operations with harvest activity occurring 24 hours per day August through November. The property has been farmed for over 100 years by the Heringer family, and the applicant currently hosts up to three non-profit events per year under an existing ABC permit. Project implementation will primarily occur within an area where short-row, low-value aging vines will be removed. As addressed in the biological assessment prepared for the project, the project site offers very little habitat value for wildlife due to its location within the vineyard where most of the habitat value has been removed and/or replaced. The project is not expected to interfere with the movement of any wildlife species nor impede a wildlife nursery site. Impacts will be less than significant.

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

Less than Significant Impact. See discussion in (b)(c), above, that includes a project-specific Condition of Approval to prohibit development within 100 feet of Elk Slough in accordance with General Plan policies and development codes. The proposed project would not conflict with any other local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The County does not have any other conservation ordinances, except for a voluntary oak tree preservation ordinance that seeks to minimize damage and require replacement when oak groves are affected by development. As mentioned elsewhere in this Initial Study, the project site is maintained by the Heringer family with an emphasis on sustainable farming practices, which includes preservation of habitat. There are no proposed oak tree removals to accommodate the project. Impacts to biological resources will be less than significant.

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?

No Impact. The Yolo Habitat Conservancy, a Joint Powers Agency composed of the County, the cities, and other entities, is in the process of preparing a Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for Yolo County. The NCCP/HCP will focus on protecting habitat of terrestrial (land, non-fish) species. Through implementation of the project's Conditions of Approval, conflicts with the developing NCCP/HCP are not anticipated, as potential impacts to the Western pond turtle, VELB, and raptor nests, including the Swainson's hawk, have been addressed through a biological site evaluation prepared by Estep Environmental Consulting (May, 2016).

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?	☐	☐	☒	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

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

Less than Significant Impact. With the exception of Elk Slough, the project site is not recognized as an historical resource. According to the 1986 Yolo County Historical Survey, Elk Slough, from the county-line near County Road 158 to the Sacramento River near Netherlands Avenue, is one of the lushest places in the County. As described in Section IV Biological Resources, the slough has been altered little from its original configuration and its vegetated banks are undeveloped and in their natural state. According to the historical survey, in the 1850's, Elk Slough served as the main transportation artery into the County as an access through the Delta into the Sacramento Valley. At that time Elk Slough was a deeper and more navigable body of water than the Sacramento River. But major dredging and levee construction along the river in the early 1900s led to the demise of Elk Slough as the main transportation artery and today the leading role of the slough is as a provider of water and scenic beauty to the surrounding agricultural lands. The Clarksburg Area Community Plan identifies Elk Slough as having open space features worthy of preservation, primarily for its significant riparian habitat. Due to General Plan policies that prohibit development within 100 feet of any waterway, the project will not cause an adverse change in the significance of an historical resource.

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

Less than Significant Impact. The majority of the project site is currently planted to wine grapes and includes a 4.5-acre home site parcel, a barn, and the old "Purple Thread" building (not identified as an historic resource). The project site is within the aboriginal territories of the Yocha Dehe Wintun Nation who has a cultural interest and authority in the project area. In a letter dated March 25, 2016, Yocha Dehe Cultural Resources indicated a concern that the project could impact undiscovered archaeological deposits and requested a site visit to evaluate cultural concerns. A site visit was conducted by Yocha Dehe's Cultural Resources Manager on the afternoon of May 20, 2016, who toured the site and area proposed for project development. The primary concern for archaeological resource discovery appeared to be the area closest to Elk Slough, since over a century of farming, including repeated disking of the soil, has disturbed the agricultural portions of the property.

As identified elsewhere in this Initial Study, General Plan policies prohibit new development within 100 feet of water courses, including sloughs; thus, the areas around Elk Slough will not be impacted by project construction or project operations. Additionally, conservation policies in the

Countywide General Plan also require that projects avoid or mitigate to the maximum extent feasible the impacts of development on Native American archaeological and cultural resources. Therefore, a standard Condition of Approval will require that should subsurface cultural resources be encountered during any project construction, including grading and land clearing activities, construction shall be halted until a professional archaeologist can be consulted and the Yocha Dehe Wintun Nation shall be notified, and, in consultation with their designated monitors, the site shall be evaluated for cultural significance and to determine proper disposition of any artifacts or culturally sensitive resources. Impacts to archaeological resources are expected to be less than significant.

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

Less than Significant Impact. See discussion in (b), above. Project construction and implementation are not expected to affect any paleontological resources known or suspected to occur on the project site.

d) Disturb any human remains, including those interred outside of formal cemeteries?

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. 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 recommendation 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
Would the project:					
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
	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?	☐	☐	☒	☐
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 on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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), which are also not in the vicinity of the proposed project. These faults are not within an Alquist-Priolo Earthquake Fault Zone, and are therefore not subject to surface rupture.

DISCUSSION

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture or 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 California Geological Survey Special Publication 42).

Less than Significant Impact. The project is not located within an Alquist-Priolo Earthquake Special Study Zone. No landforms are known to be on the project site that would indicate the presence of active faults. Several earthquake fault zones are present within the County, and the above-identified faults are within regional proximity, albeit remote, of the project site. However, surface ground rupture along faults is generally limited to a linear zone a few yards wide. Because the project site is not located within an Alquist-Priolo Earthquake Special Study Zone, ground rupture that would expose people or structures at the facility to substantial adverse effects is unlikely to result in any significant impacts.

ii) Strong seismic ground shaking?

Less than Significant Impact. Ground shaking occurs as a result of energy released during faulting, which could potentially result in the damage or collapse of buildings and other structures, depending on the magnitude of the earthquake, the location of the epicenter, and the character and duration of the ground motion. Any major earthquake damage on the project site is likely to occur from ground shaking, and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying brock affect seismic response. Although known active seismic sources are located within regional proximity to the project site, damage from seismically induced shaking during a major event should be no more severe in the project area than elsewhere in the region. Any proposed construction would be required to be built in accordance with Uniform Building Code requirements, and will be generally flexible enough to sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Soil liquefaction occurs when ground shaking from an earthquake causes a sediment layer saturated with groundwater to lose strength and take on the characteristics of a fluid. Factors determining the liquefaction potential are the level and duration of seismic ground motions, the type and consistency of soils, and the depth to groundwater. Liquefaction poses a hazard to engineered structures, as the loss of soil strength can result in bearing capacity insufficient to support foundation loads. The project includes construction of new facilities, as well as other development, and is therefore required to comply with all applicable Uniform Building Code and County Improvement Standards requirements to ensure that risks from ground failure are minimized.

iv) Landslides?

Less than Significant Impact. A landslide involves the downslope transport of soil, rock, and sometimes vegetative material *en masse*, primarily under the influence of gravity. Landslides occur when shear stress (primarily weight) exceeds shear strength of the soil/rock. The shear strength of the soil/rock may be reduced during high rainfall periods when materials become saturated. Landslides also may be induced by ground shaking from earthquakes.

The project site is relatively flat and is in an area of low landslide susceptibility due to the slope class and material strength. However, the project site is bounded by Elk Slough on its eastern and northern boundaries. The project site is limited from development within 100 feet of Elk Slough. Development of the project will be required to comply with all

applicable Uniform Building Code and County Improvement Standards. Large landslides are unlikely to occur at the project site, particularly with enough force and material to expose people or structures on the project site to potentially substantial adverse effects, including the risk of loss, injury, or death.

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

Less than Significant Impact. The land surface at the project site is relatively flat but will require importing up to 20,000 cubic yards of fill material to increase building pad areas to levels that are determined to be above the 100-year flood. Although the project site is located in an area with little potential for erosion, grading activities at the site will require permitting to address erosion and hydrology. The project is not expected to lose topsoil due to the need to raise building pads to meet floodplain development requirements in accordance with FEMA and local regulations for flood protection. Substantial soil erosion or loss of topsoil is unlikely to occur.

Construction proposed by the project will be subject to a grading permit that requires implementation of best management practices to minimize any adverse effects, and a Storm Water Pollution Prevention Plan is required for disturbance of one acre or more. Additionally, the project will require a Flood Hazard Development Permit to ensure that the alteration of the natural floodplain does not otherwise unnaturally divert flood waters or increase flood hazards in other areas. These existing requirements for erosion control, stability of building sites, including flood hazard development, and building code compliance would remain in effect for all phases of project implementation. The proposed multi-use facility project would not be expected to result in significant impacts related to erosion.

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

Less than Significant Impact. The project site is not located in an area of unstable geologic materials, and the project is not expected to significantly affect the stability of the underlying materials, which could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The project is restricted from development near Elk Slough through implementation of General Plan policies that require a buffer from the slough. The project proposes agricultural processing and storage, daily tastings, private events, and future transient lodging, but is not expected to subject people to landslides or liquefaction or other cyclic strength degradation during a seismic event. Landslides and lateral spreading occurrences in Yolo County are typically more prevalent in the Capay Valley along Cache Creek.

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

Less than Significant Impact. The existence of substantial areas of expansive and/or corrosive soils has not been documented at the project site. The multi-use facility project proposes new development, and all construction to implement the project will be required to be built in accordance with Uniform Building Code requirements. A geotechnical report, along with soil samples, may be required as part of the building permit process. Risks to life and property from project development on expansive soils would be considered less than significant.

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

Less than Significant Impact. The proposed multi-use facility project will be served by an onsite septic system. As required by Yolo County Environmental Health, the project will be

conditioned to require an approved Site Evaluation Report from Yolo County Environmental Health for onsite sewage disposal prior to project implementation. Additionally, prior to any building permit issuance, a sewage disposal site plan/evaluation report must be reviewed for adequate soil permeability, depth to shallow groundwater, depth of restrictive soils, structures' footprint area, drainage courses, contours, and other necessary criteria for approval. A geotechnical report will also be required to determine that any new proposed septic leach field located within 500 feet of the toe of a flood control levee would not jeopardize public health or safety (Yolo County Code Section 8-2.306). General Plan policies and development regulations prohibit below-grade septic leach systems within 500 feet of the toe of a levee, unless engineering evidence, such as a geotech report, demonstrates that such an improvement would not jeopardize the adequacy of the levee to provide flood control. These required Environmental Health regulations will be adopted as standard Conditions of Approval to ensure impacts are less than significant.

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.	☐	☐	☒	☐
b.	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.	☐	☐	☐	☒
c.	Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The issue of combating climate change and reducing greenhouse gas emissions (GHG) has been the subject of state legislation (AB 32 and SB 375). The Governor's Office of Planning and Research has adopted changes to the California Environmental Quality Act (CEQA) Guidelines, and the environmental checklist which is used for Initial Studies such as this one. The changes to the checklist, which were approved in 2010, 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.

Yolo County has adopted General Plan policies and a Climate Action Plan (CAP) which addresses these issues. In order to demonstrate project-level compliance with CEQA relevant to GHG emissions and climate change impacts, applications for discretionary projects must demonstrate consistency with the General Plan and CAP. The adopted 2030 Yolo Countywide General Plan contains the following relevant policies and actions:

Policy CO-8.2: Use the development review process to achieve measurable reductions in greenhouse gas emissions.

