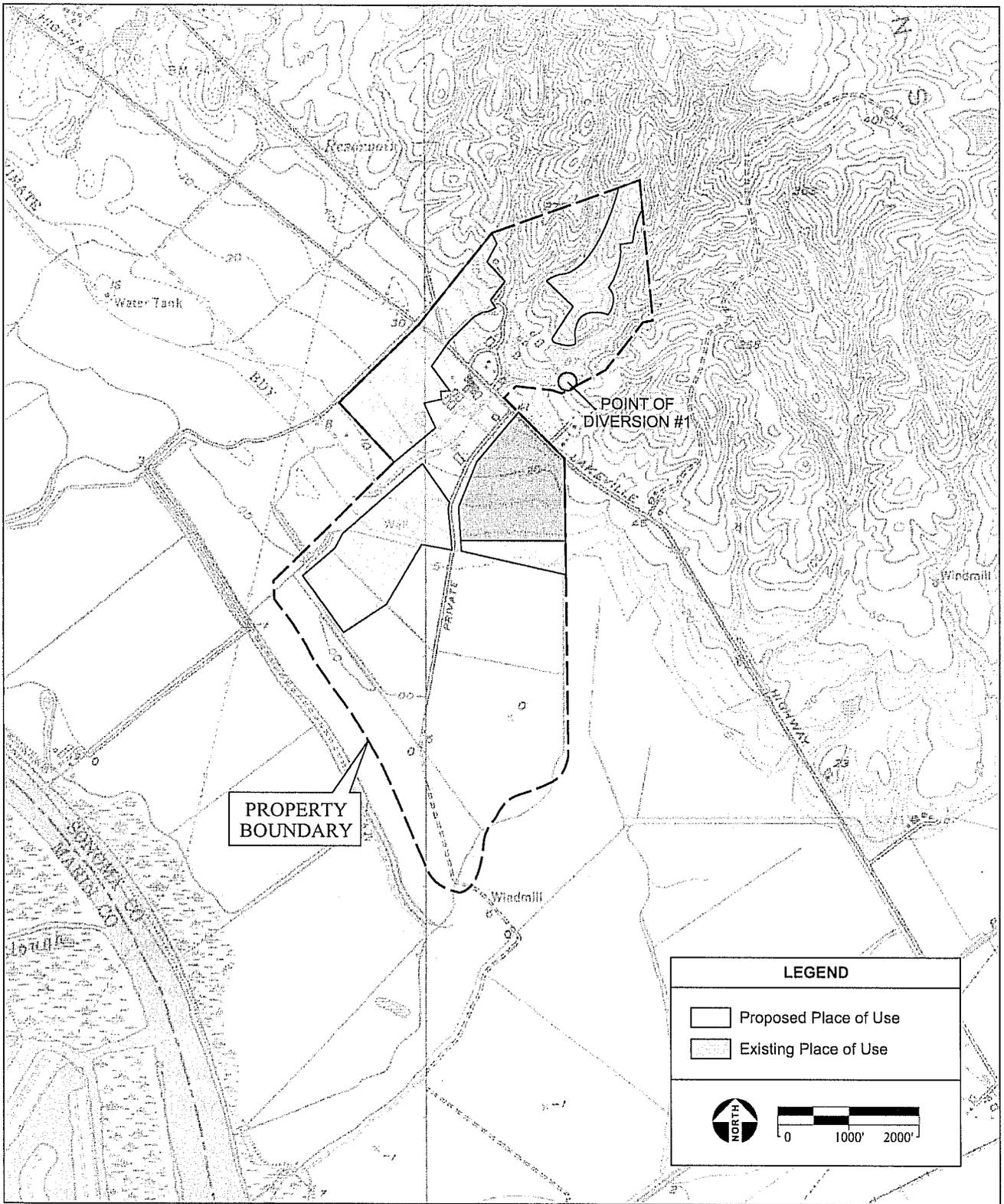


SOURCE: Microsoft Streets & Trips, 2003 ; AES, 2003

Sleepy Hollow Properties Water Rights Application Project / 203503 ■

**Figure 1**  
Regional Location



SOURCE: "Petaluma River, CA" & "Sears Point, CA" USGS 7.5 Minute Topographic-Quadrangles, Unsectioned Area of "Petaluma", T5N, R7W, Unsectioned Area of "Petaluma", T4N, R5W, Mt. Diablo Baseline & Meridian ; Wagner & Bonsignore, 5/2001 ; AES, 2004

Sleepy Hollow Properties Water Rights Application Project / 203503 ■

**Figure 2**  
Site and Vicinity

the Petaluma River thence the San Pablo Bay from November 1 to March 31. The Petition for Change would allow for the addition of 115 acres to the POU, for a total of 175 acres. No changes are being requested to the quantity of water diverted, the season of diversion, Point of Diversion (POD) or purposes of use in Permit 20636.

### Project Description

The proposed project includes the addition of 115 acres to the existing 60-acre POU authorized under Permit 20636 and an extension of time to make full beneficial use of the water authorized under the permit. Under the Petition for Change in POU, the amount of water used on the vineyard would not exceed the 104 af provided by Permit 20636, as the annual water requirements for vineyard are less than half those for pasture. The water requested would continue to be diverted November 1 through March 31 from the Unnamed Stream tributary to the Petaluma River.

The location of the existing POD #1 is as follows:

Point of Diversion by Collection to Storage in Reservoir #1: Located N. 179,000 and E. 1,858,250, California Coordinate System, Zone 2. Being within the NE ¼ of the SW ¼ of projected Section 26, Township 4N, Range 6W, of the “Sears Point, CA” USGS 7.5-minute topographic quadrangle.

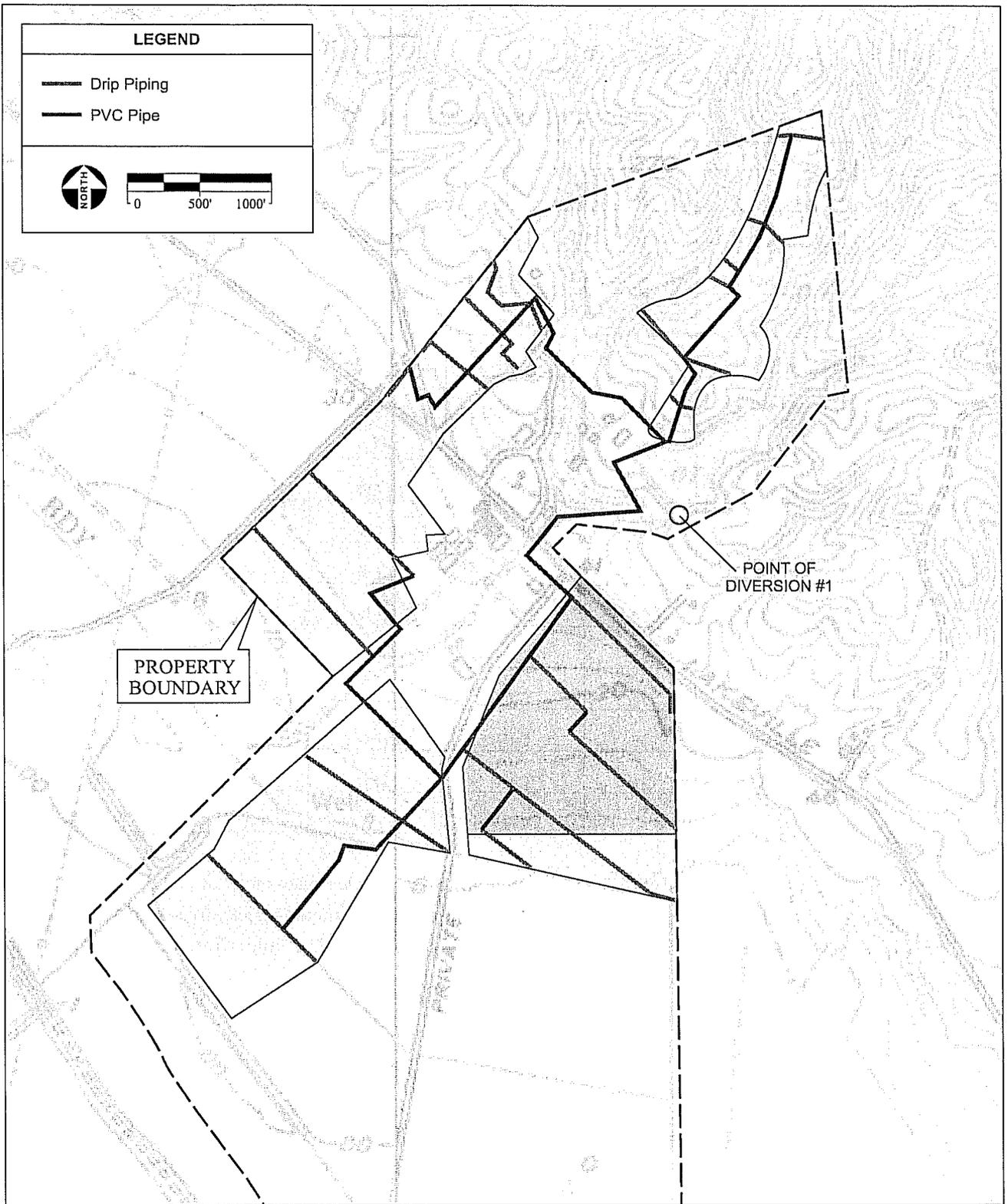
Pursuant to Permit 20636, 104 af of water is stored in the Sleepy Hollow Reservoir, an existing onstream reservoir. **Table 1** describes the reservoir characteristics.

**TABLE 1**  
RESERVOIR CHARACTERISTICS <sup>1</sup>

Reservoir	Surface Area When Full	Capacity	Maximum Water Depth	Dam Height	Dam Length	Construction Materials
#1 (Sleepy Hollow)	8 acres	104 af	33 feet	39 feet	610 feet	Earth

No additional culverts, pipelines or roads will be built as part of the project. A map depicting the approximate location of buried pipelines that were installed for drip vineyard irrigation is included in **Figure 3**.

The existing and proposed POU, which includes existing vineyard, are described in **Table 2** and shown in **Figure 2**.



SOURCE: "Petaluma River, CA" & "Sears Point, CA" USGS 7.5 Minute Topographic-Quadrangles, Unsectioned Area "Petaluma", T4N, R6W, Mt. Diablo Baseline & Meridian ; Wagner & Bonsignore, 5/2001; AES, 2004

*Sleepy Hollow Properties Water Rights Application Project / 203503* ■

**Figure 3**  
Irrigation Pipelines (Approximate)

**TABLE 2**  
EXISTING AND PROPOSED PLACE OF USE <sup>2</sup>

Use is Within	Section	Township	Range	B. & M.	Acres
NE ¼ of NW ¼	26	T 4N	R 6W	M.D.	4
SW ¼ of NW ¼	26	T 4N	R 6W	M.D.	5
SE ¼ of NW ¼	26	T 4N	R 6W	M.D.	19
NW ¼ of SW ¼	26	T 4N	R 6W	M.D.	2
NE ¼ of SW ¼	26	T 4N	R 6W	M.D.	4
SW ¼ of SW ¼	26	T 4N	R 6W	M.D.	13
SE ¼ of SW ¼	26	T 4N	R 6W	M.D.	4
NE ¼ of SE ¼	27	T 4N	R 6W	M.D.	21
SE ¼ of SE ¼	27	T 4N	R 6W	M.D.	18
NW ¼ of NE ¼	34	T 4N	R 6W	M.D.	8
NE ¼ of NE ¼	34	T 4N	R 6W	M.D.	33
SW ¼ of NE ¼	34	T 4N	R 6W	M.D.	4
SE ¼ of NE ¼	34	T 4N	R 6W	M.D.	6
NW ¼ of NW ¼	35	T 4N	R 6W	M.D.	25
NE ¼ of NW ¼	35	T 4N	R 6W	M.D.	9
				TOTAL	175 Acres

According to Water Code section 1348, a minor project diverts less than or equal to 3 cubic feet per second (cfs) by direct diversion or 200 af per year by storage. A major project diverts greater than 3 cfs by direct diversion or 200 af per year by storage. This application is a "minor" project (104 af per year to storage) as defined by section 1348 of the Water Code.

