EXHIBIT "A"
SIGNIFICANT IMPACTS THAT CAN BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The Final EIR identifies the following significant or potentially significant adverse environmental impacts of the Proposed Project that can be mitigated to a less-than-significant level:

LAND USE

Impact 5.1-1. Conflict with Applicable Land Use Plan.

Impact

Section 5.1-1 of the Final EIR discussed potential conflicts with applicable land use plans, policies or regulations. Most potential conflicts were resolved either through an appropriate amendment of the applicable plan, policy or regulation or ameliorated through mitigations either incorporated into the Proposed Project or required by the County. The Draft EIR noted "in specific instances, however, such as the potential conflict with Objective CT-2.2 these impacts would remain significant and unavoidable. See Section 5.2 Traffic and Circulation for further discussion of these impacts." The Board finds that based upon mitigation measures developed during the environmental review process, specifically, the center turn lanes for Randolph and Lawndale, all impacts have been reduced to a level of less than significant and there is no conflict with General Plan Objective CT-2.2. Additional considerations discussed below also independently support a finding of consistency with Objective CT-2.2.

Finding

Based upon the Final EIR and the entire record, the Board finds that the Proposed Project does not conflict with Sonoma County General Plan Objective CT-2.2 and that physical effects associated with this Objective have been reduced to a less than significant level.

Rationale

The Proposed Project does not conflict with Objective CT-2.2 in that all currently applicable levels of service are maintained after the Proposed Project and there is no reduction in the level of service at any location as a result of traffic from the Proposed

Project. Further, based upon mitigation measures developed during the environmental review process, specifically, the center turn lanes for Randolph Avenue and Lawndale Road, all impacts have been reduced to a level of less than significant and there is no conflict with General Plan Objective CT-2.2. Additionally, further considerations discussed next independently warrant a finding of consistency with Objective CT-2.2.

Objective CT-2.2 provides for the correlation of new development with roadway improvements necessary to maintain those traffic service levels set forth in General Plan Objective CT-2.1. Objective CT-2.1 provides, in pertinent part, as follows:

> Reduce congestion on the County wide highway system by maintaining a "C" level of service or better on designated arterial and collector roadways unless . . .a lower level of service is determined to be acceptable due to environmental or community values existing in some portions of the County, or the Project(s) which would cause the lower level of service has an overriding public benefit which outweighs the increased congestion that would result."

Accordingly, the "C" level of service set forth in Objective CT-2.1 and incorporated into Objective CT-2.2 is not absolute. A lower service level can be determined to be acceptable and consistent with the General Plan due to environmental or community values existing in some portions of the County or where the Proposed Project would have an overriding public benefit outweighing the increased congestion. All three grounds for a reduced level of service are present here.

The Final EIR and record demonstrate that Highway 12 both before and after the Proposed Project would operate at an "E" level of service. While the Proposed Project would result in a small peak hour incremental increase in traffic, the discussion set forth at pages 5.2-47 through 5.2-49 of the Final EIR demonstrate that year 2005 and 2012 base case plus Project traffic volumes would result in maintaining the "E" roadway operation for all analyzed roadway segments of SR 12 during all analyzed time periods. Moreover, the record reflects that the Proposed Project's incremental traffic contribution would not be cumulatively considerable based on the Final EIR's conclusion that the Proposed Project's traffic contribution would not result in a decrease in average vehicle speeds by 1.0 mile per hour or greater on any SR 12 roadway segment.

The Board finds that a lower level of service is acceptable due to both environmental and community values related to the portion of the Valley of the Moon in which the Proposed Project is located and that construction of a four lane highway which

could potentially improve service levels to an LOSC should be avoided as it would destroy important scenic qualities along the roadway. Those environmental and community values are evidenced by Figure CT-6e(1) of the General Plan's Circulation and Transit Element which indicates that construction of four lanes are not appropriate or acceptable in this portion of the Valley of the Moon. Accordingly, maintaining the "E" level of service does not conflict with either Objective CT-2.1 or Objective CT-2.2 because of environmental and community values as reflected in the County's adopted General Plan.

Moreover, as an independent ground of consistency with Objectives CT-2.1 and CT-2.2, the Proposed Project provides overriding benefits which justify a lower level of service. As stated previously, increased congestion resulting from the Proposed Project is not cumulatively considerable on segments of SR 12. Even if it were, the significant levels of public benefit identified in the Statement of Overriding Considerations in Exhibit "C" to this Resolution clearly support the conclusion that public benefits accompanying the Proposed Project outweigh any increased congestion that would result. For all of the foregoing reasons, the Board concludes that Impact 5.1-1 is not a significant impact. There is no inconsistency with the General Plan arising from Objectives CT-2.1 or CT-2.2. Highway improvements, including proposed turn lanes, are an acceptable method of ameliorating traffic impacts associated with the Proposed Project. Those improvements have been required in, or incorporated into, the Proposed Project which further mitigate and lessen traffic impacts to avoid any significant effect on the environment associated with this potential impact 5.1-1.

Impact 5.1- 3. Compatibility with Adjacent Private Airstrip.

Impact

In Section 5.1 (Land Use), the Final EIR found the introduction of new uses (especially the proposed Inn/Spa/Restaurant and Winery uses) on the Project Site could result in conflicts with the minimally used adjacent airstrip.

Finding

Based upon the Final EIR and the entire record, the Board finds that compatibility with the adjacent private airstrip will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.1-3. Mitigation Measure 5.1-3 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have

been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

The private airstrip on the Graywood Ranch is currently used regularly by only one airplane with the result that air traffic is very light. While air traffic is light, the airstrip could potentially cause a safety hazard to future residents, employees and guests of the Proposed Project as airplanes fly low to the ground as they cross the access road. Accordingly, this mitigation measure requires documentation of an agreement between the airstrip owner and the owner of the Proposed Project regarding the operation of the airstrip plus the posting of signs on the access road, in both directions before reaching the airstrip, to warn visitors and others that a low-flying airplane may be taking off or landing from/on the airstrip. Implementation of this mitigation measure will reduce conflicts with the adjacent private airstrip discussed in the Final EIR to a less-than-significant level.

Impact 5.1-3. Compatibility with Adjacent Land Uses.

Impact

In Section 5.1 (Land Use), the Final EIR found that use of the Project Site for visitor-serving uses plus residential uses could introduce uses on the site incompatible with adjacent agricultural use which may result in urban-rural conflicts. Potential conflicts at the interface of agricultural and non-agricultural lands would be a significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that compatibility with adjacent land uses will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.1-4. Mitigation Measure 5.1-4 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires execution of a right-to farm declaration, notification to guests at the Inn at the time of check-in that the Inn is located near agricultural operations on agricultural lands and guests may be subject to inconvenience or discomfort from these operations at times, that employees of the Inn/Spa/Restaurant and/or the Winery be provided with a similar notification and that a 100 foot agricultural setback be established and maintained on the east side of Parcel B and the south side of residential lot 8. Implementation of this mitigation measure will reduce conflicts with the adjacent land uses discussed in the Final EIR to a less-than-significant level.