Action CO-A117: Pursuant to the adopted Climate Action Plan (CAP), the County shall take all feasible measures to reduce its total carbon dioxide equivalent (CO2e) emissions within the unincorporated area (excluding those of other jurisdictions, e.g., UC-Davis, Yocha Dehe Wintun Nation, DQ University, school districts, special districts, reclamation districts, etc.), from 648,252 metric tons (MT) of CO2e in 2008 to 613,651 MT of CO2e by 2020. In addition, the County shall strive to further reduce total CO2e emissions within the unincorporated area to 447,965 MT by 2030. These reductions shall be achieved through the measures and actions provided for in the adopted CAP, including those measures that address the need to adapt to climate change. (Implements Policy CO-8.1)

Action CO-A118: Pursuant to and based on the CAP, the following thresholds shall be used for determining the significance of GHG emissions and climate change impacts associated with future projects:

> 1) Impacts associated with GHG emissions from projects that are consistent with the General Plan and otherwise exempt from CEQA are determined to be less than significant and further CEQA analysis for this area of impact is not required.

2) Impacts associated with GHG emissions from projects that are consistent with the General Plan, fall within the assumptions of the General Plan EIR, consistent with the CAP, and not exempt from CEQA are determined to be less than significant or mitigated to a less than significant level, and further CEQA analysis for this area of impact is generally not required.

To be determined consistent with the CAP, a project must demonstrate that it is included in the growth projections upon which the CAP modeling is based, and that it incorporates applicable strategies and measures from the CAP as binding and enforceable components of the project.

3) Impacts associated with GHG emissions from projects that are not consistent with the General Plan, do not fall within the assumptions of the General Plan EIR, and/or are not consistent with the CAP, and are subject to CEQA review are rebuttably presumed to be significant and further CEQA analysis is required. The applicant must demonstrate to the County's satisfaction how the project will achieve its fair share of the established targets including:

- Use of alternative design components and/or operational protocols to achieve the required GHG reductions; and

- Use of real, additional, permanent, verifiable and enforceable offsets to achieve required GHG reductions. To the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County.

The project must also be able to demonstrate that it would not substantially interfere with implementation of CAP strategies, measures, or actions. (Implements Policy CO-8.5)

DISCUSSION

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

Less than Significant Impact. The proposed multi-use facility project is consistent with the Countywide General Plan as it contains allowed and conditionally permitted uses within the agricultural zoning districts, including the Clarksburg Agricultural District Overlay Zone, which implements policies in the General Plan. Likewise, the project is consistent with the growth projections assumed in the General Plan EIR, since growth of agricultural commercial and agricultural tourism uses are projected in the agricultural and rural areas of the County, and, in particular, in the Agricultural District Overlay area in Clarksburg. The project could create GHG emissions due to vehicle trips generated during construction of the project, including approximately 1,667 truck trips bringing in fill to build up the building pad areas and approximately 12 months of construction activity with up to three vehicle/truck trips per day. However, project development will be phased with initial site preparation for bringing in fill dirt, followed by two six-month construction phases, i.e., six months for Phase 1 and six months for Phase 2 construction; emissions would be of a temporary nature and thus are not expected to have a significant permanent impact.

Long-term GHG impacts from the anticipated multi-use facility would be caused by truck deliveries up to three times per day, vehicle traffic generated from daily wine tasting, employees, and from guests and vendors attending events. Daily traffic generated by the multi-use facility is expected to be captured by regional traffic from other tasting rooms in the Clarksburg area, including the existing Heringer tasting facility at the Old Sugar Mill site located on Willow Avenue in the town of Clarksburg. Project traffic is estimated at approximately 250 roundtrip vehicle trips

per day with a slight increase on weekends. See traffic generation information in Section III Air Quality. This traffic assumption does not include existing traffic generated at the site for ongoing agricultural operations, including 24-hour harvest activity from August through November, or the three large non-profit events held each year.

The project's design features propose to take advantage of the area's natural resources, such as sunlight and topography, to minimize energy use and noise levels, with use of solar energy to be incorporated as a future option. The applicant's architect, Sage Architecture Inc., employs green technologies in all their design features, with an emphasis on sustainability. Building considerations will thus meet many of the 2030 Countywide General Plan policies that support use of green building design in new development.

The proposed project is not considered to have an individually significant or cumulatively considerable impact on global climate change.

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

No Impact. The proposed multi-use facility project would not conflict with any applicable plan, policy or regulation adopted to reduce GHG emissions, including the numerous policies of the adopted 2030 Yolo Countywide General Plan and Climate Action Plan. As identified in (a), above, the project proposes using green architecture to minimize energy use by incorporating sustainable design features. The project thus implements several policies in the General Plan that support the reduction of greenhouse gas emissions.

c) Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?

No Impact. The project is not located in an area of risk for fire or sea level rise. No impacts are expected due to climate change.

VIII.	HAZARDS AND HAZARDOUS MATERIALS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☐	☒

DISCUSSION

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

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

Less than Significant Impact. Construction of the proposed project could require the transport, storage, use, handling and disposal of different types of hazardous substances including fuel, oil, lubricants, and solvents. Operation of the project itself, however, would not include significant storage or handling of hazardous materials, other than typical use of forklifts and storage of propane. The transport, use, and disposal of any construction and/or operations related to hazardous materials, such as forklifts and propane storage, will be stored and handled in

accordance with all applicable federal, state, and local requirements, including Yolo County Environmental Health Division regulations, which require submittal of a Hazardous Materials/Waste Application Package (Business Plan). Hazardous impacts to the public or environment would be considered less than significant.

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

No Impact. The project site is not located within one-quarter mile of an existing or proposed school.

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

No Impact. The project will not be located on a site that has been included on a list of hazardous materials sites.

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

No Impact. The project site is not located within an airport land use plan, is not within the vicinity of a public airport, and would not result in a safety hazard for people residing or working in the project area. There would be no safety hazard related to public airports that would endanger people residing or working in the project area.

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

No Impact. There are several agricultural and private landing strips for airplanes located throughout the County, although the project site is not located within the immediate vicinity of a private airstrip. The Borges-Clarksburg Airport, a private airstrip, is located approximately four miles north (as the crow flies) of the project site, and is located along South River Road, below the Freeport Bridge. Airplane activity at the airport is typically minimal, averaging one aircraft operation a day; the proposed project is not within the boundaries of the Borges-Clarksburg Airport safety zones. There would be no safety hazard related to private airstrips that would endanger people residing or working in the project area.

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

Less than Significant Impact. The location of the multi-use facility would not affect any adopted emergency response plan or emergency evacuation plan. The project site is located in a rural area of the County with adequate access off Netherlands Road, a 24-foot wide, two-lane local roadway in relatively good repair. The project site is easily accessed from Jefferson Boulevard or South River Road, the two primary roads providing access to the greater Clarksburg area. An adopted project Condition of Approval will require that the applicant develop a site specific emergency plan that identifies facility information, owner and local emergency contact information, gathering or refuge locations, fire extinguisher locations, and other pertinent emergency response information. Impacts will be less than significant.

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?

No Impact. The project site is not located in a designated Fire Hazard Severity Zone, and is furthermore located in an area rich in vegetation and surrounded by irrigated farmland and surface water provided by sloughs and other waterways. Impacts will be negligible.

IX.	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?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
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 on-site or off-site?	☐	☐	☒	☐
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 on-site or off-site?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f.	Otherwise substantially degrade water quality?	☐	☐	☒	☐
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?	☐	☐	☒	☐
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	☐	☐	☒	☐
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?	☐	☐	☒	☐
j.	Contribute to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

DISCUSSION

a) Violate any water quality standards or waste discharge requirements?

Less than Significant Impact. The project proposes construction of a domestic well and onsite wastewater treatment system that will be required to meet construction requirements and standards through the implementation of the project's adopted Conditions of Approval. The proposed project will be conditioned to prohibit new development within 100 feet of Elk Slough. Environmental Health standards and requirements include the review and approval of a sewage disposal site plan/evaluation report, as well as a water source plan, prior to implementation of an approved project. See, also, discussion in (c), (d), below, regarding use of best management practices and other required measures to prevent project storm water pollution. Section XVII(a) (Utilities and Service Systems) addresses project requirements for proper onsite sewage

disposal. Process wastewater from agricultural processing will be diverted to holding tanks for proper offsite disposal, which may be subject to the regulatory authority of the Regional Water Quality Control Board. Water quality standards and waste discharge requirements are not expected to be violated.

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

Less than Significant Impact. The project proposes to convert approximately 3.7 acres of the vineyard property, including some aging short-row vines, to accommodate construction of the multi-use facility. New well systems would have to be reviewed by and meet all the requirements of the Yolo County Environmental Health Division. Permits will be required from Environmental Health for the construction and operation of a public water supply system to ensure long-term sustainability and compliance with drinking water laws and regulations. See, also, discussion in Section XVII (Utilities and Service Systems) regarding Public Water Systems.

Proposed agricultural processing uses at the project site, such as a boutique winery/brewery/distillery, will produce less than 100,000 cases of wine/beer/spirits per year and is not expected to result in significant impacts to other nearby groundwater wells. Much of Clarksburg, including the project site, has access to year-round surface water supply. Current vineyard operations rely on water pumped from Elk Slough. The proposed project is not expected to substantially affect any nearby or onsite wells and would not deplete groundwater supplies or otherwise interfere with groundwater recharge.

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

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 which would result in on- or off-site flooding?

Less than Significant Impact. The proposed multi-use facility project is located in an area of relatively level ground on a vineyard property that has been farmed by the Heringer family over 100 years. Elk Slough lies adjacent to the property at its eastern boundary separating the project site from Merritt Island. Development of the project includes construction of a 9,000-square foot tasting/hospitality and agricultural processing/storage facility and an adjoining 7,000-square foot events center. Additional improvements to the 129-acre vineyard property include a farmstand, an internal access road with graveled parking for up to 170 vehicles, and a pavilion. Total acreage of the project footprint is approximately 3.7 acres. Due to the property's location in a floodplain, the project will be required to implement flood protection measures as regulated by the County's Flood Protection Ordinance and FEMA. As addressed in Section VI Geology & Soils, a Flood Hazard Development Permit will be required to ensure that the alteration of the natural floodplain does not otherwise unnaturally divert flood waters or increase flood hazards in other areas.

Through adopted Conditions of Approval, the applicant will be required to submit civil improvement plans for the entire project site to ensure all new drainage improvements to the property tie-in to existing drainage facilities and features, as necessary. The applicant will be prohibited from designing or re-grading the project site to drain to Elk Slough or Netherlands Road. All applicable permanent post-construction storm water pollution controls for new development will be required to adhere to the Yolo County Improvement Standards, which will be reviewed by Yolo County Engineering staff. Construction of the project will also be required to

comply with Improvement Standards that require best management practices to address storm water quality, erosion, and sediment control, which may include a Storm Water Pollution Prevention Plan if one acre or more is disturbed.

The project is not expected to substantially alter the existing drainage pattern of the project site, which will be addressed through the abovementioned required submittals, i.e., a Flood Hazard Development Permit and civil improvement plans. As indicated elsewhere in this Initial Study, the project includes approximately 14,000 square feet of new building area with associated parking; although most parking stalls and access drives will be graveled with only minimal amounts of new impervious surfaces, such as paving, required for accessibility. Implementation of the above required Conditions of Approval will ensure that the project does not significantly modify any drainage patterns or change absorption rates, or the rate and amount of surface runoff.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? *and*

f) Otherwise substantially degrade water quality?

Less than Significant Impact. See discussion in (c) and (d), above. With the implementation of project construction and site preparation-related Conditions of Approval that address proper drainage improvements, flood protection measures, and storm water pollution controls, the proposed multi-use facility project is not expected to cause additional runoff. Only three percent of the 129-acre property will be affected, with a majority of the property remaining in active vineyard production. Impacts to water quality are expected to be less than significant.