### Project Background

On March 23, 1990, the Petitioner filed Application 29698 with the State Water Board. Water diverted pursuant to the application is stored in the Sleepy Hollow Reservoir. The Sleepy Hollow Reservoir was built in 1949 and has a capacity of 104 af. It is under the jurisdiction of the Department of Water Resources, Division of Safety of Dams as Dam # 426. At the time the application was filed, the Petitioner was irrigating 50 acres of pasture and stockwatering 700 animals.

On August 27, 1992, Application 29698 was approved for a Categorical Exemption Class 4, in accordance with Title 14, California Code of Regulations, Section 15304. The Notice of Exemption

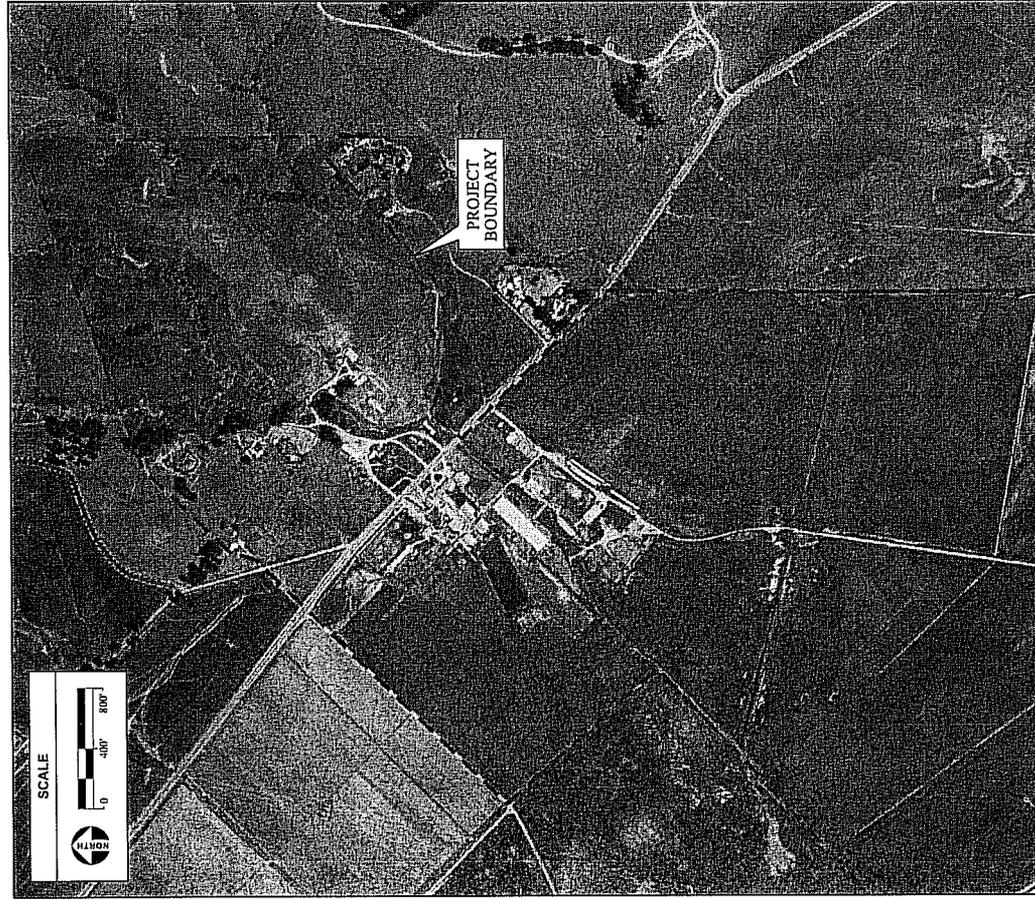
stated that the project was exempt because it involved minor alterations and impacts on the land, water, and vegetation, and would not cause significant adverse and cumulative impacts on any sensitive environment. In addition, there were no unresolved protests and no unresolved written objections from the California Department of Fish and Game (DFG). Permit 20636 was issued on September 9, 1992 to allow the storage and use of 104 af of water on 60 acres of pasture for irrigation and stockwatering.

On September 21, 2001, the State Water Board noticed a Petition for Change in POU and a Petition for Extension of Time to develop the project that was filed by the Petitioner<sup>3</sup>. On October 23, 2001, the National Marine Fisheries Service (NMFS) submitted a protest to the Petition. The letter stated that the proposed changes were subject to reauthorization and thus to terms and conditions as if they were new projects. In addition, the federal listing and the development of protective measures for steelhead trout (*Oncorhynchus mykiss*) occurred after the issuance of Permit 20636<sup>4</sup>. However, the protest arrived outside of the State Water Board deadline for receipt of protests, so the protest was dismissed.

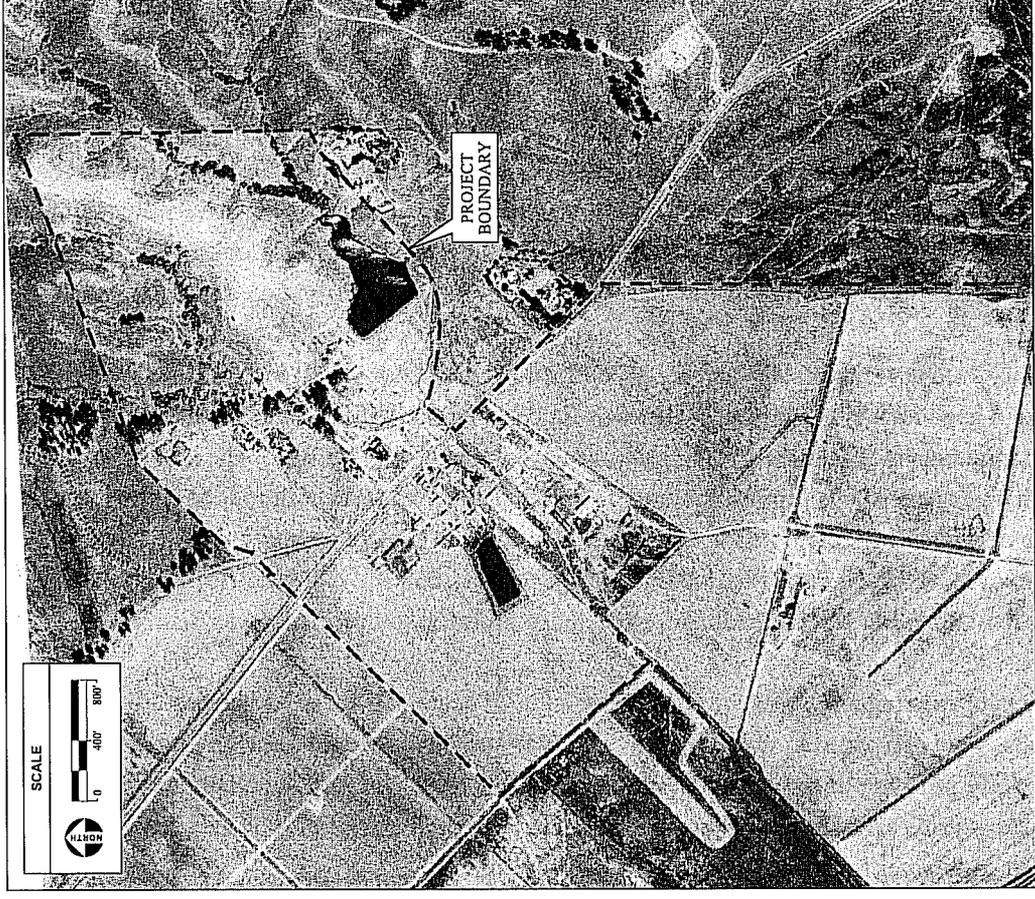
The 175 acres of existing and proposed POU, which for 70 years had been used as pasture and dry farmed oat hay crops, were converted to vineyard between 2001 and 2002. Aerial photographs of the Sleepy Hollow property prior to vineyard development in 1999 and after vineyard development in 2002, which include existing roads and the surrounding vicinity, are presented in **Figure 4**. The vineyard is currently drip irrigated with water from the Sleepy Hollow Reservoir.

The property is owned by Sleepy Hollow Properties, and a portion of the property that includes the reservoir and the vineyard areas in the Petition for Change is leased to Klein Foods, Inc. Adjacent lands that are not part of the project contain a dairy and pasture lands. These lands are not served by water from the reservoir. The Sleepy Hollow Dairy is served water from two groundwater wells. The wells provide water for dairy processing and for the daily wash down of the barns, stalls, and buildings. The wells also provide domestic water for the surrounding houses. The wells were drilled 25 to 30 years ago and are approximately 400 feet deep<sup>5</sup>.

An existing dairy waste pond is used to store the water that drains from the wash down operation of the dairy barns and buildings. The waste pond is also fed by incidental precipitation. The waste pond is a four-sided offstream pit reservoir, with a capacity of approximately 10 to 14 af. It is approximately 475 feet long by 175 feet wide, and ranges from 7 to 10 feet deep. Water flows into the waste pond via a small ditch that is fed from a central drainage system from the dairy operation. The water from the dairy waste pond is then pumped into an irrigation system that is used to irrigate the hay fields to the south and southeast of the dairy, which are adjacent to the vineyards. These fields are not a part of the proposed POU sought by the referenced Petition for Change. There is no plan to utilize the dairy waste pond in the vineyard operation that is the subject of the Petition for Change<sup>6</sup>.



**BEFORE DEVELOPMENT** (Aerial Photo WacCorp, 4/14/1999)



**AFTER DEVELOPMENT** (Aerial Photo WacCorp, 5/8/2002)

## Environmental Setting

The project site is located in southern Sonoma County, approximately 9 miles southeast of Petaluma. Four unnamed USGS blue-line streams and an unnamed tributary run through the project site from the northeast to the southwest. The streams converge north of Lakeville Highway and are tributary to the Petaluma River thence the San Pablo Bay. Stream setbacks ranging from 25 to more than 50 feet have been maintained on the property.

The elevation on the property ranges from sea level to approximately 270 feet above sea level. Slopes in the proposed POU average 1.5 percent in the areas south of Lakeville Highway and average 11 to 16 percent in the areas north of Lakeville Highway. The climate of Sonoma County is characterized by moderate temperature and precipitation. Annual precipitation totals 20 to 40 inches, and the prevailing wind is from the south to southeast.

The project site lies within the Petaluma Planning Area of the Sonoma County General Plan and is zoned Diverse Agriculture and Land Extensive Agriculture. Land use in the project area includes agriculture and rural residential. Habitat types identified on the project site include agricultural, developed, and riparian. The majority of the property is being used for vineyard, pasture, and row crops. A dairy and associated facilities are located on the southwest side of Lakeville Highway. The riparian areas include the existing Sleepy Hollow Reservoir and the intermittent streams that run through the property.

## II. ENVIRONMENTAL IMPACTS

The environmental factors checked below could be potentially affected by this project. See the checklists on the following pages for more details.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. Geology and Soils.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated in 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 & Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sonoma County is located within the California Coast Range geomorphic province. This province is a geologically complex and seismically active region characterized by sub-parallel northwest-trending faults, mountain ranges and valleys. Extensive prehistoric folding and thrust faulting have created the complex geologic conditions that underlie the highly varied topography.

