

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT
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INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Wenté Brothers

File No.: PLN050735

Project Location: 37995 Elm Ave, Greenfield, CA 93927

Name of Property Owner: Wenté Brothers

Name of Applicant: Aris Krimetz, Wenté Vineyards

Assessor's Parcel Number(s): 109-481-007-000 and 109-481-004-000

Acreage of Property: 510 acres

General Plan Designation: Farmlands

Zoning District: F/40 (Farmlands, 40 acre minimum)

Lead Agency: Resource management Agency- Planning Department

Prepared By: Jody Lyons, Project Planner

Date Prepared: February 6, 2007 (Revised by Bob Schubert on 6/15/07)

Contact Person: Jody Lyons

Phone Number: (831) 755-5120

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

Pursuant to testimony at the Zoning Administrator hearing on June 14, 2007, this document has been revised based upon additional information that was submitted by the applicant regarding the proposed project as well as a letter (attached) from the Monterey Bay Unified Air Quality Pollution Control District dated April 4, 2007. Deleted text has been delineated by strikeouts and new text is underlined. This revised document will be submitted to the City of Greenfield for review prior to the next Zoning Administrator hearing on June 28, 2007.

A. Project Description:

BACKGROUND

The applicant is requesting a Use Permit to convert an existing juice facility to a winery use, by remodeling existing structures. Constructed in the 1970's, this facility supported part of the extensive vineyard plantings during that period by exporting fresh wine grape juice out of county. The current and future domestic sewage, from the office and winery, will be treated in the separate septic system on site.

PRODUCTION QUANTITIES

Baseline Conditions: This facility has been processing not only Wente's white wine grape production, but for at least fifteen years has also provided custom services for outside customers as capacity allowed. The facility has already been operating at a capacity in excess of its own on-site grape production, as reflected by the activity through its on-site scale. In 2005, Wente had weigh tag records equaling 3,990 tons over the facility scale (Source: 12).

Proposed Project: The total future traffic as a result of operations will depend on the capacity of the facility, not necessarily the types of processes that are performed there, and the capacity of the facility is governed by the size of the wastewater facility. The system is being designed for a 4,000 to processing capacity. The conditions of approval would limit the capacity of the facility to 150,000 gallons/year.

PHYSICAL IMPROVEMENTS

The primary changes to the project would be the addition of two process wastewater treatment ponds totaling 2.74 million gallons in capacity and grading of 15,000 cubic yards. The majority of the grading is for the ponds. However, the remainder of the grading includes the serial settling tanks, pump station and the PVC force main connecting to the ponds. This project will also include a pipeline for effluent delivery to the ponds, a pump station and a tanker loading site (water spreading for dust control). No new buildings are proposed.

OPERATIONS

The winery process will include the following stages of wine production: receiving grapes, the crush, fermentation and storage of the product. No tasting room is proposed. At each of these stages the process waste water will be generated. The proposed process wastewater management

system consists of pretreatment, including initial screening, gravity collection system, settling tanks, pump station, flow measurement, rotary screening, pH adjustment with aqueous ammonia if needed, mechanically aerated ponds and disposal by irrigation to onsite vineyards.

The juice facility conversion to a winery will enclose portions of the existing buildings for barrel and equipment storage. Existing tanks will be used for storage and winemaking activities. ~~The proposed ultimate production will be 6,000 tons per year.~~ The use of the existing structures will be distributed as follows:

- Winery office building
- Building 1- barrel, supplies and equipment storage.
- Building 2- chemical, irrigation supply, and equipment storage.
- Wine storage and fermentation tanks.

The screened, settled, process waste will flow by gravity into the pump station. The process waste will then be pumped to the ponds. The ponds will utilize mechanical aerators to treat the process waste maintaining a facultative aerobic condition. The ponds are sized to allow for the average residence time of 128 days (93 days in pond #1 and 35 days in pond #2) for treatment, with capacity of allowance for 100 year rainfall event and a 2 foot freeboard. The treated effluent will be metered and filtered before being drip irrigated on the vineyard, for ultimate disposal. No tasting or events are proposed for the new winery.

B. Environmental Setting and Surrounding Land Uses:

SETTING

The project site is located within the Central Salinas Valley Planning Area west of Greenfield, near the Arroyo Seco River. The property is located at 37995 West Elm Avenue, Greenfield (Assessor's Parcel Numbers 109-481-004-000 [292 acres] and 109-481-007-000 [218 acres]).