TRAFFIC AND CIRCULATION

Impact 5.2-1. 2005 Intersection Operation with Project and No Special Events.

Impact

Section 5.2-1 of the Draft EIR concluded that there would be an impact in the year 2005 base case plus project volumes as a result of a five second or more increase in average control delay for critical movements at the SR12 intersections with Adobe Canyon Road and Randolph Avenue where base case conditions are at LOS F.

Findings

Based on the final EIR and entire record, the Board finds that Impact 5.2-1 has been mitigated to a level less than significant by the imposition of the Condition of Approval requiring the construction of the center turn lanes. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

In response to comments on the Draft EIR projections were recalculated and based on the information set forth at pages 9.0-42 through 9.0-44 of the Final EIR and in discussions with Caltrans' staff, the Final EIR concluded that the Draft EIR overstated impacts at the Adobe Canyon Road intersection. Accordingly, the Final EIR was modified to reflect the fact that impacts at this intersection relating to 2005 intersection operation with no special events were no longer significant. The Board concurs with this analysis and finds that this impact was properly removed from the list of potentially significant effects. In addition to information contained in the Draft EIR, substantial additional information was set forth in the record. This extensive analysis resulted in the

identification of a new mitigation measure which was included in the Proposed Project to further avoid and substantially lessen Project impacts to the maximum extent feasible. Specifically, the new mitigation measure is the addition of center turn lanes at Randolph Avenue. Except for the potential noted in Exhibit "B" to this Resolution, traffic improvements have been required in, or incorporated into, the Proposed Project which mitigate or avoid significant traffic impacts associated with the Proposed Project to a less than significant level.

Impact 5.2-2. 2012 Intersection Operation with Project and No Special Events.

Impact

Section 5.2-2 of the Draft EIR concluded that the project traffic contribution to cumulative (year 2012 plus project) traffic volumes would result in five seconds or more increase in average control delay for critical movements at the SR12 intersections with Adobe Canyon Road and Randolph Avenue where base case conditions are at LOS F.

Findings

Based on the final EIR and entire record, the Board finds that Impact 5.2-2 has been mitigated to a level less than significant by the imposition of Project conditions requiring the construction of center turn lanes. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

In response to comments on the Draft EIR projections were recalculated and based on the information set forth at pages 9.0-42 through 9.0-44 of the Final EIR and in discussions with Caltrans' staff, the Final EIR concluded that the Draft EIR overstated impacts at the Adobe Canyon Road intersection. Accordingly, the Final EIR was modified to reflect the fact that impacts at this intersection relating to 2012 intersection operation with no special events were no longer significant. The Board concurs with this analysis and finds that this impact was properly removed from the list of potentially significant effects. In addition to information contained in the Draft EIR, substantial additional information was set forth in the record. This exhaustive analysis resulted in the identification of new mitigation measures which were included in the Project to further avoid and substantially lessen Project impacts to the maximum extent feasible. Specifically, these included the addition of a center turn lanes for Randolph Avenue.

Except for the potential noted in Exhibit "B" to this Resolution, traffic improvements have been required in, or incorporated into, the Proposed Project which mitigate or avoid significant traffic impacts associated with the Proposed Project to a less than significant level.

Impact 5.2-4. 2005 Intersection Operation With Proposed Project and Average Size Special Event

Impact

Section 5.2-4 of the Draft EIR concluded that there would be an impact in the year 2005 base case with average size special event traffic at the intersection of SR12 with Adobe Canyon Road. This was identified as a significant unmitigated impact in the Draft EIR.

Finding

Based upon the Final EIR and the entire record, the Board finds that the Draft EIR's conclusions with respect to this impact were erroneous.

Rationale

In response to comments on the Draft EIR, projections were recalculated. Based on the information set forth at pages 9.0-42 through 9.0-44 of the Final EIR and in discussions with Caltrans' staff, the Final EIR concluded that the Draft EIR overstated impacts at the Adobe Canyon Road intersection. Accordingly, the Final EIR was modified to reflect the fact that impacts at this intersection relating to 2005 intersection operation with average sized special events were no longer significant. The Board concurs with this analysis and finds that this impact was properly removed from the list of potentially significant effects. Except for the potential noted in Exhibit "B" to this Resolution, traffic improvements have been required in, or incorporated into, the Proposed Project which mitigate or avoid significant traffic impacts associated with the Proposed Project to a less than significant level.

Impact 5.2-5. 2012 Intersection Operation with Project and Average Size Special Events.

Impact

Section 5.2-5 of the Draft EIR concluded that the project traffic contribution to cumulative (year 2012 plus project) traffic volumes would result in five seconds or more increase in average control delay for critical movements at the SR12 intersections with Adobe Canyon Road, Lawndale and Randolph Avenue where base case conditions are at LOS F.

Findings

Based on the final EIR and entire record, the Board finds that Impact 5.2-2 has been mitigated to a level less than significant by the imposition of Project conditions requiring the construction of center turn lanes. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

In response to comments on the Draft EIR projections were recalculated and based on the information set forth at pages 9.0-42 through 9.0-44 of the Final EIR and in discussions with Caltrans' staff, the Final EIR concluded that the Draft EIR overstated impacts at the Adobe Canyon Road intersection. Accordingly, the Final EIR was modified to reflect the fact that impacts at this intersection relating to 2012 intersection operation with average size special events were no longer significant. The Board concurs with this analysis and finds that this impact was properly removed from the list of potentially significant effects. In addition to information contained in the Draft EIR, substantial additional information was set forth in the record. This exhaustive analysis resulted in the identification of new mitigation measures which were included in the Project to further avoid and substantially lessen Project impacts to the maximum extent feasible. Specifically, these included the addition of a center turn lanes for Lawndale Avenue and Randolph Avenue. Except for the potential noted in Exhibit "B" to this Resolution, traffic improvements have been required in, or incorporated into, the Proposed Project which mitigate or avoid significant traffic impacts associated with the Proposed Project to a less than significant level.

Impact 5.2-8. SR 12 Operating Conditions with Cumulative Average Size Special Events

Impact

Section 5.2-8 of the Draft EIR concluded that cumulative event traffic volumes would result in significant additional delays at the Randolph Avenue, Adobe Canyon Road, and Lawndale Road SR 12 intersections operating at LOS F.

Findings

Based on the final EIR and entire record, the Board finds that Impact 5.2-8 has been mitigated to a level less than significant by the imposition of the Conditions of Approval requiring the construction of the center turn Lanes. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

In response to comments on the Draft EIR projections were recalculated and based on the information set forth at pages 9.0-42 through 9.0-44 of the Final EIR and in discussions with Caltrans' staff, the Final EIR concluded that the Draft EIR overstated impacts at the Adobe Canyon Road intersection. Accordingly, the Final EIR was modified to reflect the fact that cumulative impacts at this intersection relating to intersection operation with average size special events were no longer significant. The Board concurs with this analysis and finds that this impact was properly removed from the list of potentially significant effects. In addition to information contained in the Draft EIR, substantial additional information was set forth in the record. This exhaustive analysis resulted in the identification of new mitigation measures which were included in the Proposed Project to further avoid and substantially lessen Project impacts to the maximum extent feasible. Specifically, these were the addition of a center turn lanes for Lawndale Avenue and Randolph Avenue. Except for the potential noted in Exhibit "B" to this Resolution, traffic improvements have been required in, or incorporated into, the Proposed Project which mitigate or avoid significant traffic impacts associated with the Proposed Project to a less than significant level.