According to the Sonoma County Soil Survey, soil in the project area includes Clear Lake Clay, 2 to 5 percent slopes, which is drained and has slight erosion potential. Another soil found in the area is Reyes Silty Clay, 0 to 2 percent slopes. This soil is poorly drained and is subject to inundation when not protected by levees. Diablo Clay, 15 to 30 percent slopes, is also in the project area. This soil consists of well-drained clay, with moderate to high erosion potential. The project area also contains Haire Gravelly Loam, 0 to 9 percent slopes and 9 to 15 percent eroded slopes. This soil is moderately well drained and has slight to moderate erosion potential. Gullied land, which consists of gently sloping to steep, rounded hills that have been severely damaged by gullyng, can also be found in the project area <sup>7</sup>.

Sonoma County faults are part of the San Andreas Fault system, which extends along the California coast. Potentially active fault zones are located less than a mile to the north of the property boundary. The property is not located in the vicinity of the Alquist-Priolo Earthquake Fault Rupture Hazard Zone, which is approximately four miles to the north of the property boundary<sup>8</sup>.

The last major earthquake in Sonoma County was the 5.7 magnitude event on the Healdsburg fault in Santa Rosa in 1969. Analysis of seismic data indicates that 7.5 and 8.5 magnitude earthquakes can be expected for the Healdsburg-Rodgers Creek and San Andreas faults, respectively. Earthquakes of 8.0 or more on the San Andreas Fault can be expected every 50 to 200 years<sup>9</sup>.

Ground shaking from earthquakes affects the most people and can cause the most damage of any geologic hazard. The amount of ground shaking depends on the magnitude of the earthquake, the distance from the epicenter and the type of earth materials in between. Ground shaking similar to that which took place in Santa Rosa during the 1969 earthquake can be expected somewhere in Sonoma County once every 20 to 30 years<sup>10</sup>.

Liquefaction and landslides can increase damage from ground shaking. Liquefaction changes water-saturated soil to a semi-liquid state, removing support from foundations and causing buildings to sink. The southern section of the property, below Lakeville Highway, is located in an area identified to have moderate to high potential for liquefaction. Landslides can result from ground shaking and may occur in areas of gentle slopes due to liquefaction of subsurface materials. The northern portion of the property, located north of Lakeville Highway, lies in an area that has a moderate to high potential for landslides<sup>11</sup>.

The project would not expose people or structures to potential substantial adverse effects from rupture of an earthquake fault, strong seismic ground shaking, seismic-related ground failure or landslides.

The project would not result in substantial soil erosion or the loss of topsoil. A Level I Vineyard Development Notification and an Erosion and Sediment Control Plan were approved by Sonoma County prior to development of vineyard in the proposed POU, discussed below. Potential impacts related to geologic unit or soil instability are considered less than significant.

Although the soils on the project site, including Clear Lake Clay and Diablo Clay, have a high shrink-swell potential, the project will not create substantial risks to life or property, and no additional construction or development is proposed. The project would not involve the use of septic tanks or alternate wastewater disposal systems.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**2. Air Quality.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) 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 that exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

No construction activities are proposed for the project. Normal vineyard operations may result in minimal impacts to air quality. The following permit terms, substantially as follows, shall be included in any water right license issued pursuant to Permit 20636 to ensure protection of air quality:

*Permittee shall submit evidence of compliance with all applicable regulations from the Sonoma County Agricultural Commissioner's Office for the use of soil stabilizers, pesticides, herbicides, and other regulated chemicals on the place of use at the time the project authorized by this permit is inspected for license.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. Hydrology and Water Quality. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site, including through alteration of the course of a stream or river, or substantially increase the rate or volume of surface runoff in a manner that would:				
i) result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) create or contribute runoff water that would exceed the capacity of existing or planned stormwater discharge?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) result in substantial erosion or siltation on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Place housing or other structures which would impede or re-direct flood flows within a 100-yr. flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Expose people or structures to a significant risk of loss, injury, or death involving flooding:				
i) as a result of the failure of a dam or levee?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) from inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Change the water volume and/or the pattern of seasonal flows in the affected watercourse and result in:				
i) a significant cumulative reduction in the water supply downstream of the diversion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) a significant reduction in water supply, either on an annual or seasonal basis, to senior water right holders downstream of the diversion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) a significant reduction in the available aquatic habitat or riparian habitat for native species of plants and animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) a significant change in seasonal water temperatures due to changes in the patterns of water flow in the stream?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) a substantial increase or threat from invasive, non-native plants and wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Sleepy Hollow Reservoir is located on an Unnamed Stream tributary to the Petaluma River thence the San Pablo Bay. The dam is constructed from earthen material excavated from the reservoir beds, with a concrete emergency spillway. There is a 10-inch diameter steel outlet pipe running through the center of the dam with a valve downstream. Under Permit 20636 and the subject Petitions, a maximum of 104 af of water would be diverted to storage annually for use on the 175-acre POU. Progress reports submitted to the State Water Board by the Petitioner in previous years indicated maximum use of the authorized water. If any water is collected in the reservoir outside of the diversion season of November 1 through March 31, under Permit 20636 and the project as petitioned, the outlet pipe is opened and the water is released. Approval of the petitions will not result in an appreciable change in the diversion of water as measured from the time the Division began its review for the proposed petitions. Therefore, approval of the project will not result in significant flow related impacts to downstream water users or environmental resources. Additional water cannot be added to a permit by petition so a determination of water availability is not needed for the proposed project. No water is diverted under riparian rights.

Prior to vineyard development, sediment rolls were installed on contours, along the edges of the vineyard adjacent to the creek and adjacent to the channels, in order to manage storm runoff on the vineyard site and minimize the discharge of sediment from the site. The project does not involve additional vegetation removal or earthmoving activities that could result in impacts to water quality resulting from erosion. The project also does not involve an increase in use of groundwater.

The project would not result in localized alteration of existing drainage patterns and would not be expected to result in substantial erosion or siltation, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding. The project would not contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. No construction activities are proposed, and normal vineyard operations would not significantly affect the water quality.

The project includes one dam and associated reservoir on the Sleepy Hollow property. The California Division of Safety of Dams approved the dam design for the 104 af reservoir, Dam #426. The reservoir is not expected to result in the flooding of people or structures should dam failure occur. The project is not expected to result in inundation due to a mudflow event, tsunami or seiche, or result in construction within a 100-year flood zone.

The project is not expected to result in a significant cumulative reduction in the water supply downstream of the proposed diversion or to introduce any invasive, non-native plants or wildlife into downstream aquatic habitats. Given that the Petitioner is not changing the amount the water currently diverted under Permit 20636, the project would not result in a significant reduction in the water supply downstream of the diversion.

A staff gage has been ordered and will be installed to monitor the water levels. The following permit terms, substantially as follows, shall be included in any water right license issued pursuant to Permit 20636:

*Permittee shall install and properly maintain a staff gage in the Sleepy Hollow Reservoir, satisfactory to the State Water Resources Control Board, for the purpose of determining water levels in the reservoir.*

*Permittee shall record the staff gage readings on or about October 1 and March 31 of each year. Such readings shall be supplied to the State Water Resources Control Board with the next progress report submitted to the State Water Resources Control Board by Permittee.*

*The State Water Resources Control Board may require the release of water which cannot be verified as having been collected to storage prior to October 1 of each year.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>4. Biological Resources. Would the project:</b>				
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 DFG or USFWS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the DFG or USFWS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the federal Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is located at the base of the Sonoma Mountains, near San Pablo Bay, at an elevation that ranges from sea level to approximately 270 feet above sea level. The climate of Sonoma County is characterized by moderate temperature and precipitation. Along the coast, temperatures remain cool throughout the summer and seldom drop below freezing during the winter. Inland there is a wider temperature range, with high readings occasionally exceeding 100° F and lows sometimes falling several degrees below freezing. Even during the warm period of the year; however, the night temperatures usually drop into the lower 50s. Precipitation is concentrated in six months of the winter period with only light amounts reported during the rest of the year. The region is in climate Zone 16 “Coastal Climates Northern and Central California,” characterized as a coastal thermal belt. Annual precipitation totals 20 to 40 inches, and the prevailing wind is from the south to southeast.

Analytical Environmental Services Biologist Dr. G. O. Graening conducted a reconnaissance-level field assessment on April 9, 2004 from 9:30 AM to 4:30 PM (7 person-hours). A complete-coverage, variable-intensity pedestrian survey was performed of the study area; transect spacing ranged from 5 to 10 meter intervals, with modifications to account for differences in terrain, vegetation density, and visibility. The study area included the entire Sleepy Hollow property, including areas of pasture and cultivated fields, drainages, and the reservoir, with a special focus on the existing and proposed POU as defined by the Permit and Petition for Change. All visible fauna and flora were noted and identified to the lowest possible taxon; habitat types occurring in the study area were characterized and evaluated for their potential to support regionally occurring special-status species; and the study area was assessed for the presence of jurisdictional water features (waters of the U.S.), isolated wetlands, and other biologically sensitive features <sup>12</sup>.

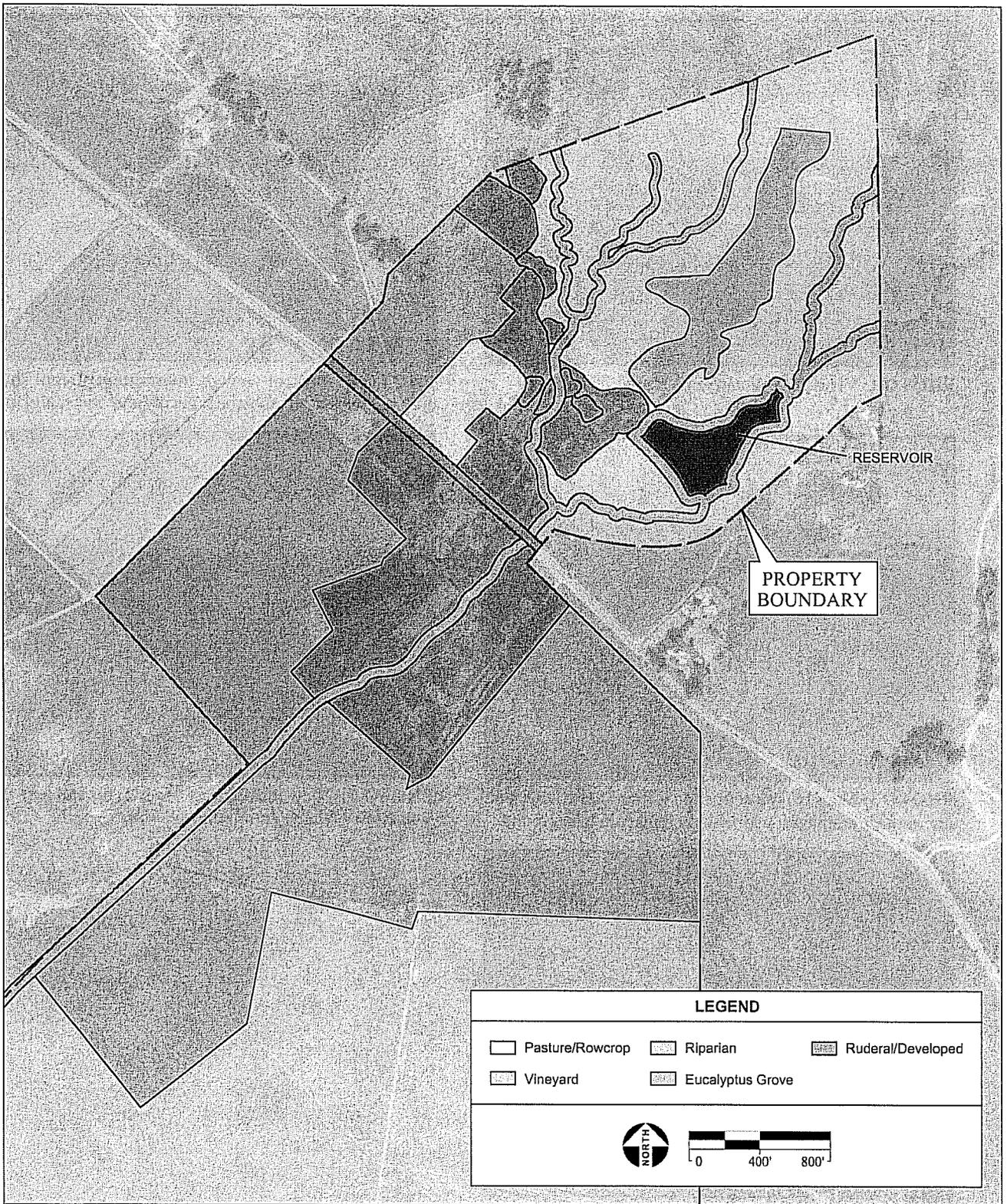
Two vegetation community types were identified in the study area: agricultural/ruderal and riparian (**Figure 5**). These habitat types are discussed below, and photographs of the habitats and site are presented in **Figure 6**.