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?

Less than Significant Impact. The project is located within a 100-year flood plain (Flood Zone A) as mapped by FEMA (Federal Emergency Management Agency). Flood Zone A is a designation given to areas located in a flood hazard area where the base flood level has not been determined. The property is adjacent to Flood Zone AE (area where the flood level has been determined). The project does not propose any additional housing to accommodate the multi-use facility, but does include future plans to convert the existing dwelling, currently family-occupied, into a small bed and breakfast. Any tenant improvements to the home will be required to address local and FEMA regulations for new or significant development within a floodplain. Impacts will be less than significant.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

Less than Significant Impact. The project is located within a 100-year flood plain and will be required to address flood protection regulations and standards to ensure new development does not impede any flood flows or subject individuals on the project site to risk from flooding. Specifically, the project will be required to meet the requirements of Yolo County Code Section 8-4.501 that define standards of construction in areas of designated flood zones in order to reduce flood hazards. Specifically, these standards of construction address requirements for anchoring, construction materials and methods, and elevation and floodproofing. Adherence to flood protection measures will ensure impacts remain less than significant.

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?

Less than Significant Impact. See discussion in (h), above. The project site is located in a dam inundation zone and adjacent to a levee system that could expose people to flooding. The policy framework in the Health and Safety Element of the 2030 Countywide General Plan includes policies and measures for achieving General Plan Goal HS-2: flood hazard protection. These actions are implemented through the County's Flood Protection Ordinance codified in Chapter 4 of Title 8 of the Yolo County Code as identified elsewhere in this Initial Study. The development review process for approval of the project includes standard conditions for protecting people, structures, and personal property from unreasonable risk from flooding and flood hazards (General Plan Policy HS-2.1). As such, new construction is required to adhere to the standards of construction for providing flood protection. These standards ensure that the design and construction of a project will not significantly contribute to cumulative flooding that could pose a hazard to surrounding landowners and/or or the public. With the implementation of these standard requirements for development within a floodplain, risk of exposing people or structures to hazards due to flooding will be less than significant.

j) Result in inundation by seiche, tsunami, or mudflow?

No Impact. The project is not located in an area that could potentially pose a seiche or tsunami hazard and is not located near any physical or geologic features that would produce a mudflow hazard.

X.	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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

DISCUSSION

a) Physically divide an established community?

No Impact. The proposed project is located outside the growth boundary identified for the town of Clarksburg, but is within the greater Clarksburg community, in unincorporated Yolo County. The property is surrounded by other agricultural uses within the rural area of Clarksburg and is located within the Primary Zone of the Sacramento-San Joaquin Delta (see discussion in (b), below). The project would not divide an established community.

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

Less than Significant Impact. The proposed project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project site is designated Agriculture (AG) in the Yolo County 2030 Countywide General Plan and accompanying Clarksburg Area Community Plan, and includes an Agriculture District Overlay (ADO) designation. The project site also lies within the Delta Protection Overlay (DPO), which is applied to the state-designated "primary zone" of the Sacramento-San Joaquin Delta, as mentioned in (a), above.

The project site's primary AG and ADO designations support agriculturally-related commercial and industrial uses in the agricultural areas, and more particularly within the Clarksburg community. Specifically, the AG designation defines agricultural industrial uses as including processing, storage, and supply, and defines agricultural commercial uses as including roadside stands, wineries, farm-based tourism, and crop-based seasonal events that serve the rural areas. Furthermore, the ADO is intended to encourage agricultural business development and expansion in the Clarksburg area. The DPO designation requires that proposed land uses be consistent with the AG designation as well as the Delta Protection Commission's (DPC) Land Use and Resource Management Plan (LURMP).

In addition to reviewing the project for consistency with the DPC's LURMP, the project is also reviewed by the Delta Stewardship Council (DSC) for consistency with the 2013 adopted Delta Plan to ensure the project does not hinder the Delta Plan's co-equal goals to improve statewide water supply reliability and protect and restore a vibrant and healthy Delta ecosystem.

Clarksburg Area Community Plan

The Clarksburg Area Community Plan, which is a component of the 2030 Countywide General Plan, was updated and adopted by the Board of Supervisors in September 2015. The Plan states that the development of agricultural tourism, and the industrial and commercial businesses and services necessary to support a successful agricultural economy in Yolo County, and the Clarksburg community in particular, are critical to ensuring that agricultural uses continue and thrive. To further promote and enhance the distinctive agricultural and recreational character of the Clarksburg community a Clarksburg Agricultural District Overlay (CADO) zone was created to correspond directly with the ADO (see discussion on zoning in Section II Agricultural Resources). Policies in the Countywide General Plan and Clarksburg Area Community Plan allow for additional agricultural commercial and agricultural industrial land uses in any designated agricultural area, where appropriate, and are implemented through the development regulations of the CADO zone. The CADO regulations are generally less restrictive than the countywide agricultural zoning regulations.

The project implements the following Policies of the Clarksburg Area Community Plan:

- Agricultural Policy A1: Support expanded productivity, conservation, enhancement, and economic viability of privately owned agricultural land.
- Agricultural Policy A2: Support agricultural (including production, processing, distribution, industrial and marketing operations), rural recreation, and open space land uses that sustain and create demand for commercial services within the Clarksburg town area.
- Agricultural Policy A5: Continued growth and development of the wine industry and alternative value-added crops shall be supported and encouraged within the Plan area.
- Agricultural Policy A8: Support the development of visitor-serving private businesses that retain and complement Clarksburg's agricultural and historical rural character.
- Agricultural Policy A9: Support farm-to-fork industry connections.
- Agricultural Policy A11: Promote beer manufacturing, distilled spirits manufacturing, and related supportive crop industries.
- Agricultural Policy A12: Support Clarksburg community agricultural product, processing, marketing, sales, and distribution labeling and branding.
- Land Use Policy L9: Additional agricultural commercial and agricultural industrial land uses shall be allowed in any designated agricultural area, where appropriate.
- Land Use Policy L14: Encourage tourism businesses which showcase an historical understanding of the Clarksburg community.
- Recreation and Tourism Policy R4: Promote Clarksburg's economic vitality.

Delta Protection Commission's Land Use and Resource Management Plan

The rural/agricultural area surrounding the town of Clarksburg is the only community plan area in the County that lies within the Primary Zone of the Delta. As such, development outside the growth boundary of Clarksburg's town area is subject to the regulations of the LURMP. As stated in the Project Description section of this Initial Study, the DPC responded to the project in a comment letter dated March 18, 2016, indicating the Commission is supportive of projects that maintain the agricultural economy through agricultural tourism and value-added agricultural production with minimal conversion of agricultural land.

As discussed throughout this Initial Study, the applicant proposes to remove some aging short row vines to construct the project. According to the applicant, approximately 2.5 percent of active agricultural land will be converted in order to further sustain the long-term viability of the vineyard operations. As explained by the applicant, the vines slated for removal are inefficient to farm with respect to their low economic value. The rest of the vineyard will remain in active production and furthermore relies on the project to ensure wine grape production remains a viable long-term family operation.

The LURMP states that the priority land use of areas in the Primary Zone shall be oriented toward agriculture and open space. The LURMP supports the continued capability for agricultural operations to diversify and remain flexible to meet changing market demands, as well as those practices that keep Delta agricultural operations competitive and economically sustainable. Policies contained in the Agriculture section of the LURMP support the long-term viability of agriculture while discouraging inappropriate development. Although the project will remove some aging short row vines from production the applicant has explained that the varietals being removed are of low economic value and development of the project will further sustain the long-term economic viability of the farmland. Moreover the project relies on the vineyard's ability to produce wine grapes for generations to come. The project is consistent with the following policies contained in the LURMP:

- Agriculture Policy P-1: support and encourage agriculture in the Delta as a key element in the State's economy and in providing the food supply needed to sustain the increasing population of the state, the nation, and the world.
- Agriculture Policy P-2: Conversion of land to non-agriculturally-oriented uses should occur first where productivity and agricultural values are lowest.
- Agriculture Policy P-3: Promote recognition of the Delta as a place by educating individuals about the rich agricultural heritage, the unique recreational resources, the biological diversity, and the ongoing value of maintaining a healthy agricultural economy in the Delta.
- Agriculture Policy P-4: Support agricultural programs that maintain economic viability and increase agricultural income in accordance with market demands, including but not limited to wildlife-friendly farming, conservation tillage and non-tillage.
- Agriculture Policy P-9: Support agricultural tourism and value-added agricultural production as a means of maintaining the agricultural economy of the Delta.
- Land Use Policy P-1: The rich cultural heritage, strong agricultural/economic base, unique recreational resources, and biological diversity of the Delta shall be preserved and recognized in public/private facilities, such as museums, recreational trails, community parks, farm stands, community centers, and water access facilities within the Delta.
- Natural Resource Policy P-8: Promote ecological, recreational and agricultural tourism in order to preserve the cultural values and economic vitality that reflect the history, natural heritage and human resources of the Delta including the establishment of National Heritage Area designations.

In summary, the project implements the policies in the LURMP because it will: 1) utilize land that is not currently in production, including the shortest, inefficient grape vines; 2) increase the viability of farming grapes for wine through direct-to-consumer sales, including the production, distribution, and marketing of Heringer products; 3) add diversity to the agricultural land by hosting events that optimize the beauty of the Delta land, farm-to-fork product sales, processing, and other agri-tourism uses; and 4) educate consumers and visitors about small business farming and the agricultural abilities of the Delta.

Delta Stewardship Council's Delta Plan and Coequal Goals

The Delta Plan is a comprehensive, long-term management plan for the Delta. Required by the 2009 Delta Reform Act and developed by the Delta Stewardship Council (DSC), it creates new rules and recommendations to further the state's coequal goals for the Delta: Improve statewide water supply reliability, and protect and restore a vibrant and healthy Delta ecosystem, all in a manner that preserves, protects and enhances the unique agricultural, cultural, and recreational characteristics of the Delta.

The Delta Reform Act established a self-certification process for demonstrating consistency with the Delta Plan. Thus, state and local agencies proposing to undertake a qualifying action, called a "covered action" in the Act, must submit to the DSC a written certification of consistency with detailed findings as to whether the covered action is consistent with the Delta Plan. Per Water Code section 85057.5 "covered action" means a plan, program, or project as defined pursuant to Section 21065 of the Public Resources Code that meets all of the following conditions:

- Will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh.
- Will be carried out, approved, or funded by the state or a local public agency.
- Is covered by one or more provisions of the Delta Plan.

The County has determined that the proposed multi-use facility is not a "covered action," as discussed.

Chapter 5 of the Delta Plan describes the unique values that distinguish the Delta to make it a special region. Entitled *Protect and Enhance the Unique Cultural, Recreational, Natural Resource, and Agricultural Values of the California Delta as an Evolving Place*, Chapter 5 outlines the DSC's five core strategies for protecting and enhancing the unique values of the Delta:

- Designate the Delta as a special place worthy of national and state attention
- Plan to protect the Delta's lands and communities
- Maintain Delta agriculture as a primary land use, food source, a key economic sector, and a way of life
- Encourage recreation and tourism that allow visitors to enjoy and appreciate the Delta, and that contribute to its economy
- Sustain a vital Delta economy that includes a mix of agriculture, tourism, recreation, commercial and other industries, and vital components of state and regional infrastructure.

