

INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Latitude 37 Partners, LLC

PROJECT TITLE/FILE NUMBER(S): PA-2100039

PROJECT DESCRIPTION: This is a Use Permit application to convert a small winery to a large winery with added events, to expand a produce stand into a large agricultural store, and to add food manufacturing, in 2 phases over 5 years. The small winery, which was originally approved with Site Approval No. PA-1900083, is currently under construction. (Use Type: Wineries and Wine Cellars - Winery, Large; Agricultural Processing – Preparation Services and Food Manufacturing; Produce Sales - Agricultural Store, Large)

PHASE 1 includes:

- Increasing annual winery production capacity to a minimum of 100,000 gallons; and,
- Converting an existing 1,687 square foot agricultural building to a large agricultural store and preparation / food manufacturing facility.

PHASE 2 includes:

- Converting the 1,687 square foot agricultural product store from Phase 1 to a wine tasting room; and
- Constructing a 3,280 square foot agricultural products store to include preparation and food manufacturing.

The project proposes daily winery and agricultural store operations for 13 hours per day (6:30 a.m. – 7:30 p.m.). Agricultural processing and food manufacturing operations are proposed for 5 days weekly for 14 hours per day (5:30 a.m. – 7:30 p.m.). Winery events for which the winery is currently approved are: 12 annual Small-scale Accessory Winery Events with a maximum of 80 attendees and 4 annual Wine Release events with a maximum of 150 attendees. This application proposes to increase the maximum number of attendees at Wine Release events to 300, to add 12 annual Large-scale Accessory Winery events with a maximum of 116 attendees, and to add 20 annual Marketing Events with a maximum of 300 attendees. Proposed hours for all events are 10:00 a.m. to 10:00 p.m. with the exception of Accessory Winery Events hours which are 5:00 p.m. to 9:00 p.m. The application also proposes having outdoor, amplified sound and/or music at Marketing Events and Large-scale Accessory Winery Events. Outdoor amplified music must end by 9:00 p.m. All events with 150 or more attendees will utilize portable toilets.

The project site is accessed from State Route 120 Highway and services are provided by an existing on-site well and septic system that will remain in use. An existing storm drain basin and rainwater collection tank will be utilized for storm water.

The project site is located on the north side of State Route 120, 797 feet west of Van Allen Road, east of Escalon.

ASSESSORS PARCEL NO(S): 205-080-04

ACRES: 44.62 acres

GENERAL PLAN: A/G

ZONING: AG-40

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):

A single family residence, winery structures totaling approximately 11,754 square feet, and a 3,280 square foot agricultural store with processing / food manufacturing.

SURROUNDING LAND USES:

NORTH: Agricultural with scattered residences

SOUTH: Agricultural with scattered residences; State Route 120 Highway

EAST: Agricultural with scattered residences

WEST: Agricultural with scattered residences

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REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes No

Nature of concern(s): Enter concern(s).

2. Will the project require approval or permits by agencies other than the County?

Yes No

Agency name(s): California Alcohol and Beverage Control; CVRWQCB; APCD

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes No

City: Enter city name(s).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a **"Potentially Significant Impact"** as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency) 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.

Alicia Goulart
Signature

2-23-2022
Date

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 a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, 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 "Earlier Analyses," as described in (5) below, 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) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) 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.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, 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"/> | <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"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a) San Joaquin County is set within the greater San Joaquin Valley, with the delta and large expanses of generally flat, agricultural lands and urban development framed by the foothills of the Diablo Range to the west and the foothills of the Sierra Nevada to the east. According to the County's General Plan, scenic resources within the County include waterways, hilltops, and oak groves (San Joaquin County 2035).

The proposed project is a winery expansion and 3,280 square foot, large agricultural store. The project site is located on State Route 120, a heavily traveled highway in a generally flat, agricultural area with scattered residences. There are no noted scenic resources in this area. The project site is currently being developed with a small winery, the expansion of which to a large winery is being proposed with this application. There is also a single family residence with accessory structures, an agricultural building for private use, and a produce stand. The expansion of the winery and the addition of a large agricultural store would not obstruct views of scenic resources within the vicinity of the project site. Therefore, the project would have a less-than-significant impact associated with scenic vistas.

