



**Project Title & No. Vinyl Vineyards Conditional Use Permit ED22-102 / DRC2021-00086**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

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

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

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 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.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- 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.
- 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.

Jeff Oliveira, Principal  
 Oliveira Environmental  
 Consulting LLC

04/27/2022

Prepared by (Print)

Signature

Date

Holly Phipps

Steve McMasters, Principal  
 Environmental Specialist

07/11/2022

Reviewed by (Print)

Signature

Date

## Initial Study – Environmental Checklist

### Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### A. Project

#### DESCRIPTION:

A request by Vinyl Vineyards LLC for a Conditional Use Permit (DRC2021-00086) to allow the development of an approximately 6,411 square feet (SF) winery facility that will include interior and exterior production areas of 4,838 SF and 1,475 SF. The tasting room would encompass approximately 810 SF and would be located within the winery building. The winery's initial annual production is anticipated to be approximately 2,500 cases with a maximum of 5,000 cases. The project includes a request for up to ten (10) winery events annually (including non-profits) with a maximum of 150 attendees. The project also includes a request for 10 camping sites that will be located in two locations that is suitable for tent and recreational vehicles. The applicant is requesting a modification Section 22.30.520.A.5 of setback standards that requires a 1,000-foot setback to property lines to allow a 250-foot setback from the northern property line and a 326-foot setback from the eastern property line. The project would result in approximately 6.3 acres of site disturbance on a 120-acre parcel, including 5,794 cubic yards of cut and 5,494 cubic yards of fill. The subject property is within the El Pomar-Estrella Sub-area of the North County Planning Area.

#### Expanded Project Description

##### Special Events

The project includes a proposal for a maximum of ten (10) annual temporary events of up to 150 persons, as allowed by a Conditional Use Permit in conjunction with a winery tasting room. Events would be held at the winery and adjacent outdoor areas. These events would be separate from the winery activities that are not defined as special events (such as industry-wide events, wine club activities, or non-advertised gathering of less than 50 people). Events would include amplified outdoor music between the hours of 10 am and pm.

##### Incidental Camping

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The proposed incidental camping would be placed in two locations west of the proposed winery. Campsites are anticipated to be available open for use seven days a week. The locations of the incidental camping areas have been specifically selected at the edge of an existing field along the northern portion of the site to enable the potential for future agricultural production. The campsites would be located within Class VII soils areas. Access roads to the sites have been designed in accordance with County Fire Department/Cal Fire standards and included the requisite turnarounds.

The camping areas would accommodate up ten (10) tent or self-contained recreational vehicles (RVs). Campsite improvements would include access road and turnaround pursuant to County Fire Department standards. The campsite area ground surface will be a natural, non-combustible, and porous materials to create a level area for pitching tents or leveling RVs. As a “dry” camping facility, water supply and portable restrooms, consistent with Health Department standards, will be provided, but no other utility or RV hook up services or connections (electric, water, or wastewater disposal) will be available. Camping supplies and resources will be brought in (and out) by campers.

**ASSESSOR PARCEL NUMBER(S):** 015-053-003

**Latitude:** 35.6332 N                      **Longitude:** -120.6171 W                      **SUPERVISORIAL DISTRICT #** 1

### B. Existing Setting

**Plan Area:** North County                      **Sub:** El Pomar/Estrella                      **Comm:** NA

**Land Use Category:** Agriculture

**Combining Designation:** Airport Review

**Parcel Size:** 120 acres

**Topography:** Gently sloping

**Vegetation:** Agriculture Vineyards Riparian

**Existing Uses:** Agricultural uses single-family residence(s)

**Surrounding Land Use Categories and Uses:**

**North:** Agriculture; single-family residence(s)                      **East:** Agriculture; single-family residence(s)

**South:** Agriculture; single-family residence(s)                      **West:** Agriculture; single-family residence(s)