The Delta Plan describes its "legacy communities" as each having its own character. Clarksburg, along with Courtland, is described as a center for wine and pear production. The Plan acknowledges the rich cultural histories of each legacy community and notes the importance of enhancing their legacy themes for creating better awareness by strengthening their respective agricultural uses and encouraging tourism opportunities, including lodging, entertainment, agritourism, and restoration of historic buildings.

According to the applicant, the primary goals of the project are to enhance and assist in the viability of the agricultural value of the property, and showcase the heritage of a farming family and the overall Clarksburg region. In turn, the project is expected to promote Clarksburg commerce and agritourism, and sustain the opportunity to continue farming the land for generations to come.

The proposed project will not affect the Delta water supply or ecosystem, or in any other way hinder the co-equal goals of the Delta Plan. The project, as proposed, is anticipated to protect the unique cultural resources of the area, including the family's heritage; provide recreational opportunities through farm tours, wine tasting, and other events; and protect agricultural values by sustaining the family farm and bringing attention to agriculture and the history of the Delta.

The Delta Plan defines agritourism as another opportunity to add further value to the Delta economy from agricultural activities, and includes such destinations as wineries and farm stands. The Plan acknowledges that agritourism is a small, but fast-growing source of income for farms in the region and a growing segment of the Delta economy. Policy DP P1 (c) specifically states that commercial recreational visitor-serving uses or facilities for processing of local crops is not covered under the policies of the Delta Plan.

Yolo County, as the lead agency, has interpreted that the proposed project is not a covered action and is therefore exempt from the Delta Stewardship's regulatory authority.

In summary, the project lies within the rural area of the Clarksburg community, and conforms to the County's General Plan and zoning ordinance. In addition to the above mentioned goals and policies from the Clarksburg Area Community Plan, the project would be consistent with several General Plan Goals and Policies from the Land Use and Community Character Element, Conservation and Open Space Element, and Agriculture and Economic Development Element. The proposed project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including the DPC's LURMP or the DSC's Delta Plan.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Less than Significant 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 Habitat/Natural Community Conservation Plan Joint Powers Agency (the Yolo Habitat Conservancy (YHC)). In accordance with this draft plan, this Initial Study addresses measures to reduce impacts to special status species that have been identified by YHC as possibly occurring at the project site due to the potential for the site to support habitat. See discussion in Section IV (Biological Resources).

XI.	MINERAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

DISCUSSION

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?; *and*

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?

No Impact. The project area is not located within any identified area of significant aggregate deposits, as classified by the State Department of Mines and Geology. Most aggregate resources in Yolo County are located along Cache Creek in the Esparto-Woodland area.

XII.	NOISE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:					
a.	Exposure of persons to or generation of noise levels in excess of standards established in a local general plan or noise ordinance, or in other applicable local, state, or federal standards?	☐	☐	☒	☐
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

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. Instead, the County relies on the State of California Department of Health Services' recommended Community Noise Exposure standards, which are set forth in the State's General Plan Guidelines (2003). These standards are included in the Yolo County 2030 Countywide General Plan and used to provide guidance for new development projects. The recommended standards provide acceptable ranges of decibel (dB) levels. The noise levels are in the context of Community Noise Equivalent Level (CNEL) measurements, which reflect an averaged noise level over a 24-hour or annual period. The Countywide General Plan identifies up to 75 dB CNEL as an acceptable exterior noise environment for agricultural land uses and up to 60 dB CNEL for residential land uses.

DISCUSSION

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

Less than Significant Impact. The project site is surrounded by active agricultural land uses and includes a few rural home sites that are within a quarter mile of the project site, in addition to the family-occupied residence at the project site. As indicated above, the State noise guidelines define up to 75 dB CNEL for outdoor noise levels in agricultural areas as an acceptable level, measured at the property line. The ambient noise levels in the project vicinity are a result of onsite, surrounding, and distant agricultural activities, such as tractors disking the adjacent farm fields, harvest activity in nearby fields and onsite vineyard, as well as other farm vehicles and

traffic along Netherlands Road and Central Avenue. Typical noise levels for tractors are approximately 80 dB at 50 feet away.

Because the project site is located in a rural area of the County, noise levels for Netherlands Road south of Central Avenue are not available. According to traffic counts prepared in 2002, the average daily trip count for the segment of Netherlands Road south of Central Avenue is 399 vehicles. Although there have been no recent traffic counts prepared for the area, Yolo County Public Works staff do not expect these counts to have significantly increased. Thus, noise levels due to existing daily traffic are relatively minor in the project vicinity.

It is expected that construction activities related to site preparation for importing approximately 20,000 cubic yards of fill, followed by grading, improving drive aisles and parking areas, and construction of the buildings will be audible during daytime hours in the vicinity of the nearest residences. Construction activity is expected to occur in two six-month phases to implement the project. Each six-month phase of construction is expected to generate up to three truck trips per day, in addition to the initial 1,667-truck trips for bringing fill to the site.

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. Temporary noise associated with construction activities would be similar to existing noise associated with ongoing agricultural activities, such as tractors, diesel pumps and generators, harvest activities, truck hauling, and other agricultural vehicles on Netherlands Road. Existing agricultural noise sources at the project site include typical farming activities such as day and nighttime diesel pump operations, crop-dusting aircraft, and 24-hour harvest activity. The FEIR notes that typical noise levels for tractors conducting farming activities ranges from 78 dBA L_{max} to 106 dBA at 50 feet, with an average of about 84 dBA. Additionally, the applicant currently hosts three large non-profit events per year where amplified sound is used. A typical noise level for amplified music is 90 dBA at 50 feet from the source (i.e., speakers).

The noisiest typical construction equipment is pile drivers, which may measure 93 dBA at 50 feet. Depending on the engineering of the soils, the multi-use facility may require pile driving to anchor the pad, so noise levels in this upper range may be generated during construction (see discussion in Section (b), below). The proposed grading and construction of the multi-use facility are not expected to generate noise levels at the boundaries of the property that will significantly impact the nearest neighbors, since the residences are located far enough away from the noisiest construction activities. 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 a few rural residences located in the vicinity of the project; however, individual rural homes are not considered sensitive receptors. There is one rural residence in the project vicinity located approximately 1,000 feet west of the proposed multi-use facility. It is completely surrounded by the existing vineyard, where harvest and other daily agriculturally-related activities take place.

Long-term noise sources from operation of the multi-use facility will come from truck deliveries up to three times per day, and visitors accessing the site daily, anywhere between the hours of 7:00 AM to 10:00 PM, with events until 11:00 PM. Additionally, some of the bigger events, such as weddings, will most likely include amplified music. Berming at the project site, and the siting of the facility to make use of other topographic features such as Elk Slough, are anticipated to attenuate some of the noise generated by events. Any future lodging activities are generally expected to be associated with private events, but are not expected to generate any additional noise sources above and beyond daily anticipated use of the site, which may include tastings, tours, large events and other farm-related agri-tourism activities.

The 2030 Countywide General Plan strongly promotes the continuation of farming activities on agricultural land and anticipates those activities to expand. Policies in the Countywide General Plan promote compatibility of permitted land use activities with applicable noise standards and encourage new discretionary development to use best-available noise reduction measures in project design. As indicated elsewhere in this Initial Study, the project will incorporate berming and landscaping, and will make use of topographical features to buffer the project. These design components are expected to reduce project-related noise, such as amplified sound, to levels that are compatible with the existing noise environment, which includes daily farming operations. Additionally, the applicant currently hosts three non-profit events per year, which includes use of amplified music.

The General Plan's Health and Safety Policy HS-7.4 states that where it is not possible to reduce new outdoor noise levels to 60 dB or less using practical application of the best-available noise reduction measures, greater exterior noise levels may be allowed, provided that all available reasonable and feasible exterior noise level reduction measures have been implemented (Yolo County, 2009). Policies in the Clarksburg Area Community Plan also require methods for noise reduction for the introduction of substantial new noise sources. Thus, in accordance with the Countywide General Plan, the applicant will be encouraged to incorporate all feasible design features in an attempt to reduce noise levels at the nearest property lines. Use of amplified sound systems shall be required not to exceed 75 dB at adjacent property lines. This level shall be reduced to 70 dB during evening/nighttime hours between 7 PM and 10 PM, as required in (c), below. Overall, noise levels will not expose nearby receptors in excess of standards adopted by the County's General Plan, including the State-recommended Community Noise Exposure standards.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

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 and up to 112 VdB for a pile driver. As noted above, the multi-use facility may require pile driving to anchor the pad, so vibration levels in this upper range may be generated during construction. However, construction activities are not expected to generate vibration levels at the boundaries of the property that will significantly impact the nearest neighbors, since the residence is located far enough away from the construction activities.

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

Less than Significant with Mitigation Incorporated. See discussion in (a), above, which describes noise sources related to farming, such as day and nighttime diesel pump operations, and day and nighttime harvesting. Given the relatively low traffic use in the area, traffic noise levels along Netherlands Road at the project site are not currently contributing to significant noise levels throughout the day. Existing operations at the project site include daily general farming activities, 24-hour harvest activities August through November each year, and the use of amplified music during non-profit events.

Upon completion of the multi-use facility, noise from any agricultural processing operations would be generated from air compressors, refrigerators, bottling, fork lifts, and truck deliveries. These ongoing operational noises will be mitigated through building design, location, and buffers provided by berming of the building pads, natural topography of the slough, and landscaping. Noise generated by the agriculturally-related operations of the multi-use facility would be expected to be at a level similar to existing agricultural activities already occurring at the site, and should not adversely impact the nearest residence since they are far enough away

(approximately 1,000 feet) from the facility and already exposed to agricultural uses at the site, including daily use of agriculturally-related machinery and vehicles.

Other noise sources generated by the project will include an increase in daily visitor activity generated by tastings, large events, and other farm-related activities. While an increase in ambient noise levels due to the increase in daily vehicle trips is likely, the increase in traffic levels is not expected to result in a substantial permanent increase in noise levels, since the region already experiences a similar level of tourist traffic from other nearby wineries and tasting rooms, including the existing non-profit events held at the project site. The applicant anticipates that the level of daily traffic generation at the site will be commensurate with traffic levels generated by other similar uses in the area. By way of comparison, the existing Heringer Estates tasting facility, located at the Old Sugar Mill site on Willow Avenue, includes approximately 150 to 225 daily round trips from visitors, with the expectation that these numbers will grow with future market demands.

Additional noise sources during events will be due to use of an amplified sound system, which is expected to occur during weddings and other large events. Use of amplified sound has been in use at the project site during the applicant's non-profit events (up to three times per year). Noise levels of an amplified sound system are expected to be in the range of 80 to 90 dBA measured 50 feet in front of the stage and amplifiers. Noise levels attenuate or reduce as distance from a noise source increases based on an inverse square rule. Noise levels from a single-point source such as an amplified sound system attenuates at a rate of 6 dBA for each doubling of distance (Yolo County, 2009). Thus, if an amplified sound system for an event with music registered 90 dBA L_{eq} (day-night average) at a location 50 feet from the source, the noise level at 100 feet would be expected to drop to 84 dBA. Noise levels 200 feet from the amplified 90 dBA noise source would be expected to drop to 78 dBA, noise levels at 400 feet would be 72 dBA, and noise levels at 800 feet would be 66 dBA. Thus, noise levels at 1,000 feet, which is the approximate location of the closest adjacent residence, would be above 60 dBA, but well below the state acceptable standard of 75 dBA.