Impact 5.2-14. Parking Supply.

Impact

In Section 5.2 (Traffic and Circulation), the Final EIR found the proposed parking supply would be adequate for expected parking demand, a less-than-significant impact. The layout of the Winery does not, however, show trailer parking; this would be a significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that parking supply impacts will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.2-14. Mitigation Measure 5.2-14 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires the Project Applicant to construct a trail head parking lot with room for 12 vehicle spaces including one for disabled parking. In addition, the parking lot will accommodate a minimum of two vehicle-plus trailer parking spaces. Implementation of this mitigation measure will reduce parking supply impacts to a less-than-significant level.

Impact 5.2-15. Road hazards.

Impact

In Section 5.2 (Traffic and Circulation), the Final EIR found project construction could result in off-site parking and spills along construction routes.

Finding

Based upon the Final EIR and the entire record, the Board finds that road hazard impacts will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.2 15. Mitigation Measure 5.2-15 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that the Project Applicant prepare a construction traffic and parking control program to be carried out during Project Applicant implemented development. The program will prohibit parking of construction vehicles anywhere other than on-site and include a plan for clean-up of any spills or debris along

the construction truck delivery route. Implementation of this mitigation measure will reduce potential road hazard impacts to a less-than-significant level.

HYDROLOGY AND WATER QUALITY

Impact 5.3-1. Construction Period Water Quality Impacts.

Impact

In Section 5.3 (Hydrology and Water Quality), the Final EIR found that grading activities would expose soils to the erosional forces of runoff. The eroded sediments would be deposited in the downstream receiving channels, such as Graywood Creek and Sonoma Creek. This would be a short-term significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that construction period water quality impacts will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.3-1. Mitigation Measure 5.3-1 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires the Project Applicant to file with the San Francisco Bay Regional Water Quality Control Board a Notice of Intent to comply with the General Permit for Storm Water Discharges Associated with Construction Activities (General Permit) under the NPDES regulations, and comply with the requirements of the permit to minimize pollution to storm water discharge during construction activities. The General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP requires that Best Management Practices (BMPs) must be identified, constructed, implemented and maintained in accordance with a time schedule and that post construction maintenance of BMPs occur. BMPs include, but are not limited to, the 15 pollution control procedures identified on pages 5.3-14 and 5.3-15 of the Final EIR. Additionally, a monitoring program is required including inspections of the construction site prior to anticipated storm events and after actual storm events. Any corrective maintenance must be done and all necessary equipment, materials, and workers must be available for rapid response.

Furthermore, the Project Applicant shall obtain a County General Grading Permit for all components of the Proposed Project from PRMD. The grading plan must adhere to performance criteria set forth in the Uniform Building Code and County requirements. The Project Applicant's drainage plan shall include a County-approved erosion and sediment control plan to minimize the impacts from erosion and sedimentation during construction of all elements of the Proposed Project. This plan also requires application of BMPs. Those BMPs include, but are not limited to, the construction practices, setbacks, soil stabilization, access and barrier requirements set forth on page 5.3-16 of the Final EIR. Implementation of all of these mitigation measures will reduce construction period water quality impacts to a less-than-significant level by minimizing storm water discharge during construction.

Impact 5.3-2. Water Quality Impacts from Project-Related Runoff Pollutants.

Impact

In Section 5.3 (Hydrology and Water Quality), the Final EIR found surface water quality could be impacted from project-related runoff pollutants, such as suspended solids and floating debris, litter, nutrients, heavy metals, hydrocarbons, pesticides, and trace organics.

Finding

Based upon the Final EIR and the entire record, the Board finds that water quality impacts from project-related runoff pollutants will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.3-2. Mitigation Measure 5.3-2 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

Non-point source water quality impacts from the Proposed Project will be mitigated with an overall storm water runoff control program. Under the General Construction Permit, the Project Applicant must develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP includes best management practices ("BMPs") for storm water management during and following the construction phase of the Proposed Project. BMPs include such things as vegetated buffer strips, vegetated swales, water quality detention basins, site development restrictions, and other design or

source control management practices, as appropriate, to mitigate adverse potential water quality effects. Post construction BMPs are also required including the minimization of land disturbance, the minimization of impervious surfaces and the treatment of storm water runoff utilizing infiltration, biofilters, efficient irrigation and energy dissipator devices. Implementation of this mitigation measure will reduce water quality impacts from project-related runoff pollutants to a less-than-significant level by protecting surface water quality.

Impact 5.3-3. Impacts to Existing Drainage Patterns Resulting in Increased Erosion and Sedimentation.

Impact

In Section 5.3 (Hydrology and Water Quality), the Final EIR found alterations to existing drainage patterns, including increased peak flows in on- and off-site streams and drainages, and the new construction of roadways, stream crossings, parking areas**, and** structures could result in increased erosion and sedimentation of on- and off-site small drainages and Graywood and Sonoma Creeks.

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts to existing drainage patterns resulting in increased erosion and sedimentation will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.3-3(a) and 5.3-3(b). Mitigation Measures 5.3-3(a) and 5.3-3(b) have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

These mitigation measures require that the Project Applicant revise the location of the roadway and alternate water tank to avoid impacts to the natural drainage ways. Per County requirements, the water tank shall be located at a distance of at least 2 ½ times the height of the stream bank plus 30 feet from the toe of the stream bank, or 30 feet outward from the top of the stream bank, whichever distance is greater. Unless an alternative design can achieve a superior environmental result, roadway improvements are prohibited any closer to Graywood Creek than the existing road where improvements would be within 50 feet of the top of bank.

Furthermore, the Project Applicant will prepare, for the review and approval by PRMD, a drainage plan (including appropriate hydrologic and hydraulic information) which minimizes changes in post-development runoff, site peak flows, and stream velocities as compared with pre-development conditions. The design calculations shall demonstrate that the post-development ten-year runoff would not exceed pre-development runoff levels. The drainage plan must be prepared by a registered civil engineer in conformance with criteria set forth in the Sonoma County Water Agency's flood control design requirements. All onsite drainage facilities must be constructed pursuant to performance criteria set forth in the Water Agency's flood control design criteria and the County of Sonoma Permit and Resource Management Department's standards and requirements. Implementation of these mitigation measures will reduce impacts to existing drainage patterns resulting from increased erosion and sedimentation from project-related runoff pollutants to a less-than-significant level by, among other things, minimizing post development runoff.