- b) There are two officially designated state scenic highways in San Joaquin County: I-580 and I-5 (San Joaquin County 2035). Both interstates are located more than 7 miles to the west of the project site. Due to distance, the project site is not visible from I-580 or I-5.

In addition, the County has designated 26 roadways within the County as local scenic routes (San Joaquin County 2035). The nearest locally designated scenic route is River Road, from Ripon Road east to Santa Fe Road. The project site is located approximately 3 miles north of River Road, which, due to distance, does not have a view of the project site. Therefore, the project would have a less-than-significant impact associated with scenic resources within a state- or locally-designated scenic highway.

- c) The project site is located in a generally flat, agricultural area with scattered residences. The project includes the addition of a 3,280 square foot building. The further development of the site will visually degrade the character as the improvements will enhance the character of the site. Therefore, the project would have a less-than-significant impact associated with the existing visual quality or character of the site or its surroundings.
- d) The existing lighting and glare conditions in the project area are typical of a rural agricultural area. New lighting for the project would include outdoor building lighting and parking lot lighting. Parking lot lighting standards stipulate that all lighting be designed to confine direct rays to the premises, with no spillover beyond the property line except onto public

thoroughfares, provided that such light does not cause a hazard to motorists (Development Title Section 9-1015.5). Therefore, the project is expected to have a less than significant impact from new sources of light or glare on day or nighttime views in the area.

	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
Potentially Significant Impact				

II. AGRICULTURE AND FORESTRY 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a) The project parcel is designated as Prime Farmland on maps provided by the California Department of Conservation's Farmland Mapping and Monitoring Program. Pursuant to the General Plan, general agriculture includes agricultural production as well as associated processing, sales, and support uses (San Joaquin County 2035). The project is a winery expansion and a large agricultural store, both involving the processing of an agricultural product, which is an agricultural use. Therefore, the project would not result in a significant impact with respect to conversion of farmland to a nonagricultural use.
- b) The project site is zoned AG-40 (General Agriculture, 40 acre minimum). A winery is an agricultural use that may be conditionally permitted in the AG-40 zone with an approved Use Permit application, therefore, the project will not conflict with existing zoning. The project parcel is not currently under a Williamson Act contract. However, pursuant to Development Title Section 9-1805, a winery is a compatible use with land under a Williamson Act contract, thus allowing

the property to be put under contract if desired by the property owner. Therefore, the project will not conflict with existing zoning or a Williamson Act contract.

- c-d) There are no forest resources or zoning for forestlands or timberland, as defined by Public Resources Code and Government Code, located on or near the project site, therefore, the project will have no impact on corresponding zoning or conversion of such land.
- e) The proposed project, a winery expansion and a 3,280 square foot, large agricultural store, does not conflict with any existing uses as the zoning and General Plan designation will remain the same. Furthermore, it has been determined that a winery and a large agricultural store are conditionally permitted uses in the AG-40 (General Agriculture, 40 acre minimum) zone with an approved Use Permit. Therefore, the project would have no impact on converting farmland to a nonagricultural use.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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III. 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"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-d) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. The project site is located within the San Joaquin Valley Air Basin which lies within the jurisdiction of the San Joaquin Valley Air Pollution Control District (APCD). APCD is the local agency established by the State to regulate air quality sources and minimize air pollution.

The project was referred to APCD for review on May 13, 2021. The District responded in a letter dated June 11, 2022 recommending that the project be evaluated for potential health impacts from operational and construction emissions. A screening analysis was performed utilizing the APCD's prioritization tool. The resulting score from the analysis was below the threshold of 10 and it was determined by the APCD that no further assessment was needed. Based on the information provided by the applicant, APCD determined the project is subject to Rule 2201 (New and Modified Stationary Source Review) which will require submission to the District an application for an Authority to Construct (ATC) permit prior to construction.