The corresponding noise levels for these estimates as measured on the CNEL scale would add a 5 dBA weighting factor for hourly day-night averages (Leq) noise levels that occur during the evening hours between 7 pm and 10 pm. Thus, the projected CNEL noise levels generated by a 90 dBA sound system during evening hours would be 77 dBA CNEL at 400 feet away, 71 dBA CNEL at 800 feet, and 65 dBA CNEL at 1,600 feet. The projected CNEL noise level at the single nearest neighboring home (not including the family-occupied residence at the project site), which would be less than one-quarter mile away from the sound system, would not be within the 75 dBA CNEL acceptable level set by the State guidelines for agricultural areas, but will be over 60 dBA.

As addressed elsewhere in this Initial Study, the project proposes berming at the site to increase building pads to meet flood protection requirements. This berming, in addition to siting the facility internal to the farmyard (approximately 120 feet away from Elk Slough and 1,300 feet away from Netherlands Rd), will provide soft and natural barriers to buffer sound generated by the project. These project design features are likely to further decrease sound levels as they leave the source. However, measurements for such reduction methods are unavailable at this time. Thus, the project will be required to ensure noise levels at the nearest resident property line(s) do not exceed acceptable levels, particularly during nighttime activities.

Use of an amplified sound system during events will be conditioned to comply with maintaining a 75 dBA at the nearest adjacent residence's property line, with a reduction to 70 dBA from 7 PM to 10 PM, and shall be required to cease after 10:00 PM through the proposed mitigation addressed below. Also, as a preventive measure, the mitigation measure will require that speakers are turned away from the public right-of-way and closest residences, which are located west and north of the project site. Therefore, although the project may increase the ambient noise levels in the project vicinity during an event, with mitigation incorporated, this increase is

not expected to significantly affect the permanent ambient noise levels in the area, particularly since the project site is subject to daily farming operations, and the applicant has previously used amplified music during large non-profit events.

Mitigation Measure NOI-1:

A) Use of an amplified sound system shall be operated to reduce impacts to nearby residents. Noise levels shall not exceed 75 dBA at the nearest property line(s), except between the hours of 7:00 PM to 10:00 PM where noise levels shall not exceed 70 dBA. During large events, the applicant shall measure noise levels at the nearest property line, and record the measurements for review by County staff or residents upon request. Such measurements may be performed by use of a cell phone application or other sound measuring device.

B) Speakers and other sound system sources shall be turned away from Netherlands Avenue and the closest residence to the west.

C) The applicant is encouraged to conceal amplified noise sources by locating within interior spaces and/or through the use of natural topography, berming, and landscaping.

D) Outdoor amplified sound shall cease at 10:00 PM.

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

Less than Significant Impact. See discussion in (c), above. Construction noise associated with development of the project would initiate with importing fill to the property, which will include up to 1,667 total truck trips. Thereafter, construction shall occur in two six-month phases. Temporary construction activities could result in substantial increases in ambient noise levels but would be attenuated at the property boundaries to acceptable levels. These temporary construction activities are expected to generate similar levels of noise as existing agricultural uses on the property and elsewhere in the vicinity.

Operational noise levels of the multi-use facility would not be adverse to the nearest residence with implementation of the above mitigation that restricts amplified sound systems. The nearest residence is located approximately 1,000 feet away to the west and is surrounded by existing agricultural activities at the project site, including use of an amplified sound system during non-profit events. Since sound attenuates as it leaves the source, it is unlikely that the closest residents will be experiencing noise sources, i.e., amplified music, at substantial levels. Impacts from periodic increases in ambient noise levels are expected to be less than significant.

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

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

Less than Significant Impact. The proposed project site is not located within an airport land use plan. Implementation of the proposed project would not expose individuals to excessive noise levels associated with any nearby airstrip's aircraft operations.

XIII.	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)?	☐	☐	☒	☐
b.	Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c.	Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

DISCUSSION

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)?;

b) Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?; *and*

c) Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?

Less than Significant Impact. The proposed project will result in a temporary and periodic increase in human population during daily tastings, events, and/or through future transient lodging accommodations. However, the project would not result in an increase in population growth and would not displace any existing housing or current residents that would necessitate the construction of housing elsewhere. Impacts would be less than significant.

XIV.	PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project 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:					
a.	Fire protection?	☐	☐	☒	☐
b.	Police protection?	☐	☐	☒	☐
c.	Schools?	☐	☐	☐	☒
d.	Parks?	☐	☐	☐	☒
e.	Other public facilities?	☐	☐	☐	☒

DISCUSSION

a) Fire protection?

Less than Significant Impact. The Clarksburg Fire Protection District, located approximately two miles (as the crow flies) northeast of the project site, provides fire protection services to the property and surrounding environs. Implementation of the proposed project could increase the risk for fire, and thus, the demand for fire protection services. The project proposal includes provisions for a 400-gallon pressurized holding tank and fire hydrant, as per Fire District requirements. Thus, the construction of the project will ensure an adequate water supply is secured onsite for fire-fighting purposes, as approved by the Clarksburg Fire Protection District.

Implementation of the project's proposed fire protection measures, as well as implementation of construction standards that meet current building and fire codes, will ensure that impacts to fire protection services will be less than significant.

b) Police Protection?

Less than Significant Impact. Implementation of the project may increase the need for law enforcement at the project site and along the roadways, but would not result in the construction of new or modified facilities in order to maintain adequate service levels. Impacts will be less than significant.

c) Schools?;
d) Parks?; *and*
e) Other public facilities?

No Impact. The proposed multi-use facility will not result in the demand for any new housing and would not generate any additional demand for schools, parks, or other public facilities such as libraries, hospitals, satellite County offices, etc. Prior to issuance of building permits at the project site, any applicable impact fees will be collected.

XV.	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?	☐	☐	☐	☒
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

DISCUSSION

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?; *and*

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

No Impact. The proposed project would not require the construction of additional recreational facilities nor substantially increase the use of existing recreational facilities. The project is intended to increase agricultural and recreational tourism in the County, particularly in Clarksburg, by providing a multi-use facility for daily tastings, farm tours, weddings, receptions, gatherings, and retreats.

XVI.	TRANSPORTATION/TRAFFIC.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e.	Result in inadequate emergency access?	☐	☐	☒	☐
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

ENVIRONMENTAL SETTING

The roadway network within unincorporated Yolo County consists primarily of two lane roads that are designed to serve small farming communities and agricultural uses. Thus, policies in the 2030 Countywide General Plan encourage inter-and intra-regional traffic to use State and federal interstates and highways, since the primary role of county roads is to serve local and agricultural traffic. The project site is located southwest of the town of Clarksburg, in the rural and agricultural area of the Clarksburg community, and is accessed off Netherlands Road. Netherlands Road is not a designated “General Plan roadway” in the 2030 Countywide General Plan, but is considered a “Local Road,” which is shown in the Circulation Element for orientation purposes (Yolo County, 2009). Netherlands Road is a 24-foot wide two-lane roadway.

General Plan roadways are defined as: Minor Two-Lane County Roads, which primarily function as collector roads providing access to adjacent land carrying local traffic; Major Two-Lane County Roads, which function as collector roads that serve travel that is intra-county, carrying traffic between communities and/or other areas of the County; Conventional Two-Lane Highways, which are identified for State-maintained highways used as connectors between major traffic generators or links in State and national highway networks; Arterials, which are fed by local and collector roads to provide intra-community circulation and connection to regional roadways; and Freeways, which are intended to serve both intra-regional and inter-regional travel (Yolo County, 2009).

Level of Service (LOS) is a quantitative measure of traffic operating conditions whereby a letter grade A through F is assigned to an intersection or roadway segment, representing progressively worsening traffic conditions. LOS A, B, and C are considered satisfactory to most motorists, and allow for the relatively free movement of traffic. LOS D is marginally acceptable, with noticeable delays and unstable traffic speeds. LOS E and F are associated with increased congestion and delay.

Netherlands Road, within the vicinity of the project site, has not been measured for level of service. The nearest Minor Two-Lane roadway is Clarksburg Road, which is approximately 1.5 miles north of the project site, and currently has an established LOS A, with a projected LOS C (from Jefferson Blvd to S. River Rd) upon build-out of the 2030 Countywide General Plan. The nearest Two-Lane Highway is Jefferson Boulevard (State Route 84), which is approximately 2.5 miles west of the project site, and currently has an established LOS B, with a project LOS C (within the project vicinity). Jefferson Boulevard, from Clarksburg Road to West Sacramento, has an average daily trip count of 1,600 vehicles.

A 2002 traffic count on the segment of Netherlands Road south of Central Avenue revealed 339 average daily vehicle trips. According to Yolo County Public Works engineers, those counts are not expected to have significantly increased due to the lack of significant development in the area.

DISCUSSION

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?; *and*

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?

Less than Significant Impact. The proposed multi-use facility project will require approximately 1,667 truck trips to prepare the site for the project, i.e., import fill materials from Sacramento to elevate building pads. Additional construction traffic will include two six-month phases that will generate approximately three truck trips per day, per phase, to grade, gravel, and construct the project. Phase 1 will include construction of the 9,000-square foot tasting/hospitality and processing/storage facility, internal access road, farm stand, restrooms, and pavilion; Phase 2 construction will include the 7,000-square foot events center building. Thus, traffic construction activity for each phase is anticipated at approximately 360 to 540 truck trips, for a combined total of 1,080 truck trips. Any future implementation of Phase 3, i.e., use of the family-occupied residence and home site for a bed and breakfast, private charity events, etc., and possible reuse of the “Purple Thread” building, will generate relatively little construction activity, if any.

Access to the multi-use facility would be provided off Netherlands Road by established driveway approaches. Operation of the multi-use facility could generate approximately 250 daily roundtrip vehicle trips, which assumes there are daily tastings, tours, and other farm related activities, with additional trips on the weekends to accommodate large events. Additional traffic may include daily truck deliveries and employee trips. These traffic assumptions are intended to address future market demand and increase in rural tourism. Vehicle trips generated by any future lodging operations are expected to coincide with private events and are not expected to exceed the overall traffic count assumed on a daily basis.

The number of daily trips to the site will increase with operation of the multi-use facility, but is expected to be commensurate with traffic occurring in the Clarksburg area. Thus, it is assumed that visitors accessing the Heringer Estates tasting room at the Old Sugar Mill in the town of Clarksburg will be redirected to the multi-use facility on Netherlands Road and/or captured from other nearby tasting rooms and wineries.

Agricultural uses related to wineries, tasting rooms, and other commercial/industrial agriculturally-related uses were considered in the 2030 Countywide General Plan and accompanying Clarksburg Area Community Plan. Thus, corresponding traffic assumptions have already been accounted for in the EIR prepared for the General Plan and Negative Declaration prepared for the Area Community Plan. Regional traffic is not expected to significantly increase with implementation of the project, but will rely on growing market demand; it is assumed that tourist traffic in the region may grow with the propagation of additional tasting rooms and wineries in the Delta.

Existing traffic counts for the vicinity of the project site include the 2002 study that revealed 399 average daily trips on Netherlands Road south of Central Avenue, as well as the updated figures from the General Plan EIR for Clarksburg Road, the closest Minor Two-Land Road, and Jefferson Boulevard, the closest Two-Lane Highway. As described above, build-out of the General Plan assumed additional traffic generation from agricultural tourism related uses in the Clarksburg Area, as well as other uses, bringing the levels of service from LOS A to LOS C on Clarksburg Road and from LOS B to LOS C on Jefferson Boulevard. Impacts from traffic generated as a result of the project will be less than significant.