### C. Environmental Analysis

The Initial Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

# Initial Study – Environmental Checklist

Figure 1: Vicinity Map

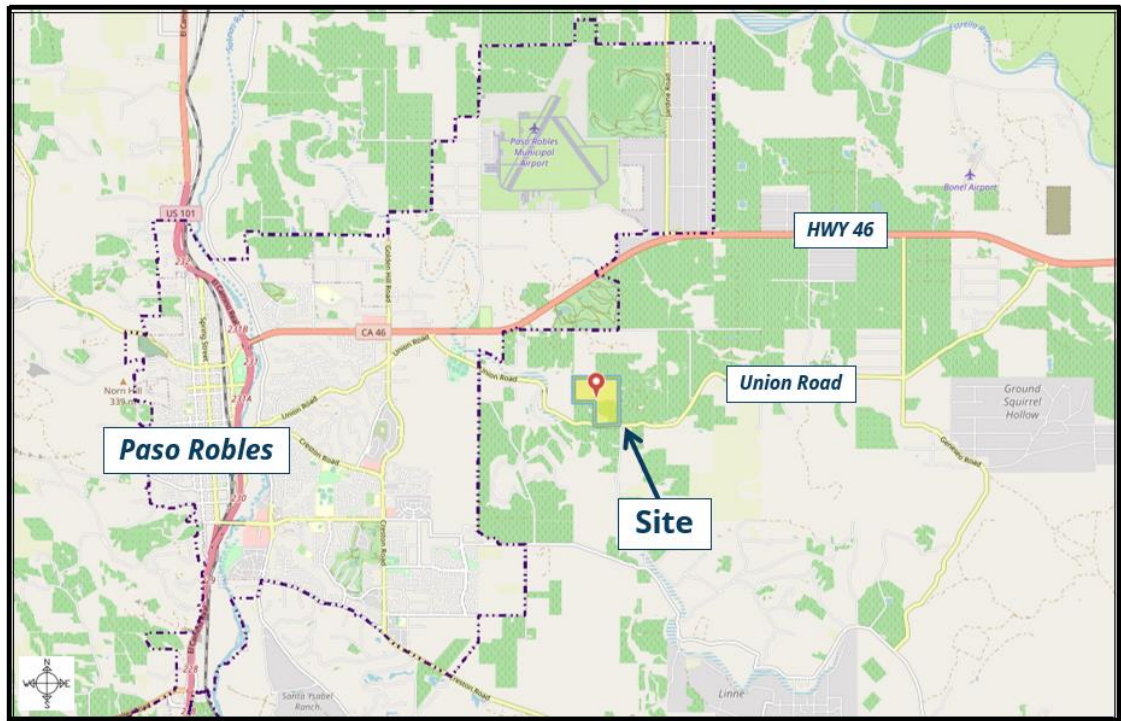
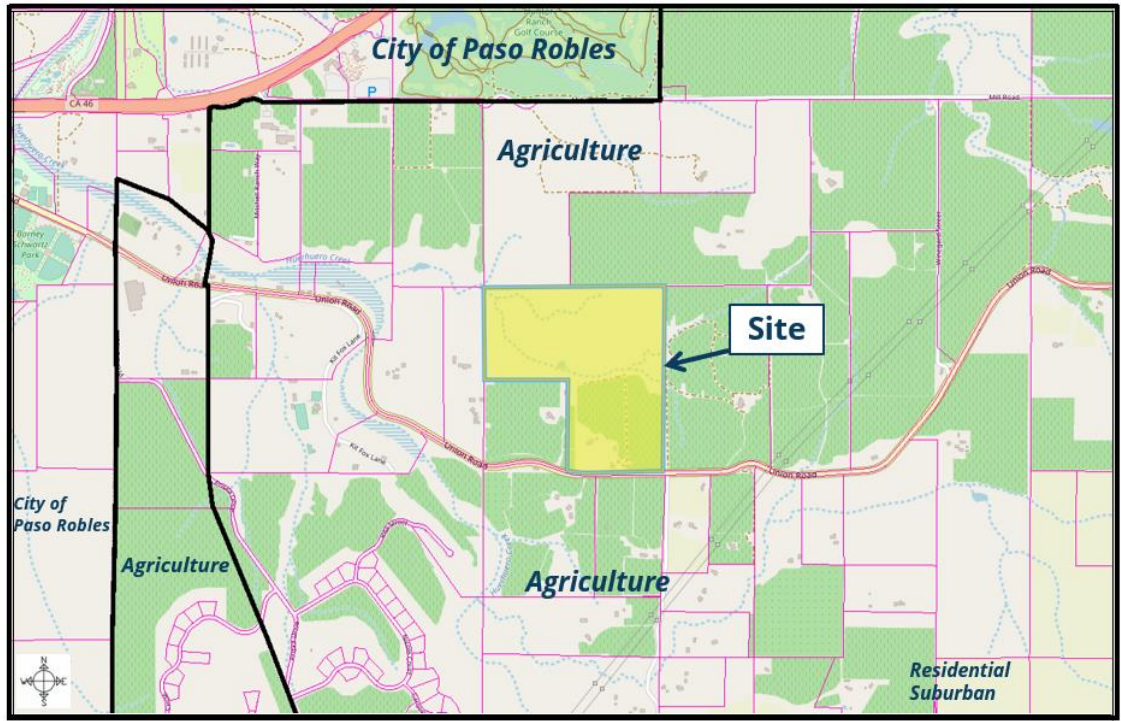