## **Habitats**

### *Agricultural/Ruderal*

A large portion of the subject property is under agricultural use as vineyard, pasture, and row crop. The vineyard locations that are the subject of the Petition for Change are primarily located adjacent to the dairy on the southwest side of the property. There are also two vineyard developments on the northeast side of Lakeville Highway. The concentration of developed land is within the adjacent areas of Lakeville Highway. Plants associated with the agricultural/ruderal habitat include: scotch pine (*Pinus sylvestris*), yarrow (*Achillea millefolium*), yellow starthistle (*Centaurea solstitialis*), pineapple weed (*Chamomilla suaveolens*), wild oat (*Avena fatua*), small rattlesnake grass (*Briza minor*), tall fescue (*Festuca arundinacea*), long-beaked filaree (*Erodium botrys*), cultivated grape (*Vitis vinifera*), and bluedicks (*Dichelostemma capitatum*).

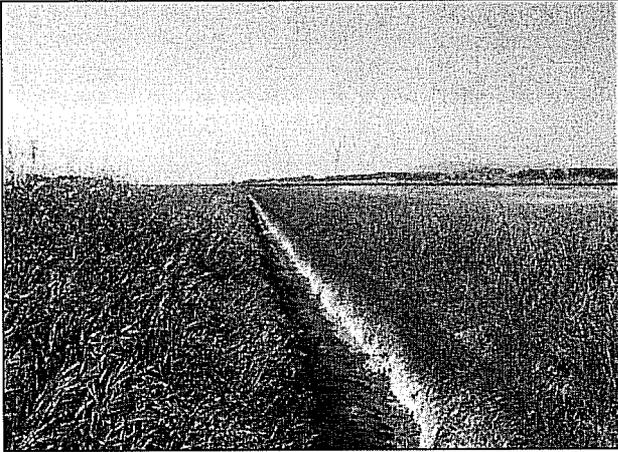
Wildlife observed in these areas during field survey included: western fence lizard (*Sceloporus occidentalis*), house cat (*Felis sylvestris*), horse (*Equus* spp.), mule deer (*Odocoileus hemionus*), black-



SOURCE: AES, 2004

Sleepy Hollow Properties Water Rights Application Project / 203503 ■

**Figure 5**  
Habitat Map



**PHOTO 1:** View of canal and grain crop.



**PHOTO 2:** Typical view of intermittent stream showing annual grasses, silt substrate, eucalyptus trees, and grazing



**PHOTO 3:** View of typical riparian wetland associated with intermittent drainages, with willow thicket in background.



**PHOTO 4:** View looking east of reservoir and associated lacustrine wetlands (primarily cattails).



**PHOTO 5:** View of channelized intermittent stream on southwest corner of property.

tailed jackrabbit (*Lepus californicus*), domestic cattle (*Bos Taurus*), raccoon tracks (*Procyon lotor*), barn owl (*Tyto alba*), crow (*Corvus brachyrhynchos*), Calliope hummingbird (*Stellula calliope*), red-tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), domesticated turkey (*Melleagris gallopavo*), and mourning dove (*Zenaida macroura*). In addition, a black swift (*Cypseloides niger*) was observed in flight over the project area. The black swift was not observed foraging or perched. Most likely, the black swift was migrating or engaged in post-breeding wandering behavior due to lack of suitable habitat at the project site. Special attention was paid to butterflies observed on the site due to the close proximity of suitable Myrtle's silverspot (*Speyeria zerene myrtleae*) habitat. Butterfly species observed include: mustard white (*Pieris napi*), California tent caterpillar (*Malacosoma californicum*), Acmon blue (*Plebejus acmon*), Lorquin's Admiral (*Limenitis lorquini*), common ringlet (*Coenonympha tullia*), and an unidentified diurnal moth.

### Riparian

The riparian areas located in the northern portion of the property (north of Lakeville Highway) include the 104 af capacity reservoir, four USGS blue line streams, and an unnamed tributary. Additional riparian areas include a drainage ditch that crosses Lakeville Highway, passes through the adjacent dairy operation, and runs along the southwest property boundary. Plants associated with these riparian habitats include: red willow (*Salix laevigata*), spikerush (*Eleocharis macrostachya*), small-headed rush (*Juncus ensifolius*), Mexican rush (*Juncus mexicanus*), rabbitsfoot grass (*Polypogon monspeliensis*), and narrow-leaved cattail (*Typha latifolia*).

Within the reservoir, dominant vegetative species include cattails (*Typha* sp.) and rushes (*Juncus* sp.), which occur along the edges of the reservoir and occupy less than 10 percent of the lacustrine habitat (surface area approximately 8 acres) (**Figure 6, Photo 4**). Willow trees (*Salix* sp.) along the perimeter of the reservoir occur intermittently and do not create a canopy cover. The four USGS blue-line streams and unnamed tributary located north of Lakeville Highway are dominated by approximately 85 to 90 percent annual grasses, including oats (*Avena* sp.), rattlesnake grass (*Briza* sp.), tall fescue (*Festuca arundinacea*), blue wildrye (*Elymus glaucus*), and rabbitsfoot grass (*Polypogon monspeliensis*) (**Figure 6, Photo 3**). Where willow trees are present, the average height of the canopy is approximately 15 feet. The average width of riparian vegetation ranges from 25 to 50 feet on either side of the stream channel. The drainage ditch that occurs south of Lakeville Highway and along the southwestern property boundary exemplifies atypical riparian vegetation. Non-native annual grasses and ruderal species have dominated the canal due to years of pastoral and agricultural land uses (**Figure 6, Photos 1 and 5**). Tree species are generally absent in this area. Dominant ruderal species include wild carrot (*Daucus carota*), sweet fennel (*Foeniculum vulgare*), and black mustard (*Brassica nigra*). These species occupy more than 70 percent of the vegetation along the drainage ditch when combined with annual grass species.

Animals seen in association with the riparian areas included: Pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbeiana*), unidentified black tadpoles, minnows (*Cyprinidae*) (seen in the shallows around the reservoir), mallard duck (*Anas platyrhynchos*), great egret (*Ardea alba*), green heron (*Butorides virescens*), red-winged blackbird (*Agelaius phoeniceus*), water strider (*Gerridae* sp.), dusty

skimmer dragonfly (*Sympetrum illotum*), and a water scavenger beetle. The beetle observed had a solid black dorsal surface and was not identified as the Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*), a federal species of special concern, which has a greenish-black dorsal surface and yellow legs. The beetle observed was large in size, similar to the giant water scavenger beetle (*Hydrophilus triangularis*), which averages 34 to 37 millimeters. In comparison, *Hydrochara* species average 13 to 17 millimeters.

### Special-Status Species

For the purposes of this Initial Study, "special-status" is defined to include those species that are:

- Listed as endangered or threatened under the Federal Endangered Species Act (or formally proposed, or candidates, for listing);
- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (§1901);
- Designated as fully protected, pursuant to California Fish and Game Code (§3511, §4700, or §5050);
- Designated as species of concern or species of local concern by USFWS, or as species of special concern by DFG;
- Plants or animals that meet the definitions of rare or endangered under CEQA;
- Plants listed as rare under the California Native Plant Protection Act; or
- Plants considered by the California Native Plant Society (CNPS) to be "rare, threatened, or endangered in California" (Lists 1B and 2).

An inventory of regionally occurring special-status plant and animal species was gathered based on a review of pertinent literature, a reconnaissance-level site assessment, informal consultation with the USFWS, and the results of a California Natural Diversity Data Base (CNDDDB) query of all reported occurrences of special-status species within the "Sears Point, California" and "Petaluma River, California" USGS 7.5 minute topographic quadrangles<sup>13</sup>. Habitat requirements for each special-status species were assessed and compared to the habitats occurring within the property and adjacent areas. The study area and/or surrounding vicinity represents potential habitat for four special-status plants and nine special-status animals. The scientific and common names, regulatory status, habitat requirements, and period of identification for these species are identified in **Table 3** and briefly discussed below.

**TABLE 3**  
REFINED DATABASE RESULTS OF POTENTIAL REGIONALLY  
OCCURRING SPECIAL-STATUS SPECIES <sup>14</sup>

<i>Scientific Name</i> Common Name	Regulatory Status USFWS/DFG/CNPS	General Habitat Description	Period of Identification
<b>Plants</b>			
<i>Amsinckia lunaris</i> Bent-flowered fiddleneck	FSC/--/1B	Found in coastal bluff scrub, cismontane woodlands, and valley and foothill grasslands at an elevation of 10 to 1,500 feet.	March-June
<i>Blennosperma bakeri</i> Sonoma sunshine	FE/CE/1B	Found in vernal pools and mesic valley and foothill grasslands, at 30 to 400 feet elevation.	March-May
<i>Castilleja ambigua</i> ssp. <i>ambigua</i> Salt marsh owl's clover	SLC/--/--	Found in coastal bluff and grassland habitats, at less than 350 feet in elevation.	April-August
<i>Erodium macrophyllum</i> Round-leaved filaree	--/--/2	Cismontane woodland, valley and foothill grassland in clay.	March-May
<b>Invertebrates</b>			
<i>Speyeria callippe callippe</i> Callippe silverspot butterfly	FE/--/--	Found in native grassland and adjacent habitats. Females lay their eggs on the dry remains of the larval food plant, Johnny jump-up ( <i>Viola pedunculata</i> ), or on the surrounding debris.	May-July
<i>Speyeria zerene myrtleae</i> Myrtle's silverspot	FE/--/--	Found in coastal dune and prairie habitat. Females lay their eggs in the debris and dried stems of violets (typically hookedspur violet, <i>Viola adunca</i> ).	June-September
<b>Amphibians</b>			
<i>Rana aurora draytonii</i> California red-legged frog	FT/CSC/--	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent vegetation.	May-November
<i>Rana boylei</i> Foothill yellow-legged frog	FSC/CSC/--	Found in shallow, flowing water, preferentially in small to moderate-sized streams with at least some cobble-sized substrate. Occur from near sea level to 6,000 feet in elevation	All year
<b>Reptiles</b>			
<i>Clemmys marmorata</i> Western pond turtle	--/CSC/--	Ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Requires basking sites and suitable upland habitat for egg laying.	All year
<i>Clemmys marmorata marmorata</i> Northwestern pond turtle	FSC/CSC/--	Ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Requires basking sites and suitable upland habitat for egg laying.	All year
<b>Birds</b>			
<i>Agelaius tricolor</i> Tricolored blackbird	FSC/CSC/--	Nests in dense thickets of cattails, tules, willow, blackberry, wild rose, and other tall herbs near water.	April-July
<i>Athene cucularia hypugaea</i> Western burrowing owl	FSC/CSC/--	Open, dry annual or perennial grasslands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals.	Dec. 1-Jan.31 & April 15-July15
<i>Buteo regalis</i> (wintering) Ferruginous hawk	FSC/CSC/--	Use open grasslands, sagebrush flats, desert scrub, and pinon-juniper as winter habitats.	September-April
<i>Elanus leucurus</i> White-tailed kite	FSC/CFP/--	Nests in dense oak, willow, or other tree stands near open grasslands meadows, farmlands, and emergent wetlands.	February-September
<b>Mammals</b>			
<i>Antrozous pallidus</i> Pallid bat	--/CSC/--	Prefers rocky outcrops, cliffs, crevices and manmade structures with access to open foraging habitats.	March-October

**STATUS CODES:**

FEDERAL: (U.S. Fish and Wildlife Service)

FE = List as a Endangered Species  
FT = Listed as a Threatened Species  
FSC = Federal Species of Concern  
SLC = Species of Local Concern

STATE: (California Department of Fish and Game)

CE = California Endangered Species  
CFP = California Fully Protected Species  
CSC = California Species of Special Concern

CNPS: (California Native Plant Society)

1B = Plants rare, threatened, or endangered in California and elsewhere  
2 = Plants rare, threatened, or endangered in California, but more common elsewhere

**Bent-flowered fiddleneck (*Amsinckia lunaris*)**

The bent-flowered fiddleneck is an annual herb from the Boraginaceae family. The flowers are bright orange with a five-petal calyx. Habitat for this species is coastal scrub, valley foothill grasslands, and cismontane woodlands. Blooming periods are from March through June. This species was not observed during the April 9, 2004 site visit and the species is not reported from the 5-mile radius query reported from the CNDDB.