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?

Less than Significant Impact. The project site is not located within the vicinity of a public airport or private airstrip. The proposed project does not include any uses that would adversely affect air traffic patterns, and impacts on air traffic patterns are anticipated to be less than significant with project implementation.

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

Less than Significant Impact. See discussion in (a), (b), above. The site is accessed off Netherlands Road, south of Central Avenue and Clarksburg Avenue. A dedicated driveway approach will lead to an internal roadway that will encircle the project site and provide for parking areas with up to 170 parking stalls, including accessible parking. Netherlands Road is a 24-foot wide two-lane roadway with free-flow access and more than adequate traveling conditions. There are no line-of-site obstacles along the roadway. The existing vineyard property and adjacent home site already serve large trucks accessing the site for agriculturally-related activities, such as daily farming and harvest. Construction equipment that is utilized during construction will be able to adequately access the site. Impacts are expected to be less than significant.

e) Result in inadequate emergency access?

Less than Significant Impact. The project would not result in inadequate emergency access. See discussion in (d), above. The site is accessed from Netherlands Road, which includes a dedicated driveway approach and internal roadway that will be widened and improved to serve the project. Parking areas will be provided adjacent to the facilities and the internal roadway and access ways will not be obstructed by the new development. The multi-use facility project will be conditioned to prohibit parking on the County right-of-way (Netherlands Rd). Impacts to emergency access will be less than significant.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. The project would not result in any permanent features that would affect or alter existing public transit, bicycle, or pedestrian facilities nor interfere with the construction of any planned facilities.

XVII.	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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

DISCUSSION

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less than Significant Impact. The project site will be served by a private septic system that will require review and approval from Yolo County Environmental Health, the regulating agency for the design and monitoring of private onsite septic systems. The proposed project includes development of a multi-use facility that will include tastings and other hospitality features, such as a commercial kitchen; agricultural processing, including wine-making, beer brewing and distilling spirits; storage; restrooms; and an event facility. The project also proposes the future use of the existing residence as a bed and breakfast. As discussed in Section VI Geology and Soils, the project will be required to obtain a geotechnical report for any new onsite sewage disposal system(s) that is placed within 500 feet of the levee along Elk Slough. A site evaluation and sewage disposal site plan and water source plan must also be reviewed and approved by Yolo County Environmental Health prior to development of the project. Site information shall include soil permeability, depth to shallow ground water, depth of restrictive soils, structure(s) foot print area, property lines, easements, minimum sewage disposal areas, replacement sewage disposal area, drainage courses, proposed well locations, contours and other necessary criteria.

Project wastewater from the boutique winery/brewery/distillery activities, which will result in less than 100,000 cases per year, will be diverted to holding tanks for proper offsite disposal, and may be subject to permit requirements of the Central Valley Regional Water Quality Control Board. The project is not expected to exceed wastewater treatment requirements from improper wastewater disposal; impacts will be less than significant.

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?

Less than Significant Impact. The proposed multi-use facility project would not result in the construction of new water and wastewater treatment facilities, and there are currently no public water or wastewater treatment facilities serving the project area. The project proposes use of an onsite domestic well and onsite wastewater disposal system. As a Condition of Approval, the applicant will be required to seek approval from Yolo County Environmental Health for the addition of new well(s) and septic system(s) to implement the proposed project.

Future use of the adjoining residence for a bed and breakfast, as well as construction of new facilities, will include use of dishwashing and handwashing facilities provided by the existing domestic well at the home site and a new domestic well for the multi-use facility. As required by Environmental Health, wells used for potable water must meet construction requirements for a domestic well. Copies of a well construction permit and Well Completion Report must be submitted to Yolo County Environmental health prior to project implementation. Source water shall meet water quality and quantity standards. Test results which show the source meets water quality and quantity standards shall be submitted to Environmental Health.

As a standard Condition of Approval, Yolo County Environmental Health will require that if a well is to be used by visitors, it must be demonstrated to meet domestic drinking water well standards. Additionally, the applicant will be required to inform Environmental Health if at least 25 individuals from the public have access to an onsite well (e.g. dishwashing in the kitchen or handwashing sink in the restroom) for at least 60 days out of year. Based on their initial review the project, Environmental Health staff has determined that the drinking water system serving the proposed project will be a Public Water System. Therefore, as an adopted Condition of Approval, a Domestic Water Supply permit application and appropriate fee must be submitted to Environmental Health prior to project implementation. With the required Environmental Health standards included in the project's adopted Conditions of Approval, impacts will be less than significant.

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?

Less than Significant Impact. The proposed development of the Heringer Estates multi-use facility is not expected to significantly change the overall site drainage patterns, as there will be minimal net increase in runoff from the site due to the overall drainage capacity of the property, i.e., approximately 3.7 acres of the 129-acre property will be developed. See, also, discussion in Section IX (Hydrology). As per Yolo County Public Works Engineering requirements, a grading plan for the entire project site shall be submitted for review to ensure the proposed development properly ties in all new drainage improvements to existing drainage facilities and features, as necessary. The applicant shall not design or regrade the project site to drain to Netherlands Road or to Elk Slough. The proposed project does not require or result in the construction of new storm water drainage facilities.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?

Less than Significant Impact. See discussion in (b), above. The project is proposed to be served by a new domestic well. Any new well will require review and approval from Yolo County Environmental Health, as described above.

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?

Less than Significant Impact. The project site is not served by a wastewater treatment facility, but includes a proposal for a new onsite septic system and leach fields for domestic wastewater discharge. Process wastewater from agricultural processing activities will be diverted to holding tanks and hauled offsite for proper disposal. As discussed in (b), above, Yolo County Environmental Health will require a site map and site evaluation for the project's use of any new onsite septic system. An adopted Condition of Approval will ensure that use of a new onsite septic system will have adequate capacity to meet project demands. Impacts will be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?; *and*

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

No Impact. The existing Yolo County Central Landfill can adequately accommodate the solid waste generation by the proposed multi-use facility. The project would not significantly impact the disposal capacity of the landfill, and the applicant would be required to comply with all solid waste regulations as implemented and enforced by Yolo County.

XVIII.	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?	☐	☐	☒	☐
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.)	☐	☐	☒	☐
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION

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?

Less than Significant Impact. Based on the analysis provided in this Initial Study and the Conditions of Approval required for project implementation, including the mitigation measure addressed in Section IV, the project would not degrade the quality of the environment. As discussed in Section IV (Biological Resources) of this Initial Study, General Plan policies limit the project footprint within 100 feet of any water course to ensure protection to riparian and aquatic habitat. Impacts to biological resources will be less than significant.

No important examples of California history or prehistory will be eliminated due to project implementation. Adopted Conditions of Approval will require that surveys be performed if any previously undiscovered cultural resources are unearthed during ground disturbing activities. Overall, impacts will be less than significant.

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.)

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 Section III (Air Quality) of 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 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 other measures. California Building Codes require that the applicant reduce the level of energy consumed during construction of the project. Although these impacts may be reduced and/or 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. The addition of agricultural tourism activities such as the multi-use facility proposed by the project has been studied and evaluated as part of the 2030 Yolo Countywide General Plan and the accompanying Clarksburg Area Community Plan. Overall, with implementation of the project's Conditions of Approval and proposed design considerations, cumulative impacts will be less than significant.

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

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 with the implementation of required mitigation and other standard regulations. The project as conditioned 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: glare from new sources of outdoor lighting; dust control from construction-related activities; water quality and storm water pollution prevention; amplified sound system-related noise; and the approval of septic and water systems. Impacts related to all issues discussed in this Initial Study have been determined to be less than significant through the implementation of standard requirements, project design, as well as the mitigation measure identified in Section VII (Noise). Overall impacts from implementation of the project will be less than significant.

References

- Estep Environmental Consulting, 2016. *Biological Site Assessment of the Heringer Estates Multi-Use Project,* May 26, 2016
- Project description and application materials provided by applicant
- Project comments submitted by Responsible Agencies, 2016. *Agencies include: California State Department of Conservation, Yolo Habitat Conservancy*
- USDA Natural Resource Conservation District maps and materials provided by District Conservationist
- Yolo County, 1972. *Resolution No. 72-4 (Resolution establishing and/or enlarging Agricultural Preserve 83),* February, 1972
- Yolo County, 1972 and 2013. *Land Use Contract, Agreement No. 72-034 and Agreement No. 13-44, Williamson Act Successor Agreement,* February 1972 and May 2013
- Yolo County, 2009. *Yolo County 2030 Countywide General Plan*, adopted November, 2009 and *Yolo County 2030 Countywide General Plan Final EIR*, April 2009
- Yolo County, 1986. *Historic Resources Survey*
- Yolo-Solano Air Quality Management District, 2007. *Handbook for Assessing and Mitigating Air Quality Impacts,* July, 2007.
- Yolo County Zoning Ordinance*, Title 8, Chapter 2 of the County Code*, 2014, as amended

Attachments:
Attachment A – Biological Site Assessment

ESTEP
Environmental Consulting

Biological Site Assessment of the Heringer Estates Multi-Use Project

May 26, 2016

Introduction

Heringer Estates owns and operates an approximately 100-acre vineyard in southeastern Yolo County, southwest of Clarksburg. They are seeking a Use Permit from Yolo County to construct and operate a multi-use hospitality and event facility in the southeastern corner of the vineyard. As part of the permit review process, Yolo County will be preparing an environmental document to address potential impacts of the proposed project pursuant to the California Environmental Quality Act (CEQA). Information in this report will be incorporated into the CEQA document to address issues related to biological resources.

Project Location

The proposed project is located on the southeast corner of the Heringer Estates vineyard approximately 1.5 miles southwest of Clarksburg, along the east side of Netherlands Road. Elk Slough forms the southern and eastern boundary of the vineyard and the project site.

Project Description

The applicants are proposing to construct a multi-phase, multi-use project within the existing vineyard. The project includes the following components:

- Constructing a hospitality/tasting and events center facility,
- Constructing a processing facility for the production of wine/beer/spirits,
- Operating a commercial kitchen, and
- Operating a future small bed and breakfast in the existing ranch house

New construction includes a 9,000 square foot building and a 7,000 square foot building connected to each other by a deck. A garden/patio area, landscaping, and vines will surrounding the buildings. All new construction will be located within the existing vineyard and will require the removal of several vineyard rows and modifications to the existing farm yard. No other habitat or land uses would be affected. Access will be along the existing driveway that leads to the farm yard and farm house. Operation of the bed and breakfast will require upgrades to the existing ranch house, but will not affect the surrounding land uses. No trees or other habitats will be removed.

Objectives

The objectives of the biological resources site assessment are to:

- Evaluate land use and natural community associations
- Evaluate general wildlife use
- Determine the presence of unique biological resources and sensitive habitats
- Determine the presence, absence, or potential for occurrence of special-status species
- Assess current baseline levels of human use and disturbance
- Assess the potential for and the extent to which proposed project components could significantly impact biological resources relative to the baseline condition pursuant to CEQA definition
- Provide recommendations to minimize the impact of project elements on biological resources.

Methods

Presurvey Investigation

Prior to conducting the site visit, available information regarding biological resources on or near the project area was gathered and reviewed. Sources include:

- California Natural Diversity Data Base;
- Yolo County Habitat Conservation Plan/Natural Community Conservation Plan species accounts and maps;
- Yolo County General Plan,
- Other published and unpublished biological reports, accounts, and research.