The project winery and ponds are located in an agricultural setting. The area is zoned Farmlands (F/40). It is on a stream cut terrace on the southeast side of the Arroyo Seco River and west of Elm Ave/Arroyo Seco Road, Greenfield.

Surface levels are stepped. The winery is about ten feet above the process water ponds. The top of the freeboard of the ponds is 6 feet above the Clark Colony Canal. The canal portion nearest to the ponds is about 12 feet above the Arroyo Seco River. The project is on a rise between the Reliz Canyon Creek and the Arroyo Seco River.

The juice facility was built in a rural area zoned Farmlands (F/40) on a stream cut terrace on the southeast side of the Arroyo Seco River. The pond site is surrounded by vineyards. The ponds are approximately 1700 feet from the Arroyo Seco River.

SURROUNDING LAND USES

The project parcel is braced by the Arroyo Seco River on the west and north. Transriverine uses include vineyards and row crops. This parcel is adjacent to vineyards on the east and borders Elm Ave on the south. Land uses to the south are grazing and vineyards.

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

A. General Plan/Area Plan

The proposed project is located in the unincorporated portion of Monterey County west of Greenfield. The proposed project is subject to the requirements and regulations of the Central Salinas Valley Area Plan, Monterey County Zoning Ordinance (Title 21) which are supplemental to the Monterey county General Plan. This project was reviewed for consistency with these plans and found consistent.

B. Air Quality Management Plan

The proposed project is consistent with the Air Quality management Plan. Monterey Bay Unified Air Pollution Control District (MBAPCD) incorporates the County’s General Plan in its preparation of regional air quality plans. Section VI.3 of the Initial Study (Air Quality) below.

C. Water Quality Control Plan

The project is consistent with the General Plan and the Regional Water Quality Control Plan. The Regional Water Quality Control Board incorporates the General Plan in its preparation of regional water quality plans, thus the subject project is consistent with the regional water quality control plans. This is discussed in Section VI.8 (Hydrology and Water Quality) below.

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | | |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

1. Aesthetics. The proposed project has no new structures above ground to be visible from any public viewing area. The project site is not located within the public viewshed and will not be visible from major public use areas or scenic corridors. Thus, based on the planner’s site visit, the proposed structures will not be visibly intrusive as viewed from a public viewing area. (Source: 1, 8, 9, 10)

2. Agricultural Resources. The only change in acreage use is the 2.5 acres of currently fallow prime agricultural lands to agricultural support. While it will not be in production itself, the change in use will allow the adjacent farmlands to be productive at a higher level. This is because the finished wine is of greater value than the raw unprocessed wine grape juice. The ponds will also be used in support of the current agricultural use of the property, in that the treated waste water shall be recycled on to the land as dust control for the roads and irrigation water. (Sources 1,7)

3. Cultural Resources. An archaeological report was done for this project by Archaeological Consulting. It was titled “Preliminary Archaeological Reconnaissance for portions of parcels 109-481-007 and 109-481-004, Greenfield, Monterey County, California. Archaeological Consulting May 17, 2006.” Based on the background research and field observation the report concludes the project area does not contain surface evidence of potentially significant archaeological resources. (Source: 1, 2, 8, 9, 10)