**Sonoma sunshine (*Blennosperma bakeri*)**

The Sonoma sunshine is a small (up to 12 inches in height), annual herb in the Asteraceae family. The plant has alternate, narrow, hairless leaves, 2 to 6 inches long. The upper leaves have 1 to 3 lobes; the lower ones have none. Flowering occurs from March through April, when yellow daisy-like flowers can be seen. The yellow disk flowers have white pollen and stigmas. Sterile ray flowers, which are yellow or sometimes white, have red stigmas.

Sonoma sunshine is found in grasslands and vernal pools and is restricted to Sonoma County. It is known from 35 sites in the Cotati Valley and seven other sites in Sonoma Valley<sup>15</sup>. The Sonoma sunshine was not found during the April 9, 2004 site visit. Additionally, the existing and proposed POU are currently cultivated in vineyard. Historically, this site was used heavily for pasture and dairy purposes prior to conversion to vineyard.

**Salt marsh owl's clover (*Castilleja ambigua* ssp. *ambigua*)**

The salt marsh owl's clover is a member of the Scrophulariaceae family. It can be found in coastal bluff and grassland habitats, at less than 350 feet in elevation. The blooming period is from April through August. The salt marsh owl's clover was not observed during the site visit on April 9, 2004.

**Round-leaved filaree (*Erodium macrophyllum*)**

This annual flower typically grows in valley and foothill grasslands in open habitat on friable clay soils. The petals are usually white but can be tinted pink. Unlike most filaree, there is a single style column that is approximately 3 to 5 centimeters in length. The blooming period is from March to May. During the April 9, 2004 site visit, the round-leaved filaree was not observed. The long-beaked filaree (*Erodium botrys*) was observed; however, this is not a special-status species.

### Special-Status Butterflies

Myrtle's silverspot (*Speyeria zerene myrtlea*) inhabit coastal dunes, coastal prairie, and coastal scrub at elevations ranging from sea level to 1,000 feet, and up to 3 miles inland (USFWS, 1998). Two critical factors influence the distribution of the butterfly: the presence of the larval host plant western dog violet (*Viola adunca*) and the availability of nectar sources for foraging adults. Little is known about the callipe silverspot (*Speyeria callippe callippe*). The primary remaining population exists at a county park - San Bruno Mountain (NatureServe, 2004). The CNDDDB reported Myrtle's silverspot and callipe silverspot within 5 miles of the study area. The spring site visit was conducted during the blooming period of *Speyeria's* host plant, *Viola* spp.; however, no *Viola* spp. were seen, nor were any Lepidoptera of the genus *Speyeria*. Lepidoptera detected during site visits were mustard white (*Pieris napi*), California tent caterpillar (*Malacosoma californicum*), Acmon blue (*Plebejus acmon*), Lorquin's Admiral (*Limenitis lorquini*), common ringlet (*Coenonympha tullia*), and an unidentified diurnal moth.

### Special-Status Amphibians

The CNDDDB reports an occurrence of California red-legged frog (*Rana aurora draytonii*) within 5 miles of the study area. Suitable habitat exists in the reservoir and associated lacustrine wetlands, and in intermittent drainages north of Lakeville Highway. Aquatic habitats downstream and south of Lakeville Highway are severely disturbed due to the proximity of dairy operations, and are also unsuitable because of varying salinity as evidenced by the predominance of pickleweed (*Salicornia* spp.) in the stream channel. The only amphibians detected during field visit were Pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbeiana*), and black tadpoles associated with these species. The presence of bullfrogs decreases the likelihood that a viable population of California red-legged frog exists on site. The biological study followed the USFWS site assessment protocol for California red-legged frog. The criteria were met to perform protocol field surveys; however, the protocol field surveys were not performed to determine presence/absence because no threats to California red-legged frog exist. The project does not include earth movement or changes to suitable habitat; the landowner has kept a minimum of a 50-foot buffer from both sides of the banks between viticulture activities and suitable aquatic habitats.

The intermittent streams also represent potential habitat for Foothill yellow-legged frog (*Rana boylei*). This species inhabits partially shaded, rocky streams at low to moderate elevations in areas of chaparral, open woodland, and forest. Ideal habitat consists of an open perennial stream with rocky or bedrock habitat and small pools. However, this species has been known to occur in small perennial streams with cobble-size rocks and riffles. Breeding occurs in the pools of perennial streams with the eggs usually attached to gravel or rock substrate at the edge of pools or streams. As noted above, the project does not include any earth movement or changes to potential habitat, and the landowner has kept a minimum of a 50-foot buffer between viticulture activities and aquatic habitats.

### Special-Status Reptile Species

The western pond turtle (*Clemmys marmorata*) and the northwestern pond turtle (*Clemmys marmorata marmorata*) are found along ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. During warmer periods, they may be found basking along shorelines or within the vegetation along the edges of these environments. The reservoir, as well as the streams located within the project site, represent suitable habitat for the turtle. However, no turtles were observed during the site assessment. The proposed activities do not include alterations to the riparian habitats on the subject site.

### Special-Status Bird Species

The project site contains habitats for four special-status bird species, as indicated in **Table 3**. The proposed activities do not include alterations to the riparian, woodland, or grassland habitats on the subject site.

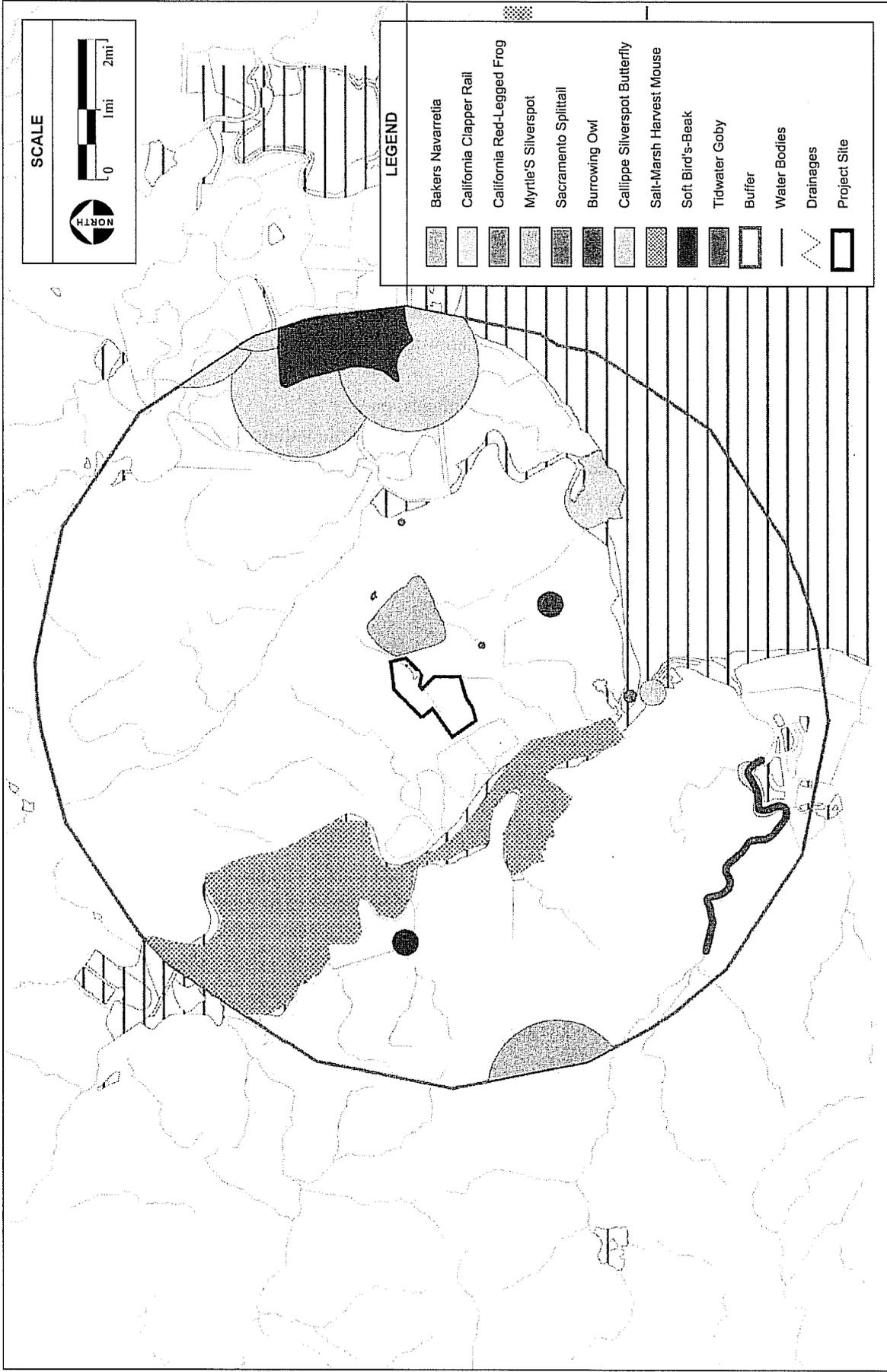
Nesting habitat requirements for burrowing owls (*Athene cunicularia hypugaea*) differ from nesting requirements of the three other special-status bird species indicated in **Table 3**. Nesting is often in abandoned burrows (e.g., prairie dog, ground squirrel, fox, woodchuck, tortoise) and can be identified by the lining of feathers, pellets, debris, and grass. Burrowing owls occur in open grasslands, especially prairie, plains, and savanna, and sometimes in open areas such as vacant lots near human habitation or airports, nesting and roosting in burrows dug by mammals. They spend much time on the ground or on low perches such as fence posts or dirt mounds in search of prey that consists of insects, small mammals, birds, and carrion. This species maintains a circadian rhythm and hunts day or night. They often take cover during the warmest part of the day. Although the pastures within the project site provide suitable habitat for this species, no evidence of burrowing owls was present within the study area.

### Pallid bat (*Antrozous pallidus*)

The pallid bat is usually found in rocky, mountainous areas and near water. They are also found over more open, sparsely vegetated grasslands, and seem to prefer to forage in the open. The pallid bat has three different roosts. The day roost is usually in a warm, horizontal opening such as in attics or rock cracks; the night roost is usually in the open, near foliage; and the hibernation roost, which is often in buildings, caves, or cracks in rocks<sup>16</sup>. The project does not require alteration of habitat that is conducive to the propagation of the bat species.