Compliance with the regulations of the APCD will ensure that any impacts from the proposed project on air quality will be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IV. BIOLOGICAL RESOURCES.

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 checked="" type="checkbox"/>	<input 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 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"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a) The California Department of Fish and Wildlife Natural Diversity Database does not list any rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

The project was referred to SJCOG for review on May 13, 2021. SJCOG responded in a letter dated May 14, 2021, that the project is subject to the SJMSCP. The applicant has confirmed that he will participate in SJMSCP. With the applicant's participation, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

- b) There are no riparian habitat or other sensitive natural community identified on the property or in the area. Therefore, the project's impact on riparian habitat is expected to be less than significant.
- c) The County geographic information system (GIS) data indicate there are no natural wetlands on the property. Therefore, any impact from the project on wetlands is expected to be less than significant.
- d) There are no waterways through the property which would be impacted by the proposed project nor does the heavily agricultural area provide corridors for native wildlife, therefore, any impact on habitat or migratory corridors is expected to be less than significant.
- e) The project does not require the removal of trees, therefore, the project's impact on local policies or ordinances protecting biological resources is expected to be less than significant.
- f) This application, for a winery expansion and a 3,280 square foot, large agricultural store, will be conditioned to participate in the SJ Multi-Species Habitat Conservation and open Space Plan. The applicant has confirmed his intention to participate in the SJMSCP, therefore, the project's impact on an approved habitat conservation plan is expected to be reduced to less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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V. CULTURAL RESOURCES.

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input type="checkbox"/> | <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 pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store on a parcel already developed with a small winery. If the project is approved and any resources not previously uncovered during any prior disturbance are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site. In this way, any adverse change to a historical or archaeological resource is expected to be less than significant.
- c) In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). In this way, any disturbance to human remains will be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VI. ENERGY.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

VII. GEOLOGY AND SOILS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
a) Directly or indirectly cause 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"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<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"/>	<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"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) 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"/>	<input type="checkbox"/>

Impact Discussion:

- a) According to the California Department of Conservation's California Geological Survey, the project site is not located within an earthquake fault zone. However, similar to other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, although the site would not be affected by ground shaking more than any other area in the region.

The Project would be required to comply with the most recent version of the California Building Code (CBC), which contains universal standards related to seismic load requirements and is codified within the San Joaquin County Ordinance Code under Section 8-1000. In addition, a soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report will be incorporated into the construction drawings. As a result, impacts associated with seismic ground shaking or possible ground liquefaction are expected to be less than significant.

The project site is located in an area that is relatively flat and does not contain any slopes that could result in landslides. Therefore, impacts associated with landslides are expected to be less than significant.

- b) The project's construction activities would disturb surface soils, therefore, in order to control erosion, the project would be required to comply with state regulations, including the provisions of the California Water Boards Storm Water Program's Construction General Permit (CGP). The CGP requires implementation of temporary and post-construction best management practices and measures to prevent erosion and reduce sediment and pollutants in discharges from the construction site. Once developed, the project site will include buildings, paved surfaces, and other on-site improvements that would stabilize and help retain on-site soils. Remaining pervious disturbed surfaces would consist primarily of landscaping. Therefore, construction impacts and operational impacts associated with soil erosion would be less than significant.
- c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) Expansive soils are characterized by their potential shrink/swell behavior. The Soil Survey of San Joaquin County classifies the project site soil as non-expansive. As a result, the effects of expansive soil on the project buildings are expected to be less than significant.
- e) The Project would include an on-site septic tank and associated leach fields to treat wastewater. Septic tanks installed in the County are subject to San Joaquin County Ordinance Code Section 9-1105 which requires issuance of a Sanitation Permit by the San Joaquin County Environmental Health Division for the construction of a private septic system and sets forth requirements for the siting and construction of private septic systems. Prior to issuance of a Sanitation Permit, the San Joaquin County Environmental Health Department will review the proposed septic system to ensure on-site soils would be capable of supporting such a system. Compliance with this process will ensure that adverse impacts associated with on-site soils and septic systems do not occur. Therefore, impacts associated with the soils' ability to support septic systems are expected to be less than significant.
- f) If the project is approved and any paleontological resources not previously uncovered during any prior disturbance are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site. In this way, any adverse change to a paleontological resource is expected to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

a-b) Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO_{2e}/yr).