Figure 2: Land Use Category Map



Initial Study – Environmental Checklist

Figure 3: Site Plan

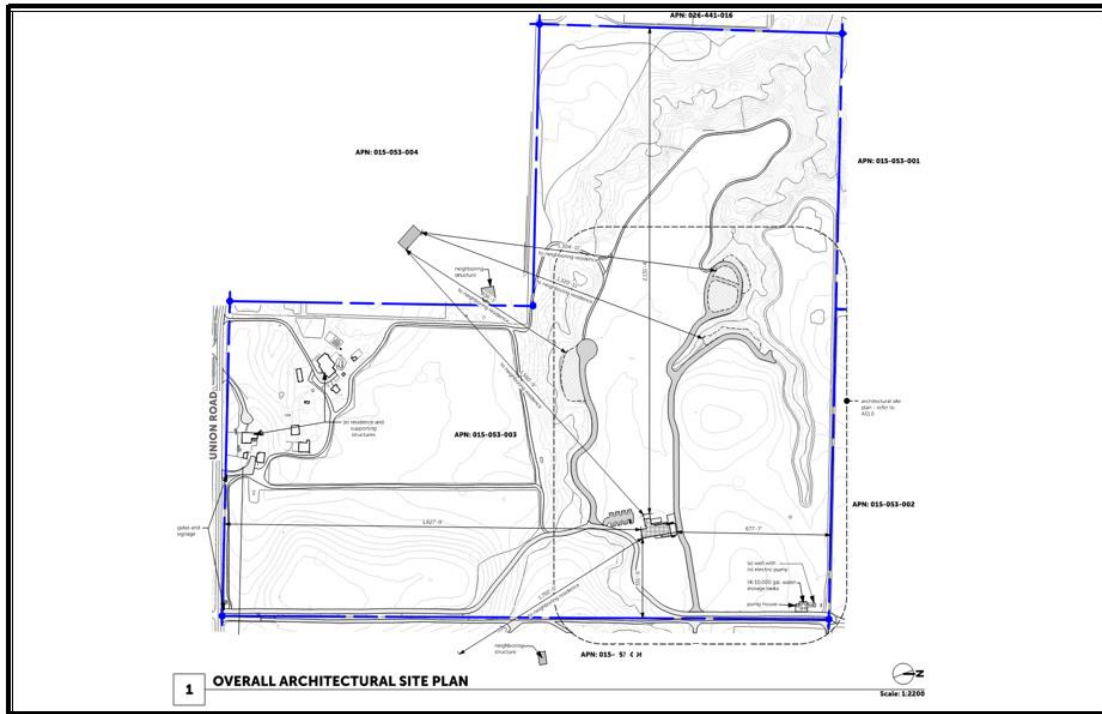


Figure 4: Landscape Plan



# Initial Study – Environmental Checklist

Figure 5: Landscape Plan



## Initial Study – Environmental Checklist

### I. AESTHETICS

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) 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 publicly accessible vantage point). 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"/>
(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"/>

#### Setting

CEQA establishes that it is the policy of the state to take all action necessary to provide people of the state “with... enjoyment of aesthetic, natural, scenic and historic environmental qualities” (Public Resources Code Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project’s potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

California’s Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic highways within the county. State Route 1 is an Officially Designated State Scenic Highway and All-American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary. A portion of Nacimiento Lake Drive is

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an Officially Designated County Scenic Highway. Portions of Highway 101, Highway 46, Highway 41, Highway 166, and Highway 33 are also classified as Eligible State Scenic Highways – Not Officially Designated.