Impact 5.3-5. Increased Flows to the Narrow-anthered California Brodiaea Colony.

Impact

The Project Site contains a colony of narrow-anthered California Brodiaea. The east fork of Graywood Creek flows through this colony. In Section 5.3 (Hydrology and Water Quality), the Final EIR found that development of the east fork's drainage area could lead to changes in flow to the Brodiaea colony, thus affecting the amount of water provided to the wetland and increasing erosion along the channel. Since the narrow-anthered California Brodiaea is a special status plant species, changes in the wetland hydrology would be a significant impact

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts due to increased flows to the narrow-anthered California Brodiaea colony will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.3-5. Mitigation Measure 5.3-5 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

Implementation of the drainage plan and storm water runoff control program as required by Mitigation Measures 5.3-2 and 5.3-5 will prevent changes in peak flow, runoff volumes, and water quality degradation that could adversely affect the Brodiaea population and associated potential seasonal wetland. Additional mitigation measures to protect the Brodeaiea colony are also included in Section 5.6, biological resources, discussed elsewhere herein. Accordingly, implementation of these mitigation measures will reduce impacts to the Brodiaea colony to a less than significant level by maintaining their hydrological environment.

Impact 5.3-8. Cumulative Hydrology and Water Quality Impacts.

Impact

In Section 5.3 (Hydrology and Water Quality), the Final EIR found that cumulative projects within the area could exacerbate existing flooding problems along Sonoma Creek, increase erosion, and degrade water quality in the Sonoma Creek Watershed and its developed subwatersheds. Although the Proposed Project's impact on downstream flooding would be small, its contribution would represent part of the cumulative impact of all of the projects combined; this would be a significant cumulative impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that cumulative hydrology and water quality impacts will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.3-8. Mitigation Measure 5.3-8 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

As noted on page 5.3-27 of the Final EIR, with the implementation of mitigation measures 5.3-3(a) and (b) the Proposed Project's contribution to potential cumulative impacts to hydrology and water quality (stormwater runoff and erosion) would not be cumulatively considerable and therefore would be less than significant. Similarly, through the implementation of mitigation measures 5.3-1 and 5.3-2, the Proposed Project's contribution to cumulative water quality impacts and sedimentation would not be cumulatively considerable and therefore less than significant. Last, to mitigate the Proposed Project's cumulative contribution to flooding of Sonoma Creek, the applicant is

required by mitigation measure 5.3-3(b) to include in the drainage plan provisions for maintaining the pre-development 100 year runoff levels. Design calculations are required to demonstrate that, through the use of BMPs, post development 100 year runoff would not exceed pre-development runoff levels. Implementation of these mitigation measures will reduce the Proposed Project's contribution to the cumulative water quality and erosion impacts to less than cumulatively considerable.

WASTEWATER

Impact 5.4-1. Wastewater Treatment Requirements May Not Be Met.

Impact

In Section 5.4 (Wastewater Disposal), the Final EIR found that if the individual package treatment facilities (FAST) are not properly maintained, operated**,** or monitored, waste discharge requirements may not be met.

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts due to wastewater treatment requirements that may not be met will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.4-1. Mitigation Measure 5.4-1 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that prior to operation a detailed and specific operations, maintenance and procedure manual and accident contingency plan for the wastewater operators of the package plant be prepared and approved by PRMD and the Regional Water Quality Control Board. Furthermore, the FAST system will be operated, maintained, and monitored by a California-licensed Grade 3 Waste Water Treatment Plant Operator and will be under a valid Operational Permit with the County. The Operational Permit will be reviewed annually by PRMD in accordance with County requirements. In addition, the Conditions of Approval require the Project Applicant to submit a financial assurance plan to ensure that adequate capitalization and funds will be available for operation and maintenance of the FAST system. A mandatory closure agreement to enable the County to close the facilities served by the FAST system in the event of a

serious malfunction is also required. Implementation of these measures and safeguards will ensure that the individual package treatment facilities will be properly maintained, operated, and monitored. This, in turn, will reduce potential impacts to a less than significant level by meeting waste discharge requirements.

Impact 5.4-2. Impacts From the Operation of New Wastewater Treatment Facilities.

Impact

In Section 5.4 (Wastewater Disposal), the Final EIR found that constructing the Winery and events pavilion wastewater treatment and disposal system for a smaller projected design flow could result in an undersized-system that would not adequately treat the wastewater during peak conditions; this would be a potentially significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts from the operation of new wastewater treatment facilities will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.4-2. Mitigation Measure 5.4-2 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

The events pavilion is no longer a part of the Proposed Project. Additionally, the number of events has been reduced. Mitigation Measure 5.4-2 requires that the Winery's wastewater treatment and disposal system will be designed to provide adequate treatment and disposal capacity for wastewater flows generated by a peak event at the Winery and tasting room. This design can be achieved either through the use of an appropriately sized flow equalization tank to store and regulate excess peak flow entering the treatment system to match the proposed peak design capacity or by sizing the treatment plant and disposal field for the peak flow conditions. As reflected on pages 9.0-55 through 9.0-57 of the Final EIR, there appears to be sufficient area to provide for primary and reserve disposal by a leach field system for the winery and events area wastewater system. That information concludes that based on an average percolation rate of 5 MPI, the leach field could accommodate a peak flow of approximately 6, 960 gallons per day, which is more than sufficient capacity for primary and reserve disposal area. Additionally, in response

to comments on the Draft EIR, the applicant included a methanol and sodium bicarbonite feed in the FAST system to improve treatment capabilities to allow the system to provide a tertiary level of nitrogen removal. Moreover, the Conditions of Approval require the Project Applicant to submit a financial assurance plan to ensure that adequate capitalization and funds will be available for operation and maintenance of the system. A mandatory closure agreement to enable the County to close the facilities served by the system in the event of a serious malfunction is also required. Implementation of these mitigations will insure that impacts from the operation of new wastewater treatment facilities will be mitigated to a less-than-significant level by providing adequate facilities for wastewater treatment and disposal.

Impact 5.4-3. The Soil Type and Land Area for Some of the Proposed Residential Leachfields Would not be Capable of Supporting the Use of On-Site Wastewater Treatment and Disposal Systems.

Impact

In Section 5.4 (Wastewater Disposal), the Final EIR found that in general, the on-site treatment and disposal systems are located in areas with adequate land areas and soil type. However, two of the proposed residential leachfields are planned in areas that would not meet applicable setback requirements. Locating leachfields in areas that do not meet these requirements could impact water quality and be a significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts due to the fact that the soil type and land area for some of the proposed residential leachfields would not be capable of supporting the use of on-site wastewater treatment and disposal systems will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.4-3. Mitigation Measure 5.4-3 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that the applicant document that residential on-site wastewater treatment and disposal facilities meet all setback requirements. Modification of the property lines of the two affected residential lots may be used to

achieve required setbacks by providing adequate disposal area. Furthermore, the Conditions of Approval state that development of each lot shall not exceed the available capacity of the leachfield as proposed. Development must be consistent with the County requirements. Implementation of these measures will ensure that applicable leachfield setback and area requirements are met and thus reduce this impact to a less-than-significant level.