4. Geology and Soils A Geotechnical Report was prepared for this project by Earth Systems Consultants of Northern California dated January 13, 2006. (Source: 1, 4, 5)
5. Hazards/Hazardous Materials. The project will not involve the use or transportation of any hazardous materials. The pond operation may require the use of a pH adjustment with aqueous ammonia. Aqueous ammonia is considered a hazardous material. Environmental Health Division has reviewed the proposed project and found it in compliance. (Source: 1)
6. Land Use/Planning. The project is a minor agricultural accessory installation. The proposed use and development will not disrupt, divide or otherwise have a negative impact upon the existing neighborhood or adjacent properties. The proposed project is consistent with the policies and ordinances of the South County Area Plan, the Monterey County General Plan and the Zoning Ordinance, subject to County review and appropriate conditions of approval. (Source: 1, 8, 9, 10) Wineries are an allowed use in the farmlands zoning. While the land proposed for developing the ponds is Prime Farmland, accessory structures are allowed in support of the primary use of the parcel. Monterey County Zoning code considers this an Agricultural Processing plant under section 21.06.020. The approximately 2.5 acres is a tiny portion of the 500+ acres comprising the two parcels of this project. (Source: 1, 8, 9). The project site is not under a Williamson act contract, but it is located in prime farmland. The project does not convert farmland to a non-agricultural use, since the processing of grapes grown in proximity to the facility is consistent with the zoning and an agricultural use of the property. (Source: 1, 8, 9). The project is limited to the conversion of the existing structures to winery uses and the ponds for the treatment of the process waste water. No changes proposed would change the character of the agricultural use of the land or neighboring lands to non-agricultural uses. (Source: 1, 8, 9)
7. Mineral Resources. Federal, state or local plans do not identify this site as significant for mineral resources nor will the project impact mineral resources. In addition, the applicant's geotechnical study did not identify any significant mineral resources on site. (Source: 1, 8, 9, 10)
8. Noise. Approval of this agricultural accessory installation, a use permit for the ponds and supporting pump and appurtenances in the Elm Av/Arroyo Seco area of South Monterey County will not expose persons to noise or generate noise levels in excess of those expected for an HC Heavy Commercial zone. Once constructed and operational, noise levels generated will likely most likely resemble rural residential noise levels. All winery activities will occur in the crush , storage and shop structures. (Source: 1, 8, 9)
9. Population/Housing. The agricultural accessory project is located within a Farmlands (F) district and will serve the Wentz Brothers Winery. These are private interests of the land owner and are not seen as growth inducing. (Source: 1, 8, 9)
10. Public Services. The Monterey County Water Resources Agency, the Greenfield Fire Department, Monterey County Public Works Department, Environmental Health Department and Parks and Recreation Departments reviewed the project. While the applicant's proposal will bring new jobs to the west side of Greenfield area, no public services agency indicated additional demands upon their services. No significant adverse impacts to public services were identified by these departments in their review of the proposal. (Source: 1, 6, 7, 8, 9)

11. Recreation. The project will not create additional demands for park and recreation facilities, nor is the project forecast to 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. (Source: 1, 8, 9)

12. Utilities/Service Systems. The proposed project is served by wells for domestic and process water needs. The sewage is treated by septic tanks on site for the domestic black water produced. The ponds will serve the pretreated process water for the existing juice plant and the proposed winery. (Source: 1, 4, 5, 7, 8, 9)

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have 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 proposed 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 proposed project, nothing further is required.

Signature

Date

Printed Name

Title

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV.

2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

2. AGRICULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<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"/>

Discussion/Conclusion/Mitigation:

See Section IV.

3. 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:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a) No impacts – the change of use from juice plant to winery and the creation of the process waste water ponds will not conflict nor obstruct the MBUAPCD Air Quality Plan adopted May 2001. (Source: 1, 8, 9)
- b) ~~Less Than Significant.~~ Less than significant with mitigation incorporated - The mechanical aeration of the ponds will aspirate particulate and droplet material into the air. Additionally the winery will extend the activity period of the increased worker trips on site unpaved roads raising particulates. The site location will receive all of this material from the air as the source is within the 500 plus acres of vineyard. This will allow settling of the materials on site. According to the Monterey County General Plan, projected air quality for the North Central Coast Air Basin indicates that state regulations will continue to be exceeded in the future. Stationary sources are projected to remain the primary source of air pollution. Transportation sources are forecast to be reduced by one-half in the future. The project proposal will not have a significant adverse impact on air quality. No measurable air quality impact will result from the construction or operating of the project, and standard Air District measures addressing dust control are required. (Source: 1, 8, 9.)

The following mitigation measure recommended by the Monterey Bay Unified Air Pollution Control District (see letter dated April 4, 2007, attached) will reduce this impact to a level of less than significant:

MM1 – When the wine production exceeds 150,000 gallons/year at this facility, the owner/applicant is required to get a permit from the Monterey Bay Unified Air Pollution Control District.