### CNDDDB 5-Mile Radius Query

The CNDDDB was queried and occurrences of special-status species plotted in relation to the study area boundary using GIS software<sup>17</sup>. The CNDDDB reported 10 special-status species occurrences within a 5-mile radius of the study area: Baker's navarretia (*Blennosperma bakeri*), California clapper rail (*Rallus longirostris obsoletus*), California red-legged frog (*Rana aurora draytonii*), Myrtle's silverspot (*Speyeria zerene myrtlea*), Sacramento splittail (*Pogonichthys macrolepidotus*), burrowing owl (*Athene cunicularia hypugaea*), callippe silverspot butterfly (*Speyeria callippe callippe*), salt-marsh harvest mouse (*Reithrodontomys raviventris*), soft bird's beak (*Cordylanthus mollis* ssp. *Mollis*), and tidewater goby (*Eucyclogobius newberryi*) (**Figure 7**). Species that appear in close proximity to the project site have



been addressed in the preceding paragraphs. These constitute species that may have habitat within the project boundaries or could be found within the boundaries. None of these species were found on the project site.

### **Waters of the U.S.**

The term “waters of the U.S.” is defined as:

- All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- All interstate waters including interstate wetlands; or
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use or degradation of which could affect interstate or foreign commerce including any such waters.

“Wetlands” are defined as:

- Waters of the U.S. or isolated features that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

### *Regulation of Activities in Waters of the U.S.*

#### Federal Regulation

The U.S. Army Corps of Engineers (USACE) has primary federal responsibility for administering regulations that concern waters of the U.S. The USACE acts under two statutory authorities, the Rivers and Harbors Act (Sections 9 and 10) which governs specified activities in “navigable waters of the U.S.,” and the Clean Water Act (Section 404), which governs specified activities in “other waters of the U.S.” including wetlands. The USACE requires that a permit be obtained if a project proposes placing structures within, over, or under navigable waters and/or discharging dredged or fill material into waters of the U.S. below the ordinary high-water mark in non-tidal waters.

#### State Regulation

The State of California regulates activities in waters of the U.S. primarily through the DFG and the State Water Resources Control Board. The DFG provides comment on USACE permit actions under the Fish and Wildlife Coordination Act. The DFG is also authorized under California Fish and Game Code Sections 1600-1607 to develop mitigation measures and enter into Streambed Alteration Agreements with applicants who propose projects that would obstruct the flow of, or alter the bed, channel, or bank of a river or stream in which there is a fish or wildlife resource, including intermittent and ephemeral streams.

The State Water Resources Control Board, acting through the Regional Water Quality Control Board, must certify that an USACE permit action meets state water quality objectives (Section 401, Clean Water Act).

An informal assessment of jurisdictional waters of the U.S. and isolated wetland features within the study area identified the Sleepy Hollow Reservoir and associated lacustrine wetlands; intermittent streams and associated riparian wetlands; and canals and confined dairy waste ponds as being potentially subject to USACE jurisdiction under Section 404 of the Clean Water Act.

The project would not impact federally protected wetlands as defined by Section 404 of the Federal Clean Water Act. There would be no removal of or fill to waters of the U.S. Section 401 and 404 permits would not be required.

The biological survey of the study area did not show the presence of any sensitive, candidate, or special-status species. The survey was performed on April 9, 2004 to coincide with the blooming seasons of the endangered plants shown in **Table 3**. In addition to the survey, a GIS-based plot was constructed from the reported occurrences of CNDDDB species within a five-mile radius of the project.

As discussed above, the CNDDDB reported sightings of Myrtle's silverspot (*Speyeria zerene myrtlea*), callipe silverspot (*Speyeria callippe callippe*) and California red-legged frog (*Rana aurora draytonii*) within close proximity to the project site. No special-status species were seen, and the spring site visit was conducted during the blooming period of *Speyeria's* host plant, *Viola* spp.; no *Viola* spp. were seen, nor were any Lepidoptera of the genus *Speyeria*.

Although the reservoir and vineyard currently exist, no additional construction is proposed, and the amount of water used under Permit 20636 will not change, the following permit terms, substantially as follows, shall be included in any water right license issued pursuant to Permit 20636 to ensure protection of special-status species:

*This permit does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered or the federal Endangered Species Act (16 U.S.C.A. §§ 1531-1544). If a "Species Act (Fish & G. Code, §§ 2050-2097) take" will result from any act authorized under this water right, the Permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.*

*For the protection of potential habitat for California red-legged frog (*Rana aurora draytonii*) and to allow for the continued growth of riparian vegetation, the Permittee shall:*

1. *Maintain, undisturbed, a minimum of a 50-foot-wide strip of natural upland vegetation around the water storage reservoir;*
2. *Obtain approval of the United States Fish and Wildlife Service (USFWS), Sacramento Endangered Species Office, and the California Department of Fish and Game (DFG) prior to any future reservoir dredging operations. Permittee shall submit to the Chief of the Division of Water Rights evidence of agencies approval prior to any future reservoir dredging operations;*
3. *Refrain from disturbing the fringe of emergent (wetland) vegetation in the reservoir during any future dredging operations*

*These requirements shall remain in effect as long as water is being diverted by Permittee (or successors-in-interest) under any license issued pursuant to Permit 20636.*

*If ground disturbing activities, such as trenching, ripping or vine removal occur in the place of use, a qualified biologist shall conduct protocol level surveys for western burrowing owls (*Athene cunicularia*). If western burrowing owls are detected, mitigation shall follow the guidelines set forth in the California Department of Fish and Game's Staff Report on Burrowing Owl Mitigation (October 1995).*

*If ground disturbing activities such as trenching, ripping or vine removal occur in the place of use and if a qualified biologist detects pallid bat (*Antrozous pallidus*) species onsite roosting in rocky outcrops, cliffs, crevices, manmade structures and/or foraging within the project site boundaries, bat roosting areas shall be completely avoided and the U.S. Fish and Wildlife Service Sacramento Endangered Species Office shall be contacted for further consultation and conservation requirements.*

Riparian habitats and natural communities are important biological resources. Riparian communities provide streambank protection, act as insulation to waterways, and provide habitat for wildlife species. Natural communities, as defined by the CNDDDB, are a unique collection of plant and animal communities often occurring at locations which provide a unique environment, i.e., soil, elevation, climate.

No natural communities, as reported by the CNDDDB, occur within a 5-mile radius of the project site. The reservoir that provides water for the project has been in existence since 1949, and since that time has developed a community of lacustrine species like spikerush (*Eleocharis macrostachya*), narrow-leaved cattails (*Typha latifolia*), and rushes (*Juncus* spp.).

Riparian habitats on the property are limited to the northeast portion of the property (on the northern side of Lakeville Highway) where the intermittent streams course down from the foothills. These areas have not been developed nor are they planned to be developed; a minimum of a 50-foot buffer from each side of the bank has been maintained between viticultural areas and riparian habitats. Water use and release from the reservoir will not change as a result of the project. Across Lakeville Highway, the intermittent

streams are joined and exit the property via a canal. The canal supports a grassland community and has no riparian vegetation associated with it.

In correspondence with the State Water Board dated September 22, 2004, the DFG noted, from a previous site visit, that the watershed and its main drainage appeared to have undergone significant alteration in the past<sup>18</sup>. The existing reservoir was developed under Permit 20636, and the Petition for Extension of Time and Change in POU for Permit 20636 for which this CEQA document is being prepared will not impact the drainage.

Section 30-72 of the Sonoma County Vineyard Erosion and Sediment Control Ordinance (discussed in the Land Use and Planning section below) outlines riparian setback requirements for authorized vineyard plantings as follows:

Any person undertaking a Level I authorized vineyard planting, or an authorized vineyard replanting shall establish and maintain a riparian setback for any designated stream on the vineyard site of either (i) 25 feet from the top of the bank, or, if applicable, (ii) the distance specified in Section 26-66-030, whichever is greater.

The activities and uses permitted within any riparian setback established pursuant to the section are limited to removal of non-native vegetation, installation and maintenance of drainage outlets, road crossings, utility crossings, irrigation crossings, and such other activities and uses as may be allowed by the Sonoma County Code and the DFG.

Setbacks of 50 feet are required for Level II vineyard plantings, which as discussed in the Land Use and Planning Section below, occurred on the northeast side of Lakeville Highway; however, no streams were in the vicinity of the plantings.

In compliance with the Vineyard Erosion and Sediment Control Ordinance, setbacks of a minimum of 25 feet from the top of the bank were maintained from both sides of the USGS blue-line stream that runs northeast to southwest through the southern portion of the property. Setbacks of more than 50 feet were maintained from both sides of the four blue-line streams in the northern portion of the property (**Figure 2**). The existing and proposed POU avoid all streams and riparian habitat.

The following permit term, substantially as follows, shall be included in any water right license issued pursuant to Permit 20636 to ensure protection of the riparian habitat:

*The Permittee shall maintain riparian setbacks of a minimum of 25 feet from the top of the bank of both sides of the unnamed USGS blue-line stream located south of Lakeville Highway and setbacks of a minimum of 50 feet from the top of the bank on both sides of the unnamed streams located north of Lakeville Highway. No activity shall occur within the setback area, including, but not limited to, grading, roads, fencing, storage areas, and irrigation, with the exception of*

*access roads, unless the activity is approved in writing by the Chief of the Division of Water Rights. These requirements shall remain in effect as long as water is being diverted by Permittee (or successors-in-interest) under any license issued pursuant to Permit 20636.*

The reservoir and associated lacustrine wetlands, intermittent streams and associated riparian wetlands, and canals and confined dairy waste pond occurring within the property could provide movement corridors for fish or wildlife species. However, the existing and proposed POU have been historically used for agricultural purposes and are located adjacent to agricultural land uses. The project has been developed with riparian setbacks described above. The project would not substantially interfere with the movement of fish or wildlife as the setbacks reduce potential impacts to wildlife corridors, and water use and release from the reservoir would not change as a result of the project.

The project is consistent with the land use designations for the area, and no development activities are proposed. Based on the pre-project aerial presented in **Figure 4** and the Erosion and Sediment Control Plan prepared for the Level II Vineyard Development, several eucalyptus, several pine trees, and a cluster of smaller trees were removed north of Lakeville Highway, in the western proposed POU<sup>19</sup>. Eucalyptus and red willow trees were observed in the areas surrounding the proposed POU during the biological survey. No oak species were observed at the site. The Sonoma County Tree Protection Ordinance, Article 88, Section 26-88-010 (m) of the Sonoma County Zoning Ordinance, states that projects should be designed to minimize the destruction of protected trees. The section also states that agricultural cultivation is exempt from this requirement.

No Habitat Conservation Plan or Natural Community Conservation Plans have been adopted for the project area. The project would not result in conflicts with any approved local, regional, state, or federal habitat conservation plans.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**5. Agricultural Resources.** In determining whether impacts to agricultural resources are significant environmental impacts, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping & Monitoring Program of the California Resources Agency, to non-agricultural uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The Agricultural Resources Element in the Sonoma County General Plan acknowledges the importance of agricultural production in and to Sonoma County. The purpose of the element is to establish policies to ensure the stability and productivity of the County's agricultural lands and industries. The element is intended to provide clear guidelines for decisions in agricultural areas. It is also intended to express policies, programs, and measures that promote and protect the current and future needs of the agricultural industry. If future technology of the agriculture industry requires alternative and yet unforeseen policies and implementation mechanisms, those should be consistent with the County's commitment to encourage the maintenance of a healthy agriculture sector of the County's economy <sup>20</sup>.

Agriculture and agricultural production are prevalent land uses in Sonoma County. The project site is designated by the Sonoma County General Plan as Diverse Agriculture and Land Extensive Agriculture. The policies of these designations are described as follows:

**Diverse Agriculture:** To enhance and protect land areas where soil, climate, and water conditions support farming but where small acreage intensive farming and part time farming activities are predominant (farming may not be the principal occupation of the farmer); to protect a full range of agricultural uses and to limit further residential intrusion consistent with the policies of the Agricultural Resources Element.

**Land Extensive Agriculture:** To enhance and protect lands best suited for permanent agricultural use and capable of relatively low production per acre of land; and to implement the provisions of the Land Extensive Agriculture land use category of the general plan and the policies of the Agricultural Resources Element <sup>21</sup>.