Impact 5.4-4. Potential Impacts Due to Exceeding Water Quality Standards or Waste Discharge Requirements, or Otherwise Resulting in Water Quality Degradation.

Impact

Water quality impacts from wastewater disposal are primarily due to bacteriological effects and nitrate additions to the groundwater, particularly when the groundwater is used as a drinking water source. Bacteriological effects are generally eliminated by processes within the soil, addressed through proper siting, design, and system operation. Nitrates are not readily absorbed by the soil. The commercial disposal fields are located in a groundwater recharge area, with 14 neighboring wells located directly south and south east of the Project Site. In Section 5.4 (Wastewater Disposal), the Final EIR found that groundwater nitrate levels downgradient of the disposal fields are projected to be near or in excess of drinking water standards unless the wastewater treatment system is designed and operated to provide substantial nitrogen removal.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to exceeding water quality standards or waste discharge requirements, or otherwise resulting in water quality degradation will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.4-4. Mitigation Measure 5.4-4 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that the proposed FAST wastewater pretreatment systems shall be designed and operated for nitrogen removal to ensure that the nitrate

concentration of the commercial wastewater effluent entering the disposal fields would not result in a groundwater quality that exceeds the drinking water standard at any property boundary. This requirement can be achieved safely by providing a final effluent nitrogen concentration of 15 mg-N/L, which is a reasonable treatment standard for a FAST system. The proposed FAST treatment systems will be designed and operated to achieve effluent total nitrogen concentrations below 15 mg/L. The applicant has included methanol and sodium bicarbonate feeds in the FAST system to improve nitrogen removal capabilities which will allow the system to provide tertiary levels of nitrogen removal. Additionally, the wastewater system proposed for the Inn/Spa/Restaurant also requires nitrogen pre-treatment to reduce nitrate levels below the threshold of concern for groundwater contamination. Provisions are also included for the introduction of sodium bicarbonate into the FAST treatment unit for the Inn/Spa/Restaurant for adjustment of the alkalinity of wastewater, if needed, which is important for nitrification. Details of the wastewater system and wastewater treatment operations are set forth in the Final EIR in pages 9.0-50 through 9.0-60. Implementation of this mitigation measure and system design components will reduce the potential impacts due to exceeding water quality standards or waste discharge requirements, or otherwise resulting in water quality degradation to a less-than-significant level.

The Board also concurs with the conclusions of the Final EIR that impacts to groundwater hydrology and cumulative impacts from wastewater treatment and disposal are less than significant impacts. This conclusion is supported by evidence set forth in the Draft and Final EIRs and the discussion set forth above relating to Impacts 5.4-1 through 5.4-4.

BIOLOGICAL RESOURCES

Impact 5.6-1. Special-Status Species.

Impact

In Section 5.6 (Biological Resources), the Final EIR found that the Proposed Project could have a substantial adverse effect on the populations of narrow-anthered California brodiaea and Sonoma ceanothus, and could affect raptor nests which might be established on the site prior to construction.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts to special-status species will be mitigated to a less-than-significant level by the

imposition of Mitigation Measures 5.6-1(a), 5.6-1(b), 5.6-1(c) and 5.6-1(d). Mitigation Measures 5.6-1(a) through 5.6-1(d) have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

These mitigation measures restrict improvements to areas outside the known distribution of the narrow-anthered California brodiaea and Sonoma ceanothus populations to the maximum extent feasible. At a minimum, restrictions on the proposed development plan/tentative map include relocation of the water tank, driveway relocations and design and construction requirements relating to fire breaks and residential utilities. Runoff is also being controlled to minimize impacts. Furthermore, a final mitigation plan will be prepared by a qualified botanist to provide for permanent protection of the narrow-anthered California brodiaea and Sonoma ceanothus populations on the site. The mitigation measure is subject to California Department of Fish and Game and PRMD staff approval. The plan is required to define measures which ensure the protection of the population, salvage of any seed or individual plants within the limits of grading, the replanting of salvaged material, long term management requirements, and monitoring of the habitat protection and salvage efforts. Detailed specifics of requirements of these plans are set forth on pages 5.6-16 through 5.6-19 of the Final EIR. The Department of Fish and Game is in accord with these requirements (Final EIR pages 9.0-25 and 9.0-135 through 9.0-139). Any active raptor nests in the vicinity of proposed grading will be avoided until young birds are able to leave the nest (i.e. fledged) and forage on their own. Implementation of these mitigation measures will reduce potential impacts to special-status species to a less-than-significant level.

Impact 5.6-2. Loss of Sensitive Natural Communities.

Impact

In Section 5.6 (Biological Resources), the Final EIR found that the Proposed Project would result in loss of important native habitat and sensitive natural community types.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts to sensitive natural communities will be mitigated to a less-than-significant level

by the imposition of Mitigation Measures 5.6-2(a) and 5.6-2(b). Mitigation Measures 5.6-2(a) and 5.6-2(b) have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

The Proposed Project as designed and these mitigation measures require that the proposed development plan/tentative map be revised to avoid disturbance to the sensitive natural communities on the Project Site. Mitigation measure 5.6-2(a) requires revisions to the proposed development plan and tentative map which include, at a minimum, requirements regarding roadway locations, minimization of tree removal, trail design requirements, a prohibition of all improvements within the boundaries of the proposed oak tree preserves, expansion of the oak tree preserves, establishment of a riparian preserve over Graywood Creek and a final vegetation management plan. The final vegetation management plan shall be expanded to address the protection and management of woodland, forest, riparian, chaparral, wetland and grassland habitat on the site and shall include recommendations in mitigation measures 5.6-1(a), 5.6-1(b), 5.6-3(a) and 5.6-2(a). Runoff to sensitive areas is also required to be controlled to minimize impacts. Additional tree planting was also required in response to comments on the Draft EIR by the Department of Fish and Game. Implementation of these mitigation measures will ensure that potential impacts to sensitive natural communities will be mitigated to a less-than-significant level.

Impact 5.6-3. Loss of Wetlands and Drainages.

Impact

In Section 5.6 (Biological Resources), the Final EIR found that the Proposed Project could result in loss and modifications to jurisdictional wetlands and other waters, and could contribute to degradation of downstream areas.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to the loss of wetlands and drainages will be mitigated to a less-than-significant level by the imposition of Mitigation Measures 5.6-3(a), 5.6-3(b), 5.6-3(c), 5.6-3(d) and 5.6-3(e). Mitigation Measures 5.6-3(a) through 5.6-3(e) have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have

been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

These mitigation measures require that the proposed development plan and tentative map be revised to restrict improvements to areas outside the seasonal wetlands on the site and to minimize disturbance to the ephemeral drainage on the site. Among other things, this will result in an expansion of the proposed Brodiaea Preserve to include both of the seasonal wetlands and the intervening grassland and woodland habitat. Furthermore, a bridge or arched culvert will be used for the Graywood Creek crossing to minimize disturbance to jurisdictional waters in the channel and provide for a natural bed under the structure. Mitigations also include driveway relocation, the adjustment of the alignment of roads A and B, a storm water pollution prevention plan and compliance with any requirements set forth in permits authorized by the Army Corps of Engineers, California Department of Fish and Game and Regional Water Quality Control Board. Evidence of permit authorization shall be submitted to the County PRMD prior to issuance of any grading or building permits by the County to ensure compliance with applicable State and Federal regulations relating to seasonal wetlands and jurisdictional waters. Implementation of these mitigation measures will ensure that potential impacts due to the loss of wetlands and drainages will be mitigated to a less-than-significant level.