- c) Less Than Significant. While the air quality standard for ozone maybe exceeded occasionally because of the Salinas Valley’s proximity to the San Francisco Bay Area and the San Joaquin Valley. This project will not contribute substantially to an existing or projected air quality violation. (Source: 1, 8, 9)
- d) Less than significant. Construction activities associated with the project may temporarily affect air quality in that the vehicles used to transport materials to and from the site will be present during the construction phase. Best management practices will be utilized. However, these construction affects will be temporary and minimal in nature. (Source: 1, 8, 9)
- e) Through f) no impact. Due to the remoteness of the project site and the low population density near the site, the project is not expected to expose sensitive receptor to substantial pollutant concentrations, nor create objectionable odors affecting a substantial number of people. (Source: 1, 8, 9)

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, 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"/>

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a, b, d) Less Than Significant Impact - This area has been identified as possible habitat of the San Joaquin kit fox, an endangered species. A biological report was done for this project titled "Botanical/biological report for Wente Vineyards Arroyo Seco Facility, Greenfield, CA." by Jud Vandervere, consulting Biologist, dated May 3, 2006. Neither rare or endangered species, nor sensitive habitats were seen in the review and preparation of this report. The project will have no impacts on the habitat for this endangered species. (Source: 1, 3, 8, 9, 10)

c) No impact – There are no federally protected wetlands on the site.

e f) No impact – No tree removals are proposed. The plan does not conflict with any conservation plans.

See section IV.

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

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See section IV.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative 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"/>

Discussion/Conclusion/Mitigation:

See Section IV.

7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<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 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"/>

Discussion/Conclusion/Mitigation:

Item: a) No Impacts. The project will allow the fermentation of the juice to wine and will not create a hazard to the public or environment through the routine transport, use, or disposal of hazardous materials. Since the transpiration hazard for both juice and wine are the same there will be no impact to address. (Source 1, 6, 8, and 9)

Item b) Hazards/Hazardous Materials. The project will involve the use or transportation of a hazardous materials. The pond operation may require the use of a pH adjustment with aqueous ammonia. Aqueous ammonia is considered a hazardous material. Environmental Health Division has reviewed the proposed project and found it in compliance as conditioned. (Source: 1)

Items: c) thru h) No Impacts. The winery and the process waste water ponds as designed and conditioned do not have the potential to cause impacts in these areas. The project site is not within one quarter mile of a school. It is not on the Government code section 65962.5 list. It is not located within two miles of a public or private airport. It will not affect emergency response access or evacuation plans. Nor will it affect potential wild fires or residences. (Source 1, 6, 8, and 9)

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge 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 or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

8 a) A potential for ground water degradation might exist, because the process water treatment ponds may allow infiltration. However, the Regional Water Quality Control Board sets standards which require ponds to be lined to protect ground water quality. This project will be lined per those standards.

Surface levels are stepped. The winery is about ten feet above the process water ponds. The top of the freeboard of the ponds is 6 feet above the Clark Colony Canal. The canal portion nearest to the ponds is about 12 feet above the Arroyo Seco River. The project is on a rise between the Reliz Canyon Creek and the Arroyo Seco River. Thus the direct surface flow into the Arroyo Seco River is highly unlikely. Since the ultimate disposal of the process waste water is distribution on site as dust control and irrigation, there will be no opportunity for the project to become a point source of groundwater pollution.

9. LAND USE AND PLANNING

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Discussion/Conclusion/Mitigation:

See section IV.

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

Discussion/Conclusion/Mitigation:

See section IV.

11. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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 public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See section IV.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, 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"/>

Discussion/Conclusion/Mitigation:

See section IV.

13. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the 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"/>

Discussion/Conclusion/Mitigation:

See section IV.

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

Discussion/Conclusion/Mitigation:

See section IV.

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a, b) Less than significant - In the past, the facility has been operating at a capacity in excess of its own on-site grape production, as reflected by the activity through its on-site scale. In 2005, Wente had weigh tag records equaling 3,990 tons over the facility scale (Source: 12). The total future traffic as a result of operations will depend on the capacity of the facility, not necessarily the types of processes that are performed there, and the capacity of the facility is governed by the size of the wastewater facility. The system is being designed for a 4,000 to processing capacity. There are approximately 20 to 25 tons of grapes per truck which translates to about 160 to 200 total truckloads for a 4,000 to processing facility (Source: 12). There would be one additional full-time position with the conversion to a winery which would increase the staffing from 14 to 15 full time employees. The following mitigation measure will reduce the traffic impact of the proposed project to a level of less-than-significant:

MM2. The capacity of the facility shall be limited to 150,000 gallons/year (approximately 1,000 tons/year).

- c) No impact - The project will not have an impact on air traffic patterns as there are no airports in the vicinity.
- d) No impact – The project will not increase any hazards due to a design feature.
- e) No impact – The project will not affect emergency access.
- f) Less than significant – There is adequate on-site parking to accommodate one additional full time employee.
- g) No impact – The project will not affect alternative transportation.