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

The LUO also maps portions of the Salinas River Highway Corridor, the San Luis Obispo Highway Corridor, and the South County Highway Corridor to comply with County highway corridor design standards. These standards include but are not limited to setbacks from highway rights-of-way, guidelines for development along ridgelines, limitations on graded slopes, protection of landmark features, and standards for building height and color (LUO 22.10.095).

The County of San Luis Obispo LUO defines a Sensitive Resource Area (SRA) combining designation that applies to areas having high environmental quality and special ecological or educational significance. These designated areas are considered visual resources by the County and the LUO establishes specific standards for projects located within these areas. These standards include but are not limited to set back distances from public viewpoints, prohibition of development that silhouettes against the sky, grading slope limitations, set back distances from significant rock outcrops, design standards including height limitations and color palette, and landscaping plan requirements.

In addition to policies set forth in the LUO, the County Conservation and Open Space Element (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The COSE provides a number of goals and policies to protect the visual character and identify of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways throughout the county, retaining existing access to scenic vista points, and setting the standard that new development in urban and village areas shall be consistent with the local character, identify, and sense of place.

The 120-acre subject property is within the County's Agricultural land use designation and has been an existing vineyard for more than 20 years. The topography of the site is gently sloping with rolling hills and includes two branches of an unnamed seasonal drainage swale that traverses the northern portion of the property, running in an east to west direction. There is a small agriculture retention pond along the lower drainage path. Soil classifications on the property range from Class III (irrigated) to Class VII.

The site is currently developed with 40-acres of vineyards located in the southern portion of the property. The southwestern portion of the site includes a single-family residence and accessory structures, which are not included in the proposed project. The northern (rear) portion of the property is maintained and seasonally mowed and includes non-native grassland with scattered oaks and willows along drainage paths.

The subject property is surrounded by parcels ranging in size from 30- to 120-acres, which are also in the Agricultural land use designation. The surrounding agricultural uses are primarily vineyards. The nearest adjacent residence is located southwest of subject property and is set back 300 feet from the shared property line. The other three adjacent residences are located from approximately 500 feet to over 1000 feet from the subject property boundary. The proposed development would be located towards the rear



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(north) end of the project site and would be primarily shielded from views along Union Road by intervening topography and vegetation.

### *Discussion*

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

The project is not located within an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. The project would be located in the vicinity of Union Road, the nearest public road; however, the tasting room and winery facility and proposed camping area would not be visible from Union Road due to intervening topography and vegetation. The proposed winery and tasting room as well as camping area is not located on a ridgetop and their location is not the highest element when compared to surrounding higher hills, vegetation, and other surrounding agricultural and residential structures.

The County's LUO Section 22.30.070.D.2.g. establishes Winery Design Standards to ensure the project will be visually consistent with the surrounding areas through design/architecture, exterior materials, screening from public roads, building height(s) and lighting. This proposed winery's building design utilizes the barn vernacular, while modernizing it through the use of materials and detailing. The facility's two proposed main buildings are divided into a production area and a tasting room, connected by a smaller pedestrian passage of shared functional accommodations (please refer to the attached project site plans). Building materials are primarily metallic and all proposed external lighting is proposed to be shielded and focused downward. The larger of the two main buildings are sized for the production of up to 5,000 cases of wine a year. The production building and tasting room are designed with separate entrances in order to keep loading and production traffic separate for safety reasons. The production building includes a fermentation room and barrel room. These are adjoined to the shared functional accommodations where a lab and office are located. A covered crush pad and covered storage area would be attached to the production building to allow for the protected storage of bins and crush equipment not currently in use.