Aerial photographs and land use/vegetation maps of the project area and surrounding area were also reviewed.

Field Surveys

I conducted a field assessment of the property between 1500 and 1800 hours on May 24, 2016. I inspected the project site to determine land uses and proximity to other land uses and habitats. I drove and walked the levee along Elk Slough where it borders the Heringer Estates vineyard property to observe and characterize natural communities and wildlife habitats present on and adjacent to the property. Using binoculars and spotting scope, I documented species occurrences focusing on the potential presence of special-status species. I searched all trees within and adjacent to the property boundary for the presence of nesting Swainson's hawks (*Buteo swainsoni*), white-tailed kites (*Elanus leucurus*), and other raptors. I assessed the potential for and magnitude of impact from implementation of the proposed project.

Regulatory Framework

Several state and federal laws and regulations are relevant to the proposed project. Each is briefly described below.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires that significant environmental impacts of proposed projects be reduced to a less-than-significant level through adoption of feasible avoidance, minimization, or mitigation measures unless overriding considerations are identified and documented.

During the CEQA review process, environmental impacts are assessed and a significance determination provided based on pre-established thresholds of significance. Thresholds are established using guidance from CEQA, particularly Appendix G of the State CEQA guidelines and CEQA Section 15065 (Mandatory Findings of Significance). CEQA guidance is then refined or defined based on further direction from the lead agency.

Consistent with Appendix G of the State CEQA guidelines, a biological resource impact is considered significant (before considering offsetting mitigation measures) if the lead agency determines that project implementation would result in one or more of the following:

- Substantial adverse effects, either directly or through habitat modifications, on any species identified as being a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by California Department of Fish and Wildlife (CDFW) or US Fish and Wildlife Service (USFWS);
    - A substantial adverse effect on a special-status wildlife species is typically defined as one that would:
        - Reduce the known distribution of a species,
        - Reduce the local or regional population of a species,
        - Increase predation of a species leading to population reduction,
        - Reduce habitat availability sufficient to affect potential reproduction, or
        - Reduce habitat availability sufficient to constrain the distribution of a species and not allow for natural changes in distributional patterns over time.
- Substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or interference with the use of native wildlife nursery sites.
    - Substantial interference with resident wildlife movement is typically defined as obstructions that prevent or limit wildlife access to key habitats, such as water sources or foraging habitats, or obstructions that prohibit access through key movement corridors considered important for wildlife to meet needs for food, water, reproduction, and local dispersal.
    - Substantial interference with migratory wildlife movement is typically defined as obstructions that prevent or limit regional wildlife movement through the project area to meet requirements for migration, dispersal, and gene flow that exceed the defined baseline condition.

Consistent with CEQA Section 15065 (Mandatory Findings of Significance), a biological resource impact is considered significant if the project has the potential to:

- substantially 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 an endangered, rare or threatened species.

CEQA defines the significance of an impact on a state-listed species based on the following:

- Appendix G of the State CEQA guidelines states that a biological resource impact is considered significant (before considering offsetting mitigation measures) if the lead agency determines that project implementation would result in "substantial adverse effects, either directly or through habitat modifications, on any species identified as being a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFG or USFWS"; and
- CEQA Section 15065 (Mandatory Findings of Significance), a biological resource impact is considered significant if the project has the potential to "substantially reduce the number or restrict the range of an endangered, rare or threatened species".

Federal Migratory Bird Treaty Act (MBTA)

The federal Migratory Bird Treaty Act (MBTA) (Title 16, United States Code [USC], Part 703) enacts the provisions of treaties between the United States, Great Britain, Mexico, Japan, and the Soviet Union and authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703, 50 CFR 21, 50 CFR 10). Specifically, the MBTA states: "Unless and except as permitted by regulations …it shall be unlawful at any time, by any means, or in any manner to pursue, hunt, take, capture, kill … possess, offer for sale, sell … purchase … ship, export, import…transport or cause to be transported … any migratory bird, any part, nest, or eggs of any such bird … (The Act) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior." The word "take" is defined as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect."

Federal Endangered Species Act

The USFWS administers the federal Endangered Species Act (ESA) as it relates to terrestrial wildlife. The ESA requires USFWS to maintain lists of threatened and endangered species and affords substantial protection to listed species. The USFWS can list species as either endangered or threatened. An endangered species is at risk of extinction throughout all or a significant portion of its range (ESA Section 3[6]). A threatened species is likely to become endangered within the foreseeable future (ESA Section 3[19]). Section 9 of the ESA prohibits the take of any fish or wildlife species listed under the ESA as endangered and most species listed as threatened. Take, as defined by the ESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Harm is defined as "any act that kills or injures the species, including significant habitat modification." The ESA includes mechanisms that provide exceptions to the Section 9 take prohibitions. For non-federalized projects, Section 10 allows for the issuance of a 10(a)(1)(b) permit to take covered species during otherwise lawful activities with approval of a habitat conservation plan.

California Endangered Species Act

The California Endangered Species Act (CESA) prohibits take of wildlife and plants listed as threatened or endangered by the California Fish and Game Commission. *Take* is defined under the California Fish and Game Code as any action or attempt to "hunt, pursue, catch, capture, or kill." The CESA allows exceptions to the take prohibition for take that occurs during otherwise lawful activities. The requirements of an application for incidental take under CESA are described in Section 2081 of the California Fish and Game Code. Incidental take of state-listed species may be authorized if an applicant submits an approved plan that minimizes and "fully mitigates" the impacts of this take.

California Fish and Game Code 3503.5 (Birds of Prey)

Section 3503.5 of the Fish and Game Code prohibits the take, possession, or destruction of any birds of prey or their nests or eggs. The California Department of Fish and Wildlife may issue permits authorizing take pursuant to CESA.

Yolo County General Plan

The Yolo County General Plan includes numerous policies regulating and emphasizing the protection of natural resources. Those most relevant to the proposed project include the following:

- Policy CO-2.1. Consider and maintain the ecological function of landscapes, connecting features, watersheds, and wildlife movement corridors.
- Policy CO-2.3. Preserve and enhance those biological communities that contribute to the county's rich biodiversity including blue oak and mixed oak woodlands, native grassland prairies, wetlands, riparian areas, aquatic habitat, agricultural lands, heritage valley oak trees, remnant valley oak groves, and roadside tree rows.
- Policy CO-2.9. Protect riparian areas to maintain and balance wildlife values.
- Policy CO-2.22. Prohibit development within a minimum of 100 feet from the top of banks for all lakes, perennial ponds, rivers, creeks, sloughs, and perennial streams.
- Policy CO-2.30. Protect and enhance streams, channels, seasonal and permanent marshland, wetlands, sloughs, riparian habitat and vernal pools in land planning and community design.
- Policy CO-2.37. Where applicable in riparian areas, ensure that required state and federal permits/approvals are secured prior to development of approved projects. (DEIR MM BIO-1d)
- Policy CO-2.38. Avoid adverse impacts to wildlife movement corridors and nursery sites (e.g., nest sites, dens, spawning areas, breeding ponds).
- Policy CO-2.41. Require that impacts to species listed under the State or federal Endangered Species Acts, or species identified as special-status by the resource agencies, be avoided to the greatest feasible extent. If avoidance is not possible, fully mitigate impacts consistent with applicable local, State, and Federal requirements.
- Policy CO-2.42. Projects that would impact Swainson's hawk foraging habitat shall participate in the Agreement Regarding Mitigation for Impacts to Swainson's Hawk Foraging Habitat in Yolo County entered into by the CDFG and the Yolo County HIP/NCCP Joint Powers Agency, or satisfy other subsequent adopted mitigation requirements consistent with applicable local, State, and federal requirements.

Biological Setting

Description of the Project Site

The majority of the Heringer Estates property consists of vineyard. The only exceptions are the farmyard and farm residence located in the southeast corner of the property, which include a dense canopy of mature valley oak (*Quercus lobata*) trees, and Elk Slough, which borders the southern and eastern boundaries of the property. Proposed project facilities occur entirely within the existing vineyard (Plates 1 and 2). The farmyard area is used for equipment storage, repair, water pumping, vehicle parking, and other farming activities. The site includes a barn and other outbuildings. The nearby farm residence is occupied and includes other buildings and landscaping. Mature valley oak trees create a dense canopy over the entire farmyard and farm residence area.

Elk Slough is immediately adjacent to the property extending approximately 5,000 linear feet around the southern and eastern perimeter of the property. A single row of valley oak trees extends intermittently along this entire distance at the outside toe of the Elk Slough levee. A cleared, graveled levee road separates this row of trees from the waterside of the levee. A narrow, but dense riparian corridor extends along both side of Elk Slough. Valley oak is the dominant species along the slough, with sycamore (*Platanus racemosa*), cottonwood (*Populus fremontii*), walnut (*Junglans hindsii*), and willow (*Salix* spp) occurring as secondary overstory species. Elderberry (Sambucus mexicana) and Himalayan blackberry (*Rubus armeniacus*) occur as understory shrubs. The outer slope of the Elk Slough levee is mostly annual grasses with scattered seedling valley oak trees. Elk Slough is a perennial stream with downed wood and other habitat elements along its length (Plates 2 through 6).

Plate 1. Looking northwest from Elk Slough toward the location of proposed project facilities.

Plate 2. Looking south from the northern boundary of the Heringer Estates vineyard along Elk Slough. The grassy outer levee slope is in the foreground along with a valley oak tree at the toe of the levee.

Plate 3. Elk Slough levee. Riparian along Elk Slough (valley oak and sycamore trees) is on left, valley oak trees at the outer toe of the levee is on the right.

Plate 4. Looking northwest along the Elk Slough levee. Grass slope and valley oak trees along the toe on left, oak-dominated riparian along the slough on right

Plate 5. Riparian vegetation, including elderberry shrubs, along Elk Slough.

Plate 6. Aquatic habitat along Elk Slough showing downed wood basking habitat for western pond turtles.

Description of the Surrounding Area

The project site occurs within an intensively-farmed agricultural landscape dominated by vineyards. Natural habitats are limited to stream corridors, like Elk Slough, roadside trees, and small remnant oak groves. The Sacramento River is 1.2 miles east of the project site. The Yolo Bypass Wildlife Refuge is approximately 4 miles west.

General Wildlife Use

Wildlife use of the vineyard is limited primarily to incidental use by passerine birds and mammals. Vineyards generally provide low value habitat due to their structure, which reduces accessibility, the lack of a vegetated substrate that provides habitat for rodents and other ground-dwelling species, and the perennial nature of the land use. Unlike some cultivated fields that provide important surrogate habitat for many wildlife species (e.g., hay, row and grain crops, and rice), vineyards and orchards essentially remove most habitat value from the landscape. Thus, the project site currently provides very low value wildlife habitat.

In contrast, the Elk Slough corridor provides important habitat for many wildlife species. During the survey, a variety of birds were detected along the slough including California quail (*Callipepla californica*), belted kingfisher (*Megaceryle alcyon*), black-crowned night heron (*Nycticorax nycticorax*), Nuttall's woodpecker (*Picoides nuttallii*), black phoebe (S*ayornis nigricans*), northern mockingbird *(Mimus polyglottos)*, shrub jay *(Apbelocorna coerulescen*), bushtit (*Psaltriparus minimus*), Bewick's wren (*Thryomanes bewickii*), and Bullock's oriole (*Icterus bullockii*), among others. Pond turtles (*Actinemys marmorata*) were observed basking on down logs. The slough also provides habitat for other reptiles, including common garter snake

(*Thamnophis sirtalis*) and gopher snake (*Pituophis catenifer*), and a variety of mammals including grey fox (*Urocyon cinereoargenteus*) coyote (*Canis latrans*), striped skunk (*Mephitis mephitis*), and river otter (*Lontra Canadensis*).