Impact 5.6-4. Wildlife Habitat and Connectivity Impacts.

Impact

In Section 5.6 (Biological Resources), the Final EIR found that the Proposed Project would interfere substantially with wildlife movement opportunities.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential wildlife habitat and connectivity impacts will be mitigated to a less-than-significant level by the imposition of Mitigation Measures 5.6-4(a), 5.6-4(b), 5.6-4(c), 5.6-4(d) and 5.6-4(e). Mitigation Measures 5.6-4(a) through 5.6-3(e) have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

These mitigation measures result in revisions to the development plan that will reduce impacts on natural habitat and wildlife movement opportunities. For example, the development plan will be revised to minimize the loss of woodland and forest habitat on the site. The final Vegetation Management Plan will be expanded to include specific provisions regarding the protection and management of woodland, forest, riparian, chaparral, wetland, and grassland habitat on the site as noted in response to correspondence dated July 1, 2003, from the Department of Fish and Game. In addition, the Conditions of Approval restrict fencing on the upper portions of the Project Site to protect wildlife corridors, and restrict lighting to prevent unnecessary illumination of natural habitat on the Project Site. Fencing for the residential lots is restricted to the building envelopes to prevent wildlife interference. Additional mitigation measures require the prohibition of livestock on the residential lots and the preserve areas on the Project Site to prevent the trampling and removal of ground cover vegetation, requirements relating to domestic pets and prohibitions on off road vehicle and motorcycle use. Implementation of these mitigation measures will ensure that potential wildlife habitat and connectivity impacts will be mitigated to a less-than-significant level.

GEOLOGY/SOILS

Impact 5.7-2. Earthquake Induced Ground Shaking.

Impact

In Section 5.7 (Geology/Soils), the Final EIR found that strong seismic shaking is expected to occur at the site some time during the design life of the proposed development which could damage structures.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to earthquake inducing ground shaking will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-2. Mitigation Measure 5.7-2 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that prior to grading, building, or septic permit issuance a site- and project-specific design level geotechnical engineering investigation will be prepared to develop seismic design criteria for proposed structures at the site. These reports will include a characterization of the soil/rock conditions and appropriate seismic design coefficients and near-field factors in accordance with current Uniform Building Code. The Project Applicant will incorporate the recommendations developed in the site-specific geotechnical reports prepared for each development area. Said recommendations will be implemented and constructed as part of the development of the site. Ground motions and Uniform Building Code site coefficients will be determined by a separate analysis as part of design-level geotechnical investigations for the specific buildings and other proposed structures. Implementation of this mitigation measure will reduce potential impacts due to earthquake inducing ground shaking to a less-than-significant level.

Impact 5.7-3. Liquefaction.

Impact

Liquefiable soils have not been encountered at the Project Site. In Section 5.7 (Geology/Soils), the Final EIR found, however, that liquefiable deposits may still be present in the alluvial soils underlying the proposed leachfield disposal systems for the Winery and the Inn/Spa/Restaurant.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to liquefaction will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-3. Mitigation Measure 5.7-3 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that future design-level geotechnical investigation for proposed leachfield disposal systems or other improvements south of the Winery area will address the presence or absence of liquefiable soils. Such evaluations

will be performed in accordance with California Division of Mines and Geology guidelines. In areas where liquefaction induced ground deformations are determined to pose a risk to proposed leachfield systems or other improvements, ground improvement measures will be implemented as determined by the geotechnical investigations. Prior to building, grading or septic permit issuance the applicant shall submit the design level geotechnical reports as outlined in the mitigation measure and County staff will be responsible to ensure that the recommendations have been incorporated into the design of project improvements. Implementation of this mitigation measure will reduce potential impacts due to liquefaction to a less-than-significant level.

Impact 5.7-4. Seismic Ground Settlement.

Impact

Ground settlements (densification) can occur when soils with low density or high void ratios compact upon shaking. In Section 5.7 (Geology/Soils), the Final EIR found that ground settlements are considered most likely to occur in the lowland alluvial fan areas during seismic shaking.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to seismic ground settlement will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-4. Mitigation Measure 5.7-4 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that if structures or septic systems are proposed in the lowland alluvial fan area, the following measures would be required to mitigate ground settlement impacts:

(1) Identify site soil conditions through exploratory borings to determine general soils profile and characteristics and need for any ground improvement measures.
(2) Rework and compact soils where structures are proposed and such soils are identified in the near surface.

(3) Use drilled pier or driven pile foundations which carry the loads from structures through the loose densifiable layers and into competent strata. Alternative foundation designs (such as reinforced mats) also may be considered.

Implementation of this mitigation measure will reduce potential impacts due to seismic ground settlement to a less-than-significant level.

Impact 5.7-5. Lurching and Ground Cracking.

Impact

In Section 5.7 (Geology/Soils), the Final EIR found that lurching and ground cracking can occur at the edges of slopes or steep stream banks during strong ground shaking.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to lurching and ground cracking will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-5. Mitigation Measure 5.7-5 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that if structures or septic systems are proposed near steep banks, future building-specific geotechnical investigation for development in the lowland area will determine the presence or absence of fills and/or natural slopes/banks with a potential for seismically-induced ground cracking and failure by lurching. If found to exist, special foundation design or re-working of the soils or other appropriate design, as determined by the area and site-specific investigations, will be employed to mitigate this impact. Prior to building, grading or septic permit issuance, the applicant shall submit the design level geotechnical report as outlined in this mitigation and County staff would be responsible to ensure that the recommendations have been incorporated into the structural design of project improvements. Implementation of this mitigation measure will reduce potential impacts due to lurching and ground cracking to a less-than-significant level.

Impact 5.7-6. Lateral Spreading.

Impact

Lateral spreading refers to lateral deformations of banks or sloping areas as a result of seismic liquefaction. In Section 5.7 (Geology/Soils), the Final EIR found that liquefiable soils have not been encountered at the site. However, liquefiable deposits may still be encountered in alluvial deposits beneath the leachfield disposal systems for the Winery and Inn/Spa/Restaurant.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to lateral spreading will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-6. Mitigation Measure 5.7-6 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that future design-level geotechnical investigation for proposed leachfield disposal systems or other improvements south of the Winery area will address the potential for lateral spreading. In areas where lateral spreading deformations are determined to pose a risk to proposed leachfield systems or other improvements, ground improvement measures will be implemented as determined by the geotechnical investigations. For structures, measures such as chemical grouting, deep dynamic compaction or vibro-replacement will be considered. Building permit approval shall be conditioned on the preparation of the design level geotechnical report as required by mitigation measure 5.7-6. Implementation of this mitigation measure will reduce potential impacts due to lateral spreading to a less-than-significant level.