The landscape plan for the proposed winery is designed to reflect Central Coast wine region, while maintaining the agrarian aesthetic. Upon entering the project site, an olive tree orchard breaks up views of the main parking area, while the entry landscape treatment would contain rows of lavender. A main pedestrian spine bisects the two spaces, creating a formal pedestrian procession to the winery's tasting room.

Low stone walls are proposed to separate the more "public" landscape with the spaces situated around the winery's tasting room and covered patio. This includes, gravel pathways that would create small, informal seating areas bordered by a native grass and perennial meadow.

The pedestrian spine, as it exits the tasting room, leads to a larger patio with table seating to be used both for small tasting groups and special event gatherings.

Plant material is proposed to emphasize Central Coast natives with Mediterranean-adaptive plant species. Trees would be strategically placed to offer summertime shade, while maintaining views of the surrounding vineyards and hillsides. Screening trees and shrubs will also help to obstruct direct views of the winery's production areas.

Specifically, the proposed project is considered to be in compliance with LUO Section 22.30.070 based on the following:

- The project is accessed from an arterial road.

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- Prior to the submitting the application, the pre-submittal notification was sent on March 11, 2021 to property owners within 1000 feet of the subject property.
- Solid and liquid waste disposal will be in compliance with the Environmental Health Department and Regional Water Quality Control Broad requirements.
- The proposed winery has a building height of thirty-five (35) feet and complies with allowed maximum height of 35 feet.
- The development complies with setback and parking requirements, as described.
- The subject property exceeds the minimum parcel size of 20-acres to host special events.
- The special events comply with the sections of the Temporary Event development standards ((§22.30.610.D.1-4; E)
  - The central ranch road provides a secondary access point.
  - Fire protection and water supply/sanitation operations will be compliance with the Environmental Health Department and County Fire Department.
  - A deposit for guarantee of site restoration would not be required, as events will be held within the proposed winery and outdoor patio areas.
  - Outdoor amplified music would be limited to the hours between 10am to 5pm.

LUO Section 22.30.070.D.2.g.2. requires that any tanks located outside of structures shall be screened 100 percent from public roads. The project is in compliance with this requirement since the proposed winery and tasting room would not be visible from public roads.

The project will be visually consistent with the surrounding areas and would be naturally screened from public view by the existing terrain and foliage and will provide further screening from the nearby residence through use of building siting, design and landscape. Therefore, the project would not have a substantial adverse effect on a scenic vista and *impacts would be less than significant*.

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

The project is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. Therefore, *no impacts would occur*.

(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 publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The proposed project is located in a rural; agricultural setting. The surrounding visual character consists of a mosaic of vineyards, wineries, and rural residences intermixed with natural grasslands, livestock grazing and oak woodland. Surrounding parcels consist of moderate to large agricultural and rural residential lots. The topography of the project site and surrounding area consists of gently to moderately sloping parcels set in rolling hills. The 120-acre subject property is within the County's Agricultural land use designation and has been an existing vineyard for more than 20 years. The

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project site includes two branches of an unnamed seasonal drainage swale that traverses the northern portion of the property, running in an east to west direction. There is a small agriculture retention pond along the lower drainage path.

The site is currently developed with 40-acres of vineyards located in the southern portion of the property. The southwestern portion of the site includes a single-family residence and accessory structures, which are not included in the proposed project. The northern (rear) portion of the property is maintained and seasonally mowed and includes non-native grassland with scattered oaks and willows along drainage paths.

The project development would not be visible from Union Road. Potential views of the proposed winery and tasting room structures would be blocked by intervening topography and vegetation and therefore, the project will not silhouette against ridgelines. The project would be visually consistent with the type and extent of development in the surrounding area. No nearby roadways have been officially designed as scenic highways. Therefore, the project would not result in a noticeable change to public views of the area or result in the degradation of the existing visual character or quality of public views of the site and its surroundings, and impacts would be *less than significant*.

- (d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The proposed project includes metallic building materials that would be painted to match agricultural development in the vicinity and avoid reflection or glare. The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development or that could be viewed from public vantage points. The County Land Use Ordinance (LUO) Section 22.30.070.D.2.g.4. requires all lighting fixtures be shielded so that neither the lamp nor the related reflector interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed operated in a manner that would throw light, either reflected or directly, in an upward direction. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be less than significant.