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

¹ San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<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 result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-c) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. Pursuant to the Hazardous Materials Disclosure Survey submitted with the application, the winery would not handle or store hazardous materials on site. If any hazardous materials should be handled or stored onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) and must comply with all applicable federal, state, and local regulations pertaining to the storage of hazardous materials. In this way, impacts related to the use, transport, or disposal of hazardous materials are expected to be less than significant.
- d) The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will not result in creating a significant hazard to the public or the environment.
- e) The project site is not located within an Airport Influence Area. The nearest airport runway is that of the Stockton Metropolitan Airport, which is located approximately 9 miles northwest of the project site. Therefore, the project's risk of

exposing people residing or working in the project area to safety hazards or excessive noise from an airport is expected to be less than significant.

- f) The project site is located on State Route 120, approximately 2.5 miles west of the city of Escalon in San Joaquin County. Pursuant to the County's emergency evacuation maps for the Escalon and Manteca areas, State Route 120 is an evacuation routes for the area in the event of an emergency. (San Joaquin County Office of Emergency Services) The project does not include any features that will impede the mobility of traffic on State Route 120 and moreover, the project would not affect the County's ability to implement its Emergency Operations Plan in the event of an emergency. Therefore, impacts associated with emergency response or evacuation plans are expected to be less than significant.
- g) The project location is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>X. HYDROLOGY AND WATER QUALITY.</u>					
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. The construction phase of the project, which would include earthwork activities and possible storm water runoff, would require a Construction General Permit for Storm Water Discharges from the State Water Resources Control Board (SWRCB). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which requires implementation of best management practices to ensure water quality standards are met and that storm water runoff from the construction work does not degrade water quality.

Additionally, the project will be subject to the Central Valley Regional Water Quality Control Board's (CVRWQCB) rules and regulations to mitigate for any impacts to surface and ground water. The winery would be required to submit a Report of Waste Discharge (RWD) in order to discharge winery wastewater and residual solids to the land as irrigation for agriculture. Therefore, compliance with the rules and regulations of CVRWQCB and SWRCB will ensure any impacts to surface or ground water quality associated with water and waste discharge are expected to be less than significant.

- b) The proposed project, a winery expansion and a 3,280 square foot, large agricultural store, will have a large enough population to be considered a Transient Non-community Small Public Water System by the State of California. The applicant will have to participate in the Preliminary Technical Report process with the California State Water Resources Control Board Division of Drinking. If the Water Board determines that an onsite well can be used as the potable water source, a permit application to operate a Small Public Water System must be submitted to the San Joaquin County Environmental Health Department (EHD) for approval prior to construction of a private, on site well under permit from the EHD.

Although the project will result in an increase in impervious surface area on the project site, the planned use of 100% pervious pavers for driveways, parking areas, and pathways will allow more impervious surface area to remain despite the construction project. Much of the site remains pervious to allow continued filtration of water into the ground. Additionally, the project will reuse wine-making waste water for agricultural irrigation to partially offset water usage. Written approval from the Central Valley Regional Water Quality Control Board is required in order to discharge winery wastewater to land. The written approval must be presented to the San Joaquin County Environmental Health Department prior to issuance of building permits and/or final occupancy approval. Therefore, the project's impact on the depletion of sustainable groundwater is expected to be less than significant.