Impact 5.7-7. Landsliding and Slope Instability.

Impact

In Section 5.7 (Geology/Soils), the Final EIR found that previous geologic work at the site indicates that there is not a significant risk with respect to the presence of landslides within the proposed building envelopes. Remaining slope stability risks to the

development of residential/commercial structures would be associated with instability that may be generated during grading of the building pads and other improvements.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to landsliding and slope instability will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-7. Mitigation Measure 5.7-7 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that:

(a) Design-level site-specific geotechnical engineering investigation and analysis is required for proposed development improvements. Site specific investigations will evaluate the potential for slope instability, especially where unstable contacts within the volcanic rock may be exposed as a result of grading.

(b) Grading and excavation activities will comply at a minimum with the Uniform Building Code, County of Sonoma standards, and site-specific design criteria established in the geotechnical reports. The geotechnical reports will consider the following measures:

1. All fills constructed on slopes steeper than 5:1 (horizontal to vertical), or any fills with a height greater than three feet above original ground level will be keyed and benched into competent material and provided with subdrainage. Unreinforced permanent fill slopes will be no steeper than 2:1 and, where slope heights exceed 15 feet the fills will be provided with benches and surface drainage controls. All fills shall be engineered and compacted to at least 90 percent relative compaction (as determined by ASTM D 1557), unless recommended otherwise by the Project Applicant's Geotechnical Engineer.

2. Slopes on the Project Site will be improved with erosion protection and planted with vegetation. Planted vegetation will include native drought-tolerant and fire-resistant species. Catchment basins shall be constructed at strategic locations where

needed to minimize the potential for off-site sedimentation from existing and/or potential on-site sources.

(c) Use proper construction, inspection, and maintenance practices to protect against creation of unstable slopes.

A plan for the periodic inspection and maintenance of slope stability improvements, subdrains, and surface drains, including removal and disposal of material deposited in catchment basins, will be prepared and submitted to the County of Sonoma for review and approval by the County Permit and Resource Management Department Drainage Review prior to occupancy. This plan will include inspection and disposal procedures, schedule and reporting requirements, and who the responsible party will be. This plan can be part of the overall long-term project maintenance plan. Implementation of this mitigation measure will reduce potential impacts due to landsliding and slope instability to a less-than-significant level.

Impact 5.7-8. Creekbank Stability.

Impact

In Section 5.7 (Geology/Soils), the Final EIR found that bank erosion along Graywood Creek (including upslope off-site sources) could result in localized instability of the stream banks. Bank failures may also occur as a result of seismic shaking. Such instability could impact the roadway, and could result in flooding and/or debris flow activity which could impact the downslope areas.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to creekbank stability will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-8. Mitigation Measure 5.7-8 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that road design adjacent to Graywood Creek will be based on design level geotechnical evaluation. Creek bank stability measures will be incorporated into road design. Designs may include but will not be limited to drainage

improvements, stream bank stabilization or road setbacks. All grading at the site will be subject to the requirements of Mitigation Measure 5.7-7 regarding slope stability. These features will be designed to stabilize upslope areas prone to erosion or earth movement which could block drainages and result in sudden breaches and downslope erosion and flooding. The Project Applicant will incorporate the recommendations developed in the site specific geotechnical reports prepared for each development area. Said recommendations will be implemented and constructed as part of the development of the area.

Stabilization measures within creeks will conform to requirements of the County of Sonoma, California Department of Fish and Game, and other applicable agencies, and will be submitted for approval by these agencies. Implementation of this mitigation measure will reduce potential impacts due to creekbank stability to a less-than-significant level.

Impact 5.7-9. Expansive Soils.

Impact

In Section 5.7 (Geology/Soils), the Final EIR found that expansive soils may be identified during site-specific work which could result in damage to foundations, slabs or pavements.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to expansive soils will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-9. Mitigation Measure 5.7-9 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that prior to building, grading, or septic permit issuance the Project Applicant's Geotechnical Engineer will complete site-specific investigations with detailed soils analyses of the actual locations and types of proposed buildings, slabs and pavements. Those investigations will include laboratory testing of on-site soils to assess their expansion potential. These investigations will result in design

recommendations which include specifications for stabilizing areas of expansive soil (if encountered), quality of imported fill material, compaction standards for engineered soil materials, floor slab and pavement design recommendations, surface and subsurface drainage requirements, and grading specifications. Implementation of this mitigation measure will reduce potential impacts due to expansive soils to a less-than-significant level.

Impact 5.7-10. Low Strength Soils.

Impact

In Section 5.7 (Geology/Soils), the Final EIR found that site soils may be encountered during site-specific investigations that are of low strength or of low density such that they could collapse or subside under foundation loading.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential impacts due to low strength soils will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.7-10. Mitigation Measure 5.7-10 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that prior to building, grading, or septic permit issuance the Project Applicant will conduct site-specific geotechnical investigations and analyses of potential differential settlements of buildings and other site improvements, and develop design criteria as necessary to reduce differential settlements to tolerable levels. Potential measures may include but not be limited to over excavation and recompaction of weak soils or utilizing deep foundations to extend foundation support through low strength soils and into underlying competent material. Prior to building, grading or septic permit issuance the applicant shall submit the design level geotechnical report required by the mitigation measure to PRMD. Reports are also required for building permit applications for individual residential lots. County staff is responsible to ensure that the recommendations have been incorporated into the structural design of Project improvements. Implementation of this mitigation measure will reduce potential impacts due to low strength soils to a less-than-significant level.

VISUAL AND AESTHETIC QUALITY

Impact 5.8-3. View from State Route 12 west of Adobe Canyon Road looking North.

Impact

In Section 5.8 (Visual and Aesthetic Quality), the Final EIR found that from State Route 12 west of Adobe Canyon Road looking north portions of the main area of the Proposed Project are seen. The upper part of the Inn's main house and adjacent cottages extend above the tops of intervening trees on the hillside immediately in front of the development. The form and color of the buildings would attract the attention of viewers at this viewpoint.