### *Conclusion*

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Potential impacts to aesthetic resources would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### II. AGRICULTURE AND FORESTRY RESOURCES

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<p><i>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:</i></p>				
(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 checked="" 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"/>
(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"/>
(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"/>
(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 checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The County of San Luis Obispo Agriculture

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Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here:

<https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report.aspx>.

The project site is within the Agriculture land use category and is occupied by row crops (vineyard) and associated single family residence. As discussed in the project Biological Resources Assessment (Sage Institute, Inc., January 22, 2021), the proposed project site is surrounded by a mix of winery facilities, vineyards/agricultural, and rural ranch uses. The southern portion of the project site includes approximately 30 acres of vineyard currently in active production and historically in grape production since at least 2003. This area is typical of vineyard operations in the region and includes a few blue oak trees that are scattered among the vineyard. This habitat designation also includes primary vineyard access road roads and equipment areas.

As mapped in the project Biological Resources Assessment, the USDA Natural Resources Conservation Service (NRCS; Soil Conservation Service, 1977) has identified five soil series mapping units within the project site. Onsite soils are mapped as Arbuckle- Positas complex (102), 9 to 15 percent slopes (Class III – IV), Arbuckle-Positas complex (103), 15 to 30 percent slopes (Class IV), Arbuckle-Positas complex (105), 50 to 75 percent slopes (Class VI), Arbuckle-San Ysidro Complex (106), 2 to 9 percent slopes (Class II – IV), and Nacimiento-Los Osos complex (179), 9 to 30 percent slopes (Class IV). None of the soils are classified by the NRCS as hydric soils that are typically more likely to support wetlands. The project site soils types are described in more detail as follows:

- The Arbuckle component is a very deep, well-drained soil with moderately low permeability formed in alluvium from mixed rocks. Typically, the surface layer is pale brown fine sandy loam to 10 inches thick.
- The San Ysidro component is a very deep, moderately well drained soil with very slow permeability formed in alluvium from mixed rocks. Typically, the surface layer is pale brown loam about 20 inches thick.
- The Positas component consists of alluvium from mixed rock sources. Depth to a root restrictive layer, abrupt textural change, is 9 to 20 inches. The natural drainage class is well drained.
- The Nacimiento component is typically found on hills and has parent material that consists of residuum weathered from calcareous shale and/or sandstone and depth to a bedrock is 20 to 40 inches. The natural drainage class is well drained.

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered 'agricultural land'. Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils at the subject site are within the Farmland of Local Potential, Unique Farmland, Farmland of Statewide Importance, and Grazing Land designations.

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The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The subject property is under a current Williamson Act contract and in active commercial agricultural production. Pursuant to the terms of the contract, proposed uses must be agricultural and/or agriculturally compatible uses as identify in the County's "Rules of Procedure to Implement the California Land Conservation Act of 1965." The proposed uses of Agricultural Processing, Temporary Events, and Rural Recreation and Camping are all considered compatible uses. The Rules of Procedure policies recommend that the Agricultural Preserve Review Committee (APRC) review and provide recommendations for Rural Recreation and Camping land use applications. As a result, the proposed project was reviewed for consistency with the existing Williamson Act contract at the County Agricultural Preserve Review Committee meeting on June 21, 2021. The APRC determined that the project is compatible with the property's required agriculture use and consistent with the Rules of Procedure, the land conservation contract, and the Williamson Act (California Land Conservation Act of 1965, Government Code Sections 51238 et seq.).

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

### *Discussion*

- (a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The project site contains land classified as Farmland of Local Potential, Unique Farmland, Farmland of Statewide Importance, and Grazing Land pursuant to the FMMP. However, the subject property is under a current Williamson Act contract which dictates that proposed uses must be agricultural and/or agriculturally compatible as identified in the County's "Rules of Procedure to Implement the California Land Conservation Act of 1965". As such, consistency with the stipulations of the Williamson Act contract ensures that a proposed action will not convert farmland to non-agricultural use.