- c) The construction of the proposed project would result in grading and soil-disturbing activities and the installation of new impervious surfaces. Some modification of the existing on-site drainage pattern would occur to accommodate the structures and related infrastructure. However, most of the site would be preserved in agriculture and existing drainage patterns would be largely retained. A grading permit will be required which requires plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan must show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the California Building Code (CBC). The plans must also show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the CBC. In this way, any impacts to the existing drainage pattern of the site will be less than significant.
- d) The project site is not located in a flood, tsunami or seiche zone. Therefore, the risk of release of pollutants due to inundation of the project site is less than significant.
- e) The applicant will be required to comply with the San Joaquin County 2021 Storm Water Quality Control Criteria Plan (SWQCCP) to protect surface and groundwater on site and to insure that the project doesn't conflict or obstruct a water quality control plan or sustainable groundwater management plan.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XI. LAND USE AND PLANNING.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a) This proposed project is a winery expansion and a 3,280 square foot, large agricultural store. The project does not include construction of any feature that would impair mobility within an existing community nor does it include removal of a means of access between a community and outlying area. Currently, the project site is not used as a connection between established communities. Instead, connectivity with the area surrounding the project is facilitated via local roadways. Therefore, the project will not result in dividing an established community.
- b) The project site is located within unincorporated San Joaquin County and is subject to the County's General Plan and Development Title. The County's General Plan Land Use map designates the Project site as General Agriculture (A/G). The zoning map identifies the site as General Agriculture with a 40 acre minimum size (AG-40) which is an implementing zone for the A/G land use designation.

According to the County's General Plan, the A/G designation is meant to provide for large-scale agricultural production and associated processing, sales, and support uses. Typical building types include low-intensity structures associated with farming and agricultural processing and sales. Similarly, the AG-40 zone is intended to preserve agricultural lands for the continuation of commercial agricultural enterprises. According to Development Title Section 9-605.2, a winery and/or a large agricultural store would be permitted uses within the AG-40 zone with an approved Use Permit application. Therefore, the project is consistent with the County General Plan and Development Title and impacts associated with applicable land use plans, policies, and regulations are expected to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XII. MINERAL RESOURCES.

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"/> | <input 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"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) Pursuant to the San Joaquin County General Plan Background Report, Chapter 10-Mineral Resources, the primary extractive resource in San Joaquin County is sand and gravel, with the principal areas of sand and gravel extraction located in the southwestern part of the county and along the Mokelumne, Calaveras, and Stanislaus rivers in the eastern portion of the county. The project site is located outside of the mapped area designated as an area containing mineral deposits. Therefore, the project will not result in the loss of mineral resources or mineral resource recovery sites within the region.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIII. NOISE.

Would the project result in:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) For a project within the vicinity of a private airstrip or 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"/> | <input type="checkbox"/> |

Impact Discussion:

- a) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. The project site is located on State Route 120, west of Escalon and is currently being developed with a small winery, the expansion of which to a large winery is being proposed with this application. There is also a single family residence with accessory structures, an agricultural building for private use, and a produce stand. The parcels surrounding the project parcel are small agricultural operations with residences. The nearest residences that are not on the project site are located approximately 260 feet south of the project site and 475 feet west of the project site.

The project proposes daily winery and agricultural store operations for 13 hours per day (6:30 a.m. – 7:30 p.m.). Agricultural processing and food manufacturing operations are proposed for 5 days weekly for 14 hours per day (5:30 a.m. – 7:30 p.m.). Winery events for which the winery is currently approved are: 12 annual Small-scale Accessory Winery Events with a maximum of 80 attendees and 4 annual Wine Release events with a maximum of 150 attendees. This application proposes to increase the maximum number of attendees at Wine Release events to 300, to add 12 annual Large-scale Accessory Winery events with a maximum of 116 attendees, and to add 20 annual Marketing Events with a maximum of 300 attendees. Proposed hours for all events are 10:00 a.m. to 10:00 p.m. with the exception of Accessory Winery Events hours which are 5:00 p.m. to 9:00 p.m. The application also proposes having outdoor, amplified sound and/or music at Marketing Events and Large-scale Accessory Winery Events. Outdoor amplified music must end by 9:00 p.m.