Finding

Based upon the Final EIR and the entire record, the Board finds that potential visual impacts from State Route 12 west of Adobe Canyon Road looking north will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.8-3. Mitigation Measure 5.8-3 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that specific measures be applied, primarily to the Inn/Spa/Restaurant buildings to reduce the visual contrast of the Inn/Spa/Restaurant with the immediately surrounding setting so that the Proposed Project will not attract attention as seen from State Route 12. Those measures include the use of certain colors on exterior building surfaces (for example colors used for exterior building surfaces shall match the hue, lightness, and saturation of colors of the immediately surrounding trees) and tree retention on the Project Site (especially in the areas between the Inn/Spa/Restaurant and State Route 12). Elevations of structures are limited and County Design Review is required. During the Board hearing, opponents questioned the efficacy of the mitigation measures imposed on the Proposed Project to reduce visual impacts. The EIR consultant conducted two separate visual analyses of the Proposed Project. The second visual analysis took into consideration tree counts conducted on the Project Site to determine the number and sizes of trees to be removed. The Board is satisfied, based on

the these two visual analyses and the information developed in connection with tree counts on the Project Site, that visual impacts from State Route 12 west of Adobe Canyon Road looking north have been adequately mitigated. Implementation of this mitigation measure will reduce the potential visual impact from State Route 12 west of Adobe Canyon Road looking north to a less-than-significant level. The Board also agrees with the conclusions of the Final EIR and its visual impact studies that both the view from State Highway 12 at Lawndale Road looking north and the view from Adobe Canyon Road looking northwest are less than significant and that no mitigation is required in connection with such potential impacts.

CULTURAL RESOURCES

Impact 5.9-1. Potential Subsurface Resources.

Impact

In Section 5.9 (Cultural Resources), the Final EIR found that while no discernible impacts to archaeological resources or human remains are anticipated, the possibility cannot be precluded that prehistoric cultural deposits and features are present below the ground surface and could be damaged during land alteration activities

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts to unknown subsurface resources will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.9-1. Mitigation Measure 5.9-1 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measures provides specific steps to follow if cultural deposits are encountered at any location during construction in the event of an accidental discovery or recognition of any human remains, including the steps outlined in CEQA Guideline 15064.5(e). The mitigation measure requires, among other things, the training of workers involved in ground disturbing activities and the establishment of procedures and protocols to ensure that construction activities avoid or minimize impacts to potentially significant cultural resources. Additionally, if cultural deposits are encountered at any

location, construction must be halted and consultation with a qualified archaeologist and the Native American community must occur. The archaeologist shall conduct an independent review of any find under the direction of the County and, if additional mitigation is required, it may be imposed. Implementation of these specific steps will ensure that if unknown cultural resources are discovered during construction activities, these resources will be protected and this potential impact will be mitigated to a less-than-significant level.

AIR QUALITY

Impact 5.10-1. Construction Period Air quality Impacts.

Impact

In Section 5.10 (Air Quality), the Final EIR found that dust generation from short-term construction activities would cause potential health and nuisance impacts to adjacent land uses. This would be a short-term significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that construction period air quality impacts will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.10-1. Mitigation Measure 5.10-1 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure will reduce dust emissions from grading and other construction activities to a less-than-significant level by implementing fugitive dust control measures. These dust control measures include watering all active construction areas at least twice daily and more often during windy periods, covering all hauling trucks or maintaining at least two feet of freeboard, and applying water at least twice daily, or applying (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas. A list of required dust control measures may be found at pages 5.10-5 through 5.10-6 of the Final EIR. These measures are consistent with Bay Area Air Quality Management District guidelines.

Impact 5.10-4. Wood Burning Emissions.

Impact

In Section 5.10 (Air Quality), the Final EIR found that wood burning fireplaces could contribute to particulate emissions exceedances.

Finding

Based upon the Final EIR and the entire record, the Board finds that impacts from wood burning emissions will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.10-4. Mitigation Measure 5.10-4 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that only natural gas fireplaces, pellet stoves or EPA-Certified wood-burning fireplaces or stoves will be allowed in the residences and only natural gas fireplaces will be allowed in guest areas the Inn/Spa/Restaurant and the Winery. With the exception of wood burning facilities for cooking in the Inn/Spa/Restaurant, conventional open-hearth fireplaces will be prohibited. The mitigation measures require notes on the final Subdivision Map and provisions in the Project CC&Rs setting forth fireplace limitations. Prior to building permit issuance, County staff is required to confirm that only appropriate fireplaces have been installed. Implementation of this mitigation measure will reduce impacts from wood burning emissions to a less-than-significant level.

Impact 5.10-5. Odors.

Impact

In Section 5.10 (Air Quality), the Final EIR found that odors potentially resulting from the accidental release of hydrogen sulfide from the proposed wastewater pretreatment facilities would be a significant impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that odors from the accidental release of hydrogen sulfide from the proposed wastewater pretreatment facilities will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.4-2. Mitigation Measure 5.4-2 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

To mitigate possible odor impacts from the accidental release of hydrogen sulfide from the individual package treatment plants, this mitigation measure requires that gases and odors will be contained in an underground collection and dispersal system or scrubbed with passive or active air quality filters (for example, carbon filters). The package plants will be enclosed or placed underground to further control odors. Implementation of this mitigation measure will reduce the potential for odors from the accidental release of hydrogen sulfide from the proposed wastewater pretreatment facilities to a less-than-significant level.

NOISE

Impact 5.11-1. Noise Associated with Special Events at the Winery.

Impact

In Section 5.11 (Noise), the Final EIR found that outdoor music at the events pavilion could result in noise levels exceeding the Sonoma County General Plan Noise Element's noise level limits.

Finding

Based upon the Final EIR and the entire record, the Board finds that noise impacts associated with special events at the Winery will be mitigated to a less-than-significant level by the imposition of Mitigation Measures 5.11-1(a), 5.11-1(b), 5.11-1(c), and 5.11-1(d). Mitigation Measures 5.11-1(a) through 5.11-1(d) have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

The events pavilion is no longer a part of the Proposed Project. The Proposed Project does, however, include the holding of up to 20 special events per year with a maximum of 200 persons in attendance. The special events will be held in or around the Winery. These mitigation measures establish outdoor and indoor noise limits for all special events. Measures to insure compliance with the noise level limits specified include restricting loud events, and/or loud noise sources associated with events to the interior of the building, the use of a permanent outdoor loudspeaker system that would include an electronic limiter device to prevent excessive levels and the construction of solid walls around the outdoor activity area to create an enclosed patio. Implementation of these mitigation measures will mitigate noise impacts associated with special events at the Winery to a less-than-significant level.

Impact 5.11-2. Noise from Operation of Wastewater Facilities.

Impact

In Section 5.11 (Noise), the Final EIR found that operation of the wastewater pretreatment facilities could exceed the Sonoma County General Plan Noise Element exterior noise level standards.

Finding

Based upon the Final EIR and the entire record, the Board finds that noise impacts from the operation of the wastewater facilities will be mitigated to a less-than-significant level by the imposition of Mitigation Measure 5.11-2. Mitigation Measure 5.11-2 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Proposed Project which mitigate or avoid the significant effect on the environment.

Rationale

This mitigation measure requires that backup generators and the blower units for the wastewater systems be enclosed or otherwise baffled for soundproofing. Furthermore, the wastewater system must be designed to be in compliance with the County's exterior noise level standards as set forth in Table NE-2 of the General Plan. Implementation of these mitigation measures will mitigate noise impacts associated with the operation of the wastewater facilities to a less-than-significant level.