In order to determine the proposed project's potential for the conversion of farmland to non-agricultural use, the project was reviewed for consistency with the existing Williamson Act contract at the County Agricultural Preserve Review Committee meeting on June 21, 2021. The APRC determined that the proposed agricultural processing, temporary events, and rural recreation and camping uses are compatible with the property's required agriculture use and consistent with the Rules of Procedure, the land conservation contract, and the Williamson Act (California Land Conservation Act of 1965, Government Code Sections 51238 et seq.). Because the project site is under the protection of the Williamson Act which prohibits the conversion of farmland to non-

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agricultural uses, and because the project was determined to be consistent with the provisions of the Williamson Act, impacts related to farmland conversion are considered *less than significant*.

(b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The project site is located on property currently under a Williamson Act contract. As discussed above, the proposed agricultural processing, temporary events, and rural recreation and camping uses are compatible with the property's required agriculture use and consistent with the Rules of Procedure, the land conservation contract, and the Williamson Act (California Land Conservation Act of 1965, Government Code Sections 51238 et seq.). Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and no impacts would occur.

(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))?*

The project site is not zoned for forest land, timberland, or Timberland Protection, and is not listed as Private Timberland or Public Land with Forest by the CDFW. The proposed project will not conflict with zoning or cause rezoning of forest land or timberland, therefore *no impacts would occur*.

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

The project site is not zoned for forest land, timberland, or Timberland Protection, and is not listed as Private Timberland or Public Land with Forest by the CDFW. The proposed project will not result in the loss of forest land or convert forest land to non-forest use, therefore *no impact would occur*.

(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?*

Farmland of local potential is located on the project site in proximity to and within the areas proposed for development of the winery and agricultural processing and recreational camping. However, areas mapped as Farmland of Statewide Importance would be avoided by project development. The project has determined to be compatible with existing agricultural operations and the existing Williamson Act contract, and would not adversely affect existing proximate agricultural uses, agricultural support services, or agricultural infrastructure or resources. The proposed project would not result in the indirect conversion of existing farm or forestland to another use. Therefore, *less than significant impacts would occur*.

### Conclusion

The project would not directly or indirectly result in the conversion of farmland, forest land, or timber land to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. Potential impacts to agricultural resources would be less than significant and no mitigation measures are necessary.

### Mitigation

None necessary.

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### III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) 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 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"/>
(d) Result in other 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"/>

#### Setting

##### Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulfate, carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), visibility reducing particles, lead (Pb), hydrogen sulfide (H<sub>2</sub>S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO<sub>2</sub>, ozone, PM<sub>10</sub> and PM<sub>2.5</sub>, and SO<sub>2</sub>.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency



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primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

### *SLOAPCD Thresholds*

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

The proposed project includes a total of 6.3 acres of disturbance, and a total cut volume of 5,729.54 cubic yards and a total fill volume of 5,494.14 cubic yards. No import or export of cut/fill material is proposed.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. Certain types of project can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the APCD's CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within ten percent (10%) of exceeding the screening criteria.

### *Air Quality Monitoring*

The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected, and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county. The most recent Annual Air Quality Report can be found here: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/2017aqrt-FINAL2.pdf>.

In the county of San Luis Obispo, ozone and fine particulates (particulate matter of 10 microns in diameter or smaller; PM<sub>10</sub>) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

### *San Luis Obispo County Clean Air Plan*

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and

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other local agencies on how to attain and maintain the state standards for ozone and PM<sub>10</sub>. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

### *Naturally Occurring Asbestos*

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health.

The project would not be within close proximity to any serpentine rock outcrops and/or soil formations which may have the potential to contain naturally occurring asbestos. Therefore, the project site is not within an area identified as having the potential for Naturally Occurring Asbestos (NOA).

### *Sensitive Receptors*

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences.

Rural residences occur on adjacent parcels to the southwest and east of the subject property. The residence to the southwest is located approximately 1,560 feet from the proposed winery and tasting room and 836 feet and 1,304 feet from the proposed recreational camping areas respectively. The residence to the east is located approximately 1,750 feet from the proposed winery and tasting room (and over a half-mile from the proposed camping sites).