Proposed projects that would create new stationary noise sources are required to mitigate the noise levels so as not to exceed the noise level standards specified in Development Title Section 9-1025.9(b), Part II. An Environmental Noise Assessment was performed by WJV Acoustics and a report dated September 18, 2021 was submitted. Pursuant to the assessment, the existing ambient noise in the vicinity of the project site already exceeds the County's noise level standards with the dominant source of noise being vehicle traffic on State Route 120. The assessment concluded that the project would not result in an increase in ambient noise levels in the vicinity. These conclusions were based on placement of a speaker system within the designated Outdoor Event Area and with speakers facing north. Therefore, the project's impact on the increase in ambient noise levels in the vicinity of the project are expected to be less than significant.

- b) The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels therefore, the project will not have any impact on vibrations or other noise levels.
- c) The project site is not located within the vicinity of a private airstrip or an airport land use plan, therefore, the project's impact resulting from airport noise levels to people residing or working in the project area is expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIV. POPULATION AND HOUSING.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial unplanned 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"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The project site is located in unincorporated San Joaquin County, west of the City of Escalon. The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. The project will not induce substantial population growth in the area either directly or indirectly because the project is not anticipated to result in a substantial increase in the number of jobs available. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because the residence on the project site will remain and the zoning will remain the same if the project is approved. Therefore, the project would have no impact on population and housing.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XV. PUBLIC SERVICES.

a) 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:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a) The project site is located in unincorporated San Joaquin County west of the City of Escalon and is serviced by the Escalon Fire District, the San Joaquin County Sheriff, and the Escalon Unified School District. According to its website, the Escalon Fire District operates 2 fire stations with a staff of 6 paid and 20 volunteer firefighters. The Escalon Fire District's service boundary covers approximately 58 square miles. Police protection services are provided to the project site by the San Joaquin County Sheriff's Office. The Sheriff's Office website states that the office employs over 800 sworn and support personnel. The project site is located within the Escalon Unified School District which, according to the District's 2021 Annual Report, serves approximately 2,916 students in kindergarten through twelfth grade over 8 campuses with a staff of 318. There are no public recreation facilities near the project site.

The public service agencies listed above were provided with the project proposal and invited to respond with any project concerns or conditions. No responses were received from these public service agencies, indicating there were no concerns about significant impacts resulting from the project. Therefore, the project is not expected to have a significant impact on, or will not significantly affect, the ability of these service providers to maintain current levels of service.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVI. RECREATION.

a) Would the project 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"/>	<input type="checkbox"/>
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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"/>	<input type="checkbox"/>
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Impact Discussion:

a-b) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. The project would not result in an increase in demand for neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will not generate any new residential units and the project, an expansion of an existing winery, is not expected to result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVII. TRANSPORTATION.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store, located on State Route 120 west of the City of Escalon. Regional access to the site is provided by State Route 120, a west-east highway beginning at Interstate 5 in Lathrop to the west. Van Allen Road and Carrolton Road are local roads running north-south that provide access to State Route 120 near the project site.

The first winery application for the project site was conditionally approved in 2019. At that time, the California Department of Transportation (Caltrans) required that the applicant make improvements to State Route 120 which included installing a two-way left turn lane along the frontage of the project parcel. This improvement required widening of the roadway and the approximately 350-foot long left turn lane now provides storage for up to 14 vehicles waiting to turn left into the site. The lane also accommodates the turning requirements of trucks turning into and out of the site. A referral of the current application for the winery expansion and large agricultural store was sent to Caltrans on May 31, 2021. The Department responded June 28, 2021, that it had no further requirements as the two-left turn lane had been installed.