The project involves the continued use of the land for agricultural purposes, therefore, no impact to agricultural resources would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. Noise. Would the project result in:</b>				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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 in or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing in or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Sonoma County General Plan identifies agricultural operations as a potentially significant source of community noise within Sonoma County<sup>22</sup>. However, the project site is not located near noise-sensitive areas, which include residences, schools, hospitals, rest homes, and long-term or medical care facilities<sup>23</sup>. Noise generated in the project site would consist of routine agricultural activities and would be similar to that already existing in the vicinity.

The project is not located within an airport land use plan, within two miles of a public airport, or in the vicinity of a private airstrip.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. Land Use and Planning.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Past land use in the proposed POU has historically been pasture and oat hay fields, based on review of a 1999 aerial photograph of the property and from conversations with the property owner<sup>24</sup>. The Petitioner has indicated that the existing and proposed POU were historically planted in oat hay. Current features of the property include the vineyard, reservoir and an intermittent drainage, as well as adjacent pasture areas, and a dairy waste pond that supports a dairy operation. Existing roads on the property have been utilized for the vineyard and no new roads were built. The road leading up to the reservoir has been improved; gravel was added to the road to reduce erosion.

**Sonoma County General Plan**

The project site lies within the Petaluma Planning Area of the Sonoma County General Plan, in the southwestern portion of the County. Dominant natural features of this planning area include the Sonoma Mountains, the Petaluma River and marshes.

The Sonoma County General Plan Land Use Element and its policies guide growth and land use and development in Sonoma County through 2005. The Land Use Element of the General Plan designates the project area as Diverse Agriculture with some area designated as Land Extensive Agriculture in the southwestern section of the project area. Permitted land uses within these categories include agricultural production, agricultural processing, agricultural services, visitor serving uses, agricultural employee housing, other resource uses, and community service facilities.

The Land Use Element of the General Plan provides the following goals and objectives for the protection of agricultural land.

**GOAL LU-8:** Protect lands currently in agricultural production and lands with soils and other characteristics, which make them potentially suitable for agricultural use. Retain large parcel sizes and avoid incompatible non-agricultural uses.

**Objective LU-8.1:** Avoid conversion of lands currently used for agricultural production to non-agricultural use.

**Objective LU-8.2:** Retain large parcels in agricultural production areas and avoid new parcels less than 20 acres in the Land Intensive Agriculture category.

**Objective LU-8.3:** Agricultural lands not currently used for farming but which have soils or other characteristics which make them suitable for farming shall not be developed in a way that would preclude future agricultural use.

**Objective LU-8.4:** Discourage uses in agricultural areas that are not compatible with long-term agricultural production.

**Objective LU-8.5:** Support farming by permitting limited small-scale farm services and visitor serving uses in agricultural areas.

### **Sonoma County Zoning Ordinance**

As mentioned above, the project lies within the Diverse Agriculture and Land Extensive Agriculture land use designations. Uses related to the project that are allowed within the Diverse Agriculture and Land Extensive Agriculture designations that do not require a use permit include:

The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Agricultural cultivation without a use permit should maintain the following setbacks:

- Fifty feet (50') from the top of the bank of designated flatland riparian corridors,
- Twenty-five feet (25') from the top of the bank of designated upland riparian corridors.

Agricultural cultivation may be allowed within the setbacks upon approval of a management plan, which includes appropriate mitigations for potential erosion, bank stabilization and biotic impacts. This plan may be approved by the planning director or by a use permit pursuant to Section 26-06-020(a).

### **Sonoma County Tree Protection Ordinance**

The Sonoma County Tree Protection Ordinance, Article 88, Section 26-88-010 (m) of the Sonoma County Zoning Ordinance, states that projects should be designed to minimize the destruction of protected trees. The section also states that agricultural cultivation is exempt from this requirement.

### **Sonoma County Vineyard Erosion and Sedimentation Control Ordinance**

The Sonoma County Agricultural Commission's Agricultural Division administers the Sonoma County Vineyard Erosion and Sediment Control Ordinance (Ordinance 5216) that was passed by the Board of Supervisors on February 8, 2000.

The purpose of the Ordinance is to safeguard public health, safety and welfare; minimize erosion and sedimentation in connection with vineyard planting and replanting in the County; protect the lands, streams, and riparian habitat in the County; and ensure the long-term economic viability of the County's viticultural resources <sup>25</sup>.

Growers planting new vineyards or replanting existing vineyards are required to utilize recognized conservation practices and best management practices, and provide for riparian setbacks to protect the environment and watersheds of the County <sup>26</sup>.

The Ordinance identifies a Level I vineyard planting as follows:

Level I vineyard planting means any vineyard planting on contiguous new vineyard land under common ownership within a significant drainage area that has similar slope characteristics and has either highly erodible soils and an average slope of less than ten percent, or less erodible soils and an average slope of less than fifteen percent <sup>27</sup>.

The Ordinance identifies a Level II vineyard planting as follows:

Level I vineyard planting means any vineyard planting on contiguous new vineyard land under common ownership within a significant drainage area that has similar slope characteristics and has either highly erodible soils and an average slope of ten percent to not more than fifteen percent, or less erodible soils and an average slope of fifteen percent to not more than thirty percent <sup>28</sup>.

Significant drainage area means contiguous land, bounded by ridgelines, spurs, or other topographic divides, from which direct surface runoff from precipitation drains down slope into a common outlet. Highly erodible soils include Diablo, Los Osos, Goldridge, Dibble, Suther, Steinbeck and Laughlin soils<sup>29</sup>.

The Sonoma County Office of the Agricultural Commissioner approved a Level I Vineyard Development Notification for development of approximately 150 acres in the proposed POU located south of Lakeville Highway on September 25, 2001; the Certification of Inspection and Plan Conformance was issued on October 25, 2001 <sup>30</sup>. Slopes in the proposed POU for the Level I Vineyard Development averaged 1.5 percent and no grading was required. An Erosion and Sediment Control Plan was prepared for the development of approximately 28 acres in the proposed POU located north of Lakeville Highway <sup>31</sup>. The Level II Vineyard Development included approximately 16 acres with slopes that averaged 16 percent and 12 acres with slopes that averaged 11 percent, and no grading was required. The County approved the plan on May 2, 2001. The vineyard was developed on lands that have been historically used as pasture and grazing lands.

The project would not result in physical barriers that would divide an established community. The project involves agricultural facilities that are consistent with applicable Sonoma County land use plans, policies, and regulations for the project area. No Habitat Conservation Plan or Natural Community Conservation Plan currently exists for the project area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. Mineral Resources. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The State of California classifies mineral lands throughout the State and has designated certain mineral bearing areas as being of regional significance. Local agencies must adopt mineral management policies that recognize mineral information provided by the State, assist in the management of land use that affects areas of statewide and regional significance, and emphasize the conservation and development of identified mineral deposits <sup>32</sup>.

Various minerals have been mined in Sonoma County during the past century; however, aggregate products are now the dominant commercial minerals. Sonoma County has adopted the Aggregate Resources Management (ARM) plan for obtaining future supplies of aggregate material. This plan serves as the state-mandated mineral management policy for the County. During the process of adoption of the plan, Sonoma County considered the aggregate resource areas subsequently classified as MRZ-2 by the State Geologist. No mineral resources are located near the project site, as mapped by the County of Sonoma General Plan <sup>33</sup>.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>9. Hazards and Hazardous Materials. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site 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 to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A database search was made for historical records to identify known sites where hazardous materials were generated or stored, or where contamination has occurred<sup>34</sup>. The database search did not reveal any known hazardous materials sites within the property. The database search also identifies any known hazardous materials sites within a one-mile radius of the property. One site within a one-mile radius of the subject property was identified and summarized from the California Hazardous Incidence Report System (CHIRS). The incident occurred at 7685 Lakeville Highway, approximately 0.35 miles southeast of the property. A commercial vehicle carrying a mixed load of paints, fertilizers, and other unspecified materials was involved in an accident. The database does not specify whether a large release of hazardous materials occurred; however, the incident did occur on a public highway and therefore was likely contained in a timely manner. It is not likely that this incident affected the subject property.

There are no pending construction activities associated with the project, therefore the project would not require the use of equipment that uses potentially hazardous materials such as fuels and oil. These

materials would generally be used with earth-moving and other construction equipment. The project is not located within ¼ mile of any existing or proposed schools or in the vicinity of any private airstrips. The project is also not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, and would not expose people or structures to significant risk from wildland fires.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>10. Population and Housing.</b> Would the project:				
a) Induce substantial population growth in an area either directly ( <i>e.g.</i> , by proposing new homes and businesses) or indirectly ( <i>e.g.</i> , through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is located in a relatively rural area of southern Sonoma County. No residential communities are located in the general vicinity of the project area and the Sonoma County General Plan does not designate areas for large-scale residential development in the vicinity of the project. The project is not anticipated to directly or indirectly induce substantial growth in the project area. The project would not displace any people and, therefore, would not necessitate the construction of replacement housing.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. Transportation and Circulation. Would the project:</b>				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system ( <i>i.e.</i> , result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially increase hazards due to a design feature ( <i>e.g.</i> , sharp curves or dangerous intersections) or incompatible uses ( <i>e.g.</i> , farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies supporting alternative transportation ( <i>e.g.</i> , bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Sleepy Hollow property is located along Lakeville Highway. The next major road is Highway 37, located approximately 2 miles south of the property boundary. According to the Sonoma County General Plan, there is a high out-commute rate for the area, as well as significant levels of recreational travel during the weekends <sup>35</sup>.

The project would not cause a substantial increase in traffic conditions. No substantial new impediments to emergency access or incompatible uses are anticipated. The project is not expected to result in inadequate parking capacity, or conflict with adopted alternative transportation policies, plans, or programs.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**12. Public Services.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

- |                             |                          |                          |                          |                                     |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Public services include fire and police protection, schools, parks, and other public facilities. The Sonoma Department of Emergency Services' Fire Division provides fire protection in the project area. The Sonoma County Sheriff's Department provides police protection. Petaluma Joint Union High provides 7-12 grade education in the Petaluma area, and the Old Adobe Union School District provides K-12 education to the project area <sup>36</sup>.

The project would result in the continued use of the project site for agricultural purposes and would not generate substantial additional demand for government facilities or services.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. Utilities and Service Systems.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is not served by public water and wastewater services. Businesses and rural residences in the project area rely on private wells for domestic water supply and private septic systems for wastewater treatment. No additional wastewater generation would result as part of the project. The project would not involve connection to any water or wastewater treatment facilities, construction of stormwater drainage facilities, or generation of substantial solid waste.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>14. Aesthetics.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project area contains scenic resources characteristic of Sonoma County in general, including mountainous landscapes, agricultural and pastoral settings, and riparian areas. The existing agricultural use of the project site is consistent with the rural aesthetic quality of the project area.

The project does not significantly impact local aesthetics and would not result in substantial new sources of light or glare.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>15. Cultural Resources. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tom Origer & Associates conducted a cultural resources survey of the 175-acre existing and proposed POU in October 2003<sup>37</sup>. The study included archival research at the Northwest Information Center, Sonoma State University (NWIC File No. 03-183), examination of the library and files of Tom Origer & Associates, and field inspection of the project location.

Archival research at the Northwest Information Center and review of other available information found that portions of the study area had been subjected to a previous cultural resources study and that several studies had been conducted on adjoining or nearby parcels. In addition, Nels Nelson conducted a survey of the San Francisco Bay Area in 1906 and 1908 and documented hundreds of archaeological sites. Because his survey focused on marsh margins and lands surrounding the bay, it may have included portions of the current study area. However, the studies did not find any cultural resources or ethnographic sites mapped within the project area. The Sleepy Hollow Dairy, which is situated on the property adjacent to the project area, is a recognized Sonoma County Landmark.