See section IV.

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See section IV.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

VII. a) The storage of aqueous ammonia is a potential impact on the fish and fish habitat. However, the storage containment and application is regulated and inspected by Monterey County Environmental Health. The project as conditioned will not cause an environmental impact which will cause fish death nor degradation of fish habitat. (Source: 1)

b) No impacts. Since the project as designed and conditioned will not have a foreseeable cumulative impact the environment. There is no indication that the current use of agriculture (vineyard and winery) will change. The parcel is large and the small area for the ponds will not have an impact on the surrounding lands. The surrounding, near and adjacent, uses are agricultural and there is no indication of a change in those uses. Hence there is no indication that there a "potentially considerable significant impact." (Source: 1)

c) No impacts. Since the project as designed and conditioned, located as it is in the middle of large acreage of vineyard, has a very limited exposure to human beings. Even so, those individuals who may be exposed to the project will not have environmental effects, directly or indirectly adverse to them. The material proposed for use (aqueous ammonia) is in limited quantities and of a nature (fertilizer) that the greatest potential impact would be to the ponds and surrounding plants, both of which would be fertilized. (Source: 1)

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

For purposes of implementing Section 753.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a **Fish and Game Document Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

De Minimis Fee Exemption: For purposes of implementing Section 753.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, that there **will not** be changes to the above named resources VIII A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inceptions Department Procedures for filing a de minimis exemption.

Conclusion: The project will not be required to pay the fee.

Evidence: Reviewing the state criteria, the resources are not going to be impacted by this project.

- A) No Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction will be affected by this project. The project is removed from the riparian corridor. (Source: 3)
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife will not be impacted since the project ponds are sited on fallowed agricultural land. No indications were found when the project site was surveyed by Jud Vandervere, Consulting Biologist, in a report dated May 3, 2006. (Source: 3)

- C) No rare and unique plant life and ecological communities dependent on plant life were found when the project site was surveyed by Jud Vandervere, Consulting Biologist, in a report dated May 3, 2006. (Source: 3)
- D) No listed, threatened or endangered plant or animals and nor the habitat in which they are believed to reside were found when the project site was surveyed by Jud Vandervere, Consulting Biologist, in a report dated May 3, 2006. (Source: 3).
- E) No species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder were identified by the biologist report. No indications were found when the project site was surveyed by Jud Vandervere, Consulting Biologist, in a report dated May 3, 2006. (Source: 3)
- F) No marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside are located in the vicinity of the project site. No indications were found when the project site was surveyed by Jud Vandervere, Consulting Biologist, in a report dated May 3, 2006. (Source: 3).
- G) No air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water. No indications were found when the project site was surveyed by Jud Vandervere, Consulting Biologist, in a report dated May 3, 2006. (Source: 3)

IX. REFERENCES

1. Project Application/Plans for the Wenté Brothers Waste Water Ponds, Use Permit and Development plan proposal
2. Preliminary Archaeological Reconnaissance for portions of parcels 109-481-007 and 109-481-004, Greenfield, Monterey County, California. Archaeological Consulting May 17, 2006.
3. Botanical/biological report for Wenté vineyards Arroyo Seco Facility, Greenfield, CA. Jud Vandervere, consulting Biologist, May 3, 2006.
4. Geotechnical Report for the proposed Waste Water Ponds of Wenté vineyards, 37995 W Elm Ave, Greenfield, CA. Earth systems Consultants Northern CA January 13, 2006.
5. Geotechnical evaluation of the Wenté Vineyards 37995 W Elm Ave Greenfield,CA. Earth Systems Consultants Northern California July 27, 1998
6. Traffic/Circulation Matrix for Wenté Vineyards 37995 W Elm Ave Greenfield, CA. Summit Engineering, Inc, August 23m 2006.
7. Waste Water Feasibility Study for Wenté Brothers Juice facility Greenfield, Monterey County, CA, Summit Engineering, Inc. January 18, 2006
8. Monterey County General Plan
9. Central Salinas Valley Land Use Plan

10. Monterey County Zoning Ordinance 21
11. Central Salinas Valley Inventory and Analysis (GIS).
12. Letter from applicant dated November 29, 2006 (attached)
13. Letter from Monterey Bay Unified Air Pollution Control District dated April 4, 2004 (attached)