The project was also referred to the San Joaquin County Department of Public Works on May 31, 2021. The Department requires a traffic impact study for projects that are expected to generate in excess of 50 vehicles during any hour and a traffic impact study was not required for this project. The Department did require that the applicant submit a Technical Memorandum from a registered traffic engineer certifying that the proposed development will not degrade service along adjacent roadways and/or intersections to unacceptable conditions. The memorandum, completed by transportation engineers KD Anderson and Associates Consulting, Inc., and dated November 24, 2021, concluded that the proposed improvements and events would not have an appreciable impact on the operation of, or the safety of, the roads providing access to the site. Therefore, the project's impact on program plans, ordinances, or policies addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities, is expected to be less than significant.

- b) Pursuant to the KD Anderson and Associates Consulting, Inc., Traffic Memorandum mentioned above, it is estimated that the project will generate approximately 46 additional daily vehicle trips. This change is relative to the project's transportation impact under CEQA as it relates to Vehicle Miles Traveled (VMT). Pursuant to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018, a small project that generates or attracts "fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact" with regards to Vehicle Miles Traveled (VMT).
- c) The proposed project will not be making any changes to local roadways, therefore, the project's impact on transportation hazards is expected to be less than significant. Additionally, roadway improvements to State Route 120, made by the applicant as required by Caltrans, alleviates any possible safety issues or deficiencies at this location. Additionally, a winery and a large agricultural store are permitted uses in the general agricultural zones making the project compatible with the surrounding area.

- d) The project site is accessed from State Route 120 and access into the site is provided by a 350-foot long left turn lane from State Route 120 which provides storage for up to 14 vehicles waiting to turn left into the site and can accommodate the turning requirements of trucks turning into and out of the site. This improved access also provides adequate access for emergency vehicles. Additionally, the project site is encircled by a 20-foot wide fire access road for emergency vehicles. Therefore, site access would provide adequate space for fire trucks and emergency vehicles to enter and turn around, and the project is not expected to result in inadequate emergency access.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVIII. TRIBAL CULTURAL RESOURCES.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

- a)
 - i) The project site is currently being developed with a small winery, the expansion of which to a large winery is being proposed with this application. There is also a single family residence with accessory structures, an agricultural building for private use, and a produce stand. No buildings on the site are listed on the State Office of Historic Preservation California Register or the National Register of Historic Places. Therefore, the project will not result in a substantial adverse change in the significance of a historical resource as defined by CEQA.

 - ii) The project site is approximately 3 acres in size and is located in a rural, agricultural area west of the City of Escalon. A project referral was mailed May 13, 2021, to the California Native American Heritage Commission, the Buena Vista Rancheria, the California Tribal TANF Partnership, the North Valley Yokuts Tribe, and the United Auburn Indian Community. A response was received from the Buena Vista Rancheria on May 21, 2021, stating that BVR had no objections to the project. A response was received from the United Auburn Indian Community on May 13, 2021, stating that the area is located outside of UAIC's consultation area. Because no requests for consult were received, it is assumed that there are no concerns about significant impacts on tribal cultural resources resulting from the project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store, located west of the City of Escalon. The project will utilize a private well, onsite wastewater treatment system, and onsite storm water retention. Therefore, the project will be served by private, onsite services and will not require relocation of existing facilities or require new facilities.
- b) The project would be served by a private well. Groundwater is used for both winemaking processes and for domestic use. The applicant is in the process of obtaining a permit for a Public Water System through the California State Water Resources Control Board, Division of Drinking Water (Water Board). The Water Board will provide oversight of the onsite water system and impacts on water supplies are expected to be less than significant.
- c) The project would utilize an onsite sewage disposal system to be constructed under an Environmental Health Department permit and is subject to the onsite wastewater treatment system regulations that will ensure compliance with the standards of San Joaquin County.
- d-e) The proposed project is a winery expansion and a 3,280 square foot, large agricultural store. As proposed, the project is not anticipated to generate solid waste in excess of State and local standards and will be able to comply with all regulations related to solid waste.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-d) The project location is in a rural, agricultural area west of the City of Escalon, CA, and is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of 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"/>	<input type="checkbox"/>
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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"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which 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"/>	<input type="checkbox"/>
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Impact Discussion:

a-c) Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures, included as conditions of approval, will reduce these impacts to a less than significant level.