The field inspection was conducted on October 14, 2003. Based on archival review, it had been anticipated that prehistoric and historic-period cultural resources could be identified. No prehistoric archeological sites were identified during the survey. An area of historic-period, domestic refuse was found in the existing vineyard, east of Lakeville Highway. Materials were distributed over an area measuring approximately 115 feet by 65 feet. A variety of bottle-glass fragments, ceramic shards, a ceramic doll's head and a few brick fragments were observed on the surface. A partial maker's mark found at this location suggests that some of the ceramic items were made between 1878 and 1890.

Although routine vineyard activities would not have an adverse impact on this area, the area could be impacted if substantial earth moving activities were undertaken in the future.

Though the area of historic-period domestic refuse will not be impacted through routine vineyard activities such as disking, mowing, and irrigation, if substantial earth moving activities, such as trenching, ripping, or vine removal are undertaken in the future, the area could be impacted. No future development activities are currently proposed. The following permit term, substantially as follows, shall be included in any water right license issued pursuant to Permit 20636:

*The area that contains the historic-period domestic refuse identified in the Tom Origer & Associates report dated October 2003 may continue to be cultivated with general vineyard maintenance activities. However, no ripping or grading shall be allowed in this area. If this area is ever replanted, the vines must be cut off with the root system remaining in the ground. Replanting of vines shall be between the old rootstock. If this is not possible then techniques for removal of vines in this area shall be restricted to using mechanical non-invasive techniques (i.e., pulling the vines with a chain attached to a backhoe rather than excavation of vines). A qualified archeologist shall monitor these activities. If additional resources are discovered, then the archeologist shall halt work in the area of the find and notify the Chief of the Division of Water Rights. A professional archeologist shall be retained by the Permittee to evaluate the find and recommend appropriate mitigation measures. Proposed mitigation measures shall be submitted to the Chief of the Division of Water Rights for approval. Project-related activities shall not resume within 100 feet of the find until all approved mitigation measures have been completed to the satisfaction of the Chief of the Division of Water Rights.*

There is also the possibility that subsurface archeological deposits could be present and accidental discovery could occur. The following permit term, substantially as follows, shall be included in any water right license issued pursuant to Permit 20636:

*Should any buried archeological materials be uncovered during project activities, such activities shall cease within 100 feet of the find. Prehistoric archeological indicators include: obsidian and chert flakes and chipped stone tools; bedrock outcrops and boulders with mortar cups; ground stone implements (grinding slabs, mortars and pestles) and locally darkened midden soils containing some of the previously listed items plus fragments of bone and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic and metal objects; milled and split lumber; and structure and feature remains such as building foundations, privy pits, wells and dumps; and old trails. The Chief of the Division of Water Rights shall be notified of the discovery and a professional archeologist shall be retained by the Permittee to evaluate the find and recommend appropriate mitigation measures. Proposed mitigation measures shall be submitted to the Chief of the Division of Water Rights for approval. Project-related activities shall not resume within 100 feet of the find until all approved mitigation measures have been completed to the satisfaction of the Chief of the Division of Water Rights.*

*If human remains are encountered, then the Applicant shall comply with Section 15064.5 (e) (1) of the CEQA Guidelines and the Public Resources Code Section 7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the county coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the Native American Heritage Commission to identify the most-likely descendants of the deceased Native Americans. Project-related ground disturbance, in the vicinity of the find, shall not resume until the process detailed under Section 15064.5 (e) has been completed and evidence of completion has been submitted to the Chief of the Division of Water Rights.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>16. Recreation.</b> Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sonoma County has various types of parklands, including Federal Recreation Areas and State Parks, regional parks, community parks and neighborhood parks. Recreational opportunities include fishing, camping, swimming, picnicking, horseback riding, bicycling, hiking, and walking.

The project area is characterized primarily by open space, agricultural, and rural residential land uses. Public recreational facilities are not located in the general vicinity of project area.

The project would not 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. The project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**17. Mandatory Findings of Significance**

- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

*Question A*

As discussed in the preceding sections, the project would not substantially degrade the quality of the environment. Permit terms were included to protect air quality under normal operating conditions, as well as special-status species, riparian habitats and cultural resources.

*Questions B and C*

The project does not have the potential to result in cumulative adverse environmental impacts or to result in adverse direct or indirect effects on human beings.

III. DETERMINATION

On the basis of this initial evaluation:

I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

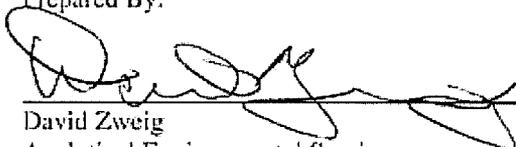
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A NEGATIVE DECLARATION will be prepared.

I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

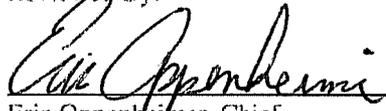
I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

Prepared By:

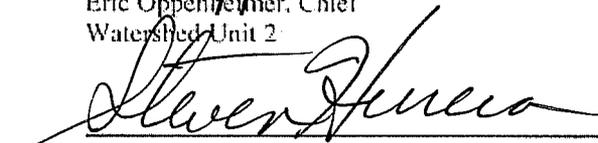
  
David Zweig  
Analytical Environmental Services

2-28-07  
Date

Reviewed By:

  
Eric Oppenheimer, Chief  
Watershed Unit 2

3-15-07  
Date

  
Steven Herrera, Chief  
Water Rights Permitting Section

3/15/2007  
Date

(Form updated 3/28/00)

Authority: Public Resources Code Sections 21083, 21084, 21084.1, and 21087.

Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.1 through 21083.3, 21083.6 through 21083.9, 21084.1, 21093, 21094, 21151; *Sandstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal. App. 3d 1337 (1990).

#### IV. INFORMATION SOURCES

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- <sup>1</sup> Sleepy Hollow Properties, *Water Right Application No. 29698. Application to Appropriate Water within the Sleepy Hollow Property*. Filed March 23, 1990. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.
- <sup>2</sup> *Identifying Proposed Place of Use for Application 29698*. CD prepared by Wagner & Bonsignore. Sacramento, California. 2003.
- <sup>3</sup> Notice of Petitions Requesting Changes, Corrections or Extensions of Time in Water Right Permits and Licenses. Dated September 21, 2001. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.
- <sup>4</sup> *Protest Filed Concerning Application 29698*. Letter prepared by James R. Bybee, Northern California Manager, National Marine Fisheries Service. Letter dated October 23, 2003.
- <sup>5</sup> *Sleepy Hollow Properties Permit 20636 (Application 29698) Petitions for Extension of Time and Change in Place of Use*. Letter prepared by Wagner & Bonsignore, Consulting Civil Engineers. Letter dated October 4, 2004. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.
- Phone conversation with Ryan Stolfus at Wagner & Bonsignore on October 22, 2004.
- <sup>6</sup> *Sleepy Hollow Properties Permit 20636 (Application 29698) Petitions for Extension of Time and Change in Place of Use*. Letter prepared by Wagner & Bonsignore, Consulting Civil Engineers. Letter dated October 4, 2004. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.
- <sup>7</sup> *Sonoma County Soil Survey*, Prepared by U.S. Department of Agriculture, Forest Service and Soil Conservation Service. August 1990.
- <sup>8</sup> *Sonoma County General Plan*, Figures PS-1h, PS-1i. Adopted 1989. Accessed on August 21, 2003 from <http://www.sonoma-county.org/prmd/gp2020/1998/index.html>.
- <sup>9</sup> *Sonoma County General Plan*. Adopted 1989. Accessed on August 21, 2003 from <http://www.sonoma-county.org/prmd/gp2020/1998/index.html>.
- <sup>10</sup> Ibid.
- <sup>11</sup> Ibid: Figure PS-1h.

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<sup>12</sup> *Biological Site Assessment, Sleepy Hollow Vineyard Project, Sonoma County, California*. Prepared by Analytical Environmental Services. July 2004. Revised October 2004. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.

<sup>13</sup> *Federal Endangered and Threatened Species that May Occur in or be Affected by Projects in the Sears Point and Petaluma River 7 ½ Minute U.S. Geological Survey Quadrangle*. U.S. Fish and Wildlife Service. Report Dated October 23, 2003.

*Special-Status Species in the 7 ½ Minute Quadrangle "Petaluma River, California" and Surrounding Quadrangles*. California Department of Fish and Game. Natural Diversity Data Base. Report Dated October 23, 2003. Information Dated September 29, 2003.

<sup>14</sup> Ibid.

<sup>15</sup> Sacramento Fish and Wildlife Service Office. Species Account for Baker's Stickyseed (*Blennosperma Bakeri*). Accessed from [http://www.fws.gov/sacramento/es/plant\\_spp\\_accts/bakers\\_stickyseed.htm](http://www.fws.gov/sacramento/es/plant_spp_accts/bakers_stickyseed.htm).

<sup>16</sup> *Animal Diversity Web, University of Michigan Museum of Zoology*. Accessed from [http://animaldiversity.ummz.umich.edu/site/accounts/information/Antrozous\\_pallidus.html](http://animaldiversity.ummz.umich.edu/site/accounts/information/Antrozous_pallidus.html).

<sup>17</sup> *Special-Status Species in the 7 ½ Minute Quadrangle "Petaluma River, California" and Surrounding Quadrangles*. California Department of Fish and Game. Natural Diversity Data Base. Report Dated October 23, 2003. Information Dated September 29, 2003.

<sup>18</sup> *Biological Site Assessment – Sleepy Hollow Sonoma County*. Email from Liam Davis, California Department of Fish and Game to Isabel Bare, State Water Resources Control Board. Email dated September 22, 2004. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.

<sup>19</sup> *Erosion and Sediment Control Plan. Vino Farms, Ranch 47*. Prepared by Atterbury & Associates. May 15, 2001.

<sup>20</sup> *Sonoma County General Plan*. Adopted 1989. Accessed on August 21, 2003 from <http://www.sonoma-county.org/prmd/gp2020/1998/index.html>.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

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- <sup>24</sup> Aerial photographs of the project area from 1999, 2002. Provided by Wagner & Bonsignore Consulting Civil Engineers, A Corporation.
- <sup>25</sup> *Ordinance Number 5216, Vineyard Erosion and Sediment Control*, Section 30-41. Sonoma County Agricultural Commissioner. February 8, 2000.
- <sup>26</sup> *Ordinance Number 5216, Vineyard Erosion and Sediment Control*. Sonoma County Agricultural Commissioner. February 8, 2000.
- <sup>27</sup> Ibid: Section 30-60.
- <sup>28</sup> Ibid.
- <sup>29</sup> Ibid.
- <sup>30</sup> *Vineyard Development Level I Notification*. Sonoma County Office of the Agricultural Commissioner. April 27, 2001.
- Certification of Inspection. Vineyard Erosion and Sediment Control Ordinance*. Sonoma County Agricultural Commissioner's Office. October 25, 2001.
- <sup>31</sup> *Erosion and Sediment Control Plan. Vino Farms, Ranch 47*. Prepared by Atterbury & Associates. May 15, 2001.
- <sup>32</sup> *Sonoma County General Plan*. Adopted 1989. Accessed on August 21, 2003 from <http://www.sonoma-county.org/prmd/gp2020/1998/index.html>.
- <sup>33</sup> Ibid: Figure RC-2h.
- <sup>34</sup> *The EDR Radius Map with GeoCheck*. Environmental Data Resources, Inc. September 3, 2003. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.
- <sup>35</sup> *Sonoma County General Plan*. Adopted 1989. Accessed on August 21, 2003 from <http://www.sonoma-county.org/prmd/gp2020/1998/index.html>.
- <sup>36</sup> *Schools of Sonoma County*. Sonoma County. Accessed on November 5, 2003 from <http://www.scoe.org/districtlocator.php?districtid=33>.
- <sup>37</sup> *Cultural Resources Survey for a Petition to Change - Water Right Permit 20636 (Ledbetter Farms, Inc. - Ranch 47)*. Prepared by Tom Origer & Associates. October 23, 2003. In *File for Permit 20636 (A029698)*, Division of Water Rights, State Water Resources Control Board.