Although Elk Slough provides important breeding, foraging, and dispersal habitat for many riparian dependent species, those species that also require adjacent open foraging habitat were generally not present. This is mainly a result of the vineyard landscape that occupies most of this part of Yolo County. Vineyards preclude foraging by most species due to the inaccessibility of the substrate and lack of prey or food availability in vineyards. This was most notable with the lack of raptors in the area. There were no nesting or observed occurrences of any raptor species along Elk Slough despite the otherwise suitable nesting conditions.

Special-Status Species

Special-status species are generally defined as species that are assigned a status designation indicating possible risk to the species. These designations are assigned by state and federal resource agencies (e.g., California Department of Fish and Wildlife, U.S. Fish and Wildlife Service) or by private research or conservation groups (e.g., National Audubon Society, California Native Plant Society). Assignment to a special-status designation is usually done on the basis of a declining or potentially declining population, either locally, regionally, or nationally. To what extent a species or population is at risk usually determines the status designation. The factors that determine risk to a species or population generally fall into one of several categories, such as habitat loss or modification affecting the distribution and abundance of a species; environmental contaminants affecting the reproductive potential of a species; or a variety of mortality factors such as hunting or fishing, interference with man-made objects (e.g., collision, electrocution, etc), invasive species, or toxins.

For purposes of environment review, special-status species are generally defined as follows:

- Species that are listed, proposed, or candidates for listing under the federal Endangered Species Act (50 CFR 17.11 – listed; 61 FR 7591, February 28, 1996 - candidates);
- Species that are listed or proposed for listing under the California Endangered Species Act (Fish and Game Code 1992 Sections 2050 et seq.; 14 CCR Sections 670.1 et seq.);
- Species that are designated as Species of Special Concern by CDFW;
- Species that are designated as Fully Protected by CDFW (Fish and Game Code, Section 3511, 4700, 5050, and 5515;
- Species included on Lists 1B or 2 by the California Native Plant Society;
- Species that meet the definition of rare or endangered under CEQA (14 CCR Section 15380).

Table 1 indicates the special-status species that have potential to occur on or in the vicinity of the project, along with their habitat association, the availability of habitat on the project site, and whether or not the species has been detected on the project site.

Table 1. Special-status species with potential to occur on the Heringer Estates project site.

Species	Status State/ Federal	Habitat Association	Habitat Availability on the Project Site	Reported Occurrence on the Project Site
Valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	-/T	Elderberry shrubs	Numerous mature elderberry shrubs present along Elk Slough	No, but very good potential
Western pond turtle *Actinemys marmorata*	CSC/-	Streams, ponds, water conveyance channels	Suitable habitat along Elk Slough	Yes, detected during survey
White-tailed kite *Elanus leucurus*	FP/-	Nests in trees, forages in grasslands, seasonal wetlands, and fields.	Suitable nesting habitat along slough, but adequate foraging habitat may be lacking.	No
Swainson's hawk *Buteo swainsoni*	T/-	Nests in trees, forages in grassland and cultivated fields	Suitable nesting habitat along slough, but adequate foraging habitat may be lacking.	No. Nearest reported nest is about 1.2 miles northeast
Palid bat *Antrozous pallidus*	CSC/-/-	deserts, grasslands, shrub lands, woodlands.	No roosting, may hunt in grasslands, ponds, and riparian	No
Townsends big-eared bat *Corynorhinus townsendii*	CSC/-/-	Caves, bridges, buildings, rock crevices. tree hollows	No roosting, may hunt grasslands, ponds, and riparian	No
Western red bat *Lasiurus blossevillii*	-/CSC/-	Roosts in large trees, hunts over woodlands, grasslands and cultivated habitats	Possible roosting in valley oaks and cottonwoods along slough.	No

T=threatened; E=Endangered; PE=Proposed Threatened; CSC=California species of species concern; FP=state fully protected;

Valley Elderberry Longhorn Beetle. The valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*) is a medium-sized woodboring beetle, about 0.8 inches long. Endemic to California's Central Valley and watersheds that drain into the Central Valley, this species' presence is entirely dependent on the presence of its host plant, the elderberry shrub (*Sambucus* spp.). VELB is a specialized herbivore that feeds exclusively on elderberry shrubs, the adults feeding on leaves and flowers, and the larvae on the stem pith. Habitat for VELB consists of elderberry shrubs with stems greater than 1 inch in basal diameter. Elderberry grows in upland riparian forests or savannas adjacent to riparian vegetation, but also occurs in oak woodlands and savannas and in disturbed areas. It usually co-occurs with other woody riparian plants, including valley oak, Fremont cottonwood, various willows, and other riparian trees and shrubs (Barr 1991, U.S. Fish and Wildlife Service 1984, Collinge et al 2001).

Several mature elderberry shrubs were noted along Elk Slough. All are on the water side levee slope and none are in the immediate vicinity of any project elements.

Western Pond Turtle. Western pond turtles (*Actinemys marmorata*) are closely associated with permanent water bodies, such as lakes, ponds, slow moving streams, and irrigation canals that include down logs or rocks basking sites, and that support sufficient aquatic prey. Western pond turtles also require upland habitat that is suitable for building nests and to overwinter. Nests are constructed in sandy banks immediately adjacent to aquatic habitat or if necessary, females will

climb hillsides and sometimes move considerable distances to find suitable nest sites (Jennings and Hayes 1994).

The perennial flows, down logs and other material in the stream, and grassy bank slopes along Elk Slough provides high value aquatic and upland habitat for western pond turtles. During the survey, several were detected basking on downed logs in the stream.

Swainson's Hawk. The Swainson's hawk (*Buteo swainsoni*) is a medium-sized raptor associated with generally flat, open landscapes. In the Central Valley it nests in mature native and nonnative trees and forages in grassland and agricultural habitats. Although a state-threatened species, the Swainson's hawk is relatively common in Yolo County due to the availability of nest trees and the agricultural crop patterns that are compatible with Swainson's hawk foraging. Numerous nest sites have been documented in Yolo County, but relatively few in the far western portion of the valley (Estep 2008).

Suitable nesting habitat for the Swainson's hawk occurs along Elk Slough; however, suitable foraging habitat is generally lacking in the area. Vineyards are the dominant agricultural land use throughout this area, which is likely responsible for the lack of nest sites in the project area and throughout the vineyard-dominated landscape of southeastern Yolo County.

White-tailed kite. The white-tailed kite (*Elanus leucurus*) is a highly specialized and distinctively-marked raptor associated with open grassland and seasonal wetland landscapes. It typically nests in riparian forests, woodlands, woodlots, and occasionally in isolated trees, primarily willow, valley oak, cottonwood, and walnut) and some nonnative trees. It forages in grassland, seasonal wetland, and agricultural lands, but is more limited in its use of cultivated habitats compared with the Swainson's hawk. As a result, the species occurs throughout most of Yolo County, but in low breeding densities (Dunk 1995, Erichsen 1995, Estep 2008).

White-tailed kites also require suitable foraging habitat in the immediate vicinity of the nest. This is lacking on the project site and throughout the vineyard-dominated landscape of southeastern Yolo County, and thus despite suitable nesting habitat along the length of Elk Slough, there are no white-tailed kites nests on or in the vicinity of the project.

Special-status Bats. Three special status bats potentially occur in the vicinity of the project site, including pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii townsendii*), and western red bat (*Lasiurus blossevillii*), all state species of special concern. Pallid bat occurs primarily in shrublands, woodlands, and forested habitats, but also can occur in grasslands and agricultural areas. Townsends's big-eared bat occurs in a variety of woodland and open habitats, including agricultural areas. Western red bat occurs in wooded habitats, including orchards, and grasslands. Pallid bat and Townsend's big-eared bat roost in mines, caves, rocky crevices, large hollow trees, and occasionally in large open buildings that are usually abandoned or infrequently inhabited. Western red bat usually roosts in large trees (Pierson and Rainey 1998, Pierson 1998, Fellers and Pierson 2002)

There is no roosting habitat for these species on the project site; however, western red bat could potentially roost in the large valley oak and cottonwood trees along Elk Slough. All species could potentially forage above the slough and the project site.

Other Special-Status Species in the Vicinity of the Project Site. Several other special-status species are known to occur in the general vicinity of the project where suitable habitat exists. These include northern harrier (*Circus cyaneus*), burrowing owl (*Athene cunicularia*),

loggerhead shrike (*Lanius ludovicianus*), tricolored blackbird (*Agelaius tricolor*), and giant garter snake (*Thamnophis gigas*). The project site does not provide suitable habitat for these species.

Potential Impacts of the Project

Loss of Habitat

The project will remove 3 to 5 acres of active vineyard and convert this area to planned facilities and associated landscaping. The remaining vineyard will remain in operation. This is not a biologically significant loss of habitat.

Disturbance to Wildlife along Elk Slough

The project will increase the level of human presence within several hundred feet of Elk Slough. This may possibly result in an increase in noise levels and could disturb some wildlife along the slough corridor. However, all proposed facilities are at least 150 to 200 feet from the slough at their closest point. Also, most noise will be contained within the interior of the new buildings Finally, the baseline noise level from pumping and operation of farm machinery is currently relatively high. As a result, an increase in noise levels resulting from operation of the tasting room and processing facility is not expected to reach a level of biological significance. Nighttime lighting may also influence the presence of some species along Elk Slough; however, with the existence of numerous other residences and farm facilities along the length of Elk Slough, this is not expected to increase the baseline condition to a level of biological significance.

Special-status Species

Valley Elderberry Longhorn Beetle. All potential habitat for VELB occurs along the waterside levee of Elk Slough. Proposed facilities will exceed the distance required under federal take avoidance guidelines necessary to avoid impacting VELB habitat or take of VELB. Therefore, the proposed project will not impact VELB.

Swainson's Hawk and White-tailed Kite. Neither the Swainson's hawk nor the white-tailed kite nest on or in the immediate vicinity of the proposed project. No nesting or foraging habitat for these species will be removed or otherwise affected by the project, and operational disturbances will have no impact on nesting birds. Therefore, the proposed project will not impact the Swainson's hawk or the white-tailed kite.

Western Pond Turtle. The proposed project will not impact any portion of Elk Slough, including the aquatic habitat within the channel and the levee slopes. The project will therefore not remove or otherwise impact habitat of the western pond turtle and will not interfere with local or dispersal movements of the species.

Special-Status Bats. The proposed project will not remove any potential roosting habitat for special-status bats. The removal of several acres of vineyard will not affect the ability of bats to forage above the project area and nighttime lighting may in fact increase bat presence. Therefore the proposed project will not impact special-status bats.

Conclusions

The proposed Heringer Estates Multi-Use Project will not remove or otherwise significantly impact wildlife habitat or wildlife species. The project will convert only active vineyard. No other habitats and no trees will be removed or otherwise affected. The components of the project comply with the Yolo County General Plan Policies related to biological resources, and are consistent with state and federal guidelines for avoidance of special-status species. The proposed project will therefore result in no significant impacts to biological resources.

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