### *Discussion*

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

The proposed project consists of the construction of a winery, tasting room, recreational camping and associated infrastructure and would not result in a new or substantially different use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants upon implementation of the measures discussed below and would not conflict with or obstruct the implementation of the San Luis Obispo County Clean Air Plan or other applicable regional and local planning documents. Therefore, impacts would be less than significant.

(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?*

The County is currently designated as non-attainment for ozone and PM<sub>10</sub> under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO<sub>x</sub>) and fugitive dust emissions (PM<sub>10</sub>).

### Construction Impacts

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Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. The proposed project is not expected to generate construction emissions in excess of the quarterly thresholds approved by the APCD [Ozone Precursors (ROG + NO<sub>x</sub>) = 137 lbs. /day or 2.5 tons for projects lasting up to one quarter; Diesel Particulate Matter (DPM) = 7 lbs. /day or 0.13 tons for projects lasting up to one quarter; Fugitive Particulate Matter (PM<sub>10</sub>) = 2.5 tons for projects lasting up to one quarter]. However, the project has the potential to exceed the daily thresholds for construction emissions.

As proposed, the full project would result in the disturbance of approximately 6.3 acres, which would include moving a total of approximately 5,729.54 cubic yards of cut and 5,494.14 cubic yards of fill. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions.

The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 1 lists SLOAPCD's general thresholds for determining whether a potentially significant impact could occur as a result of a project's construction activities.

**Table 1. SLOAPCD Thresholds of Significance for Construction Activities**

Pollutant	Threshold <sup>(1)</sup>		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO <sub>x</sub> )	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM <sub>10</sub> ), Dust <sup>(2)</sup>		2.5 tons <sup>(2)</sup>	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM<sub>10</sub> quarterly threshold.

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 2 lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The APCD's CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM<sub>10</sub> quarterly threshold listed above.

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**Table 2. Screening Emission Rates for Construction Activities**

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203
Oxides of Nitrogen (NO <sub>x</sub> )	42.4	0.0935
Fugitive Particulate Matter (PM <sub>10</sub> )	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

Based on estimated cut and fill estimates and the construction emission rates shown in Table 2, construction-related emissions that would result from the project were calculated and are shown in Table 3 below.

**Table 3. Proposed Project Estimated Construction Emissions.**

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Daily Threshold Exceeded?	Quarterly Threshold Exceeded?
		Daily	Quarterly (Tier 1)		
ROG + NO <sub>x</sub> (combined)	11,223.68 c.y. x .0203 + 11,223.68 c.y. x .0935 = 1,277.25 lbs.	137 pounds	2.5 tons	Yes	Yes
Diesel Particulate Matter (DPM)	11,223.68 c.y. x .0049 = 54.99 lbs.	7 pounds	0.13 tons	Yes	Yes
Fugitive Particulate Matter (PM <sub>10</sub> )	6.3 acres x 0.75 = 4.72 tons		2.5 tons	Yes	Yes

For projects involving construction and/or grading activities, the LUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The LUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The LUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location. All applicable fugitive dust control measures are required to be shown on grading

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and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

The California Code of Regulations (Section 2485 of Title 13) also prohibits idling in excess of 5 minutes from any diesel-fueled commercial motor vehicles with gross vehicular weight ratings of 10,000 pounds or more or that must be licensed for operation on highways.

As shown above, the project would exceed APCD's construction emissions thresholds for DPM, PM<sub>10</sub>, and ROG + NO<sub>x</sub>. As such, the project's construction activities would result in daily short-term emissions from heavy equipment and motor vehicles, as well as fugitive dust (PM<sub>10</sub>) emissions that could affect localized air quality. As such, impacts related to construction emissions are considered *significant but mitigable*.

### Operational Impacts

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on the updated Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds (no operational screening criteria is offered for agricultural uses). Therefore, potential operational emissions would be *less than significant*.

(c) *Expose sensitive receptors to substantial pollutant concentrations?*

As described above in response to (b), the project has the potential to generate daily emissions resulting in a significant mitigable impact but would not generate significant operational emissions. Operational emissions would not substantially increase and implementation of standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. With the implementation of the mitigation measures required for item (b) the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant*.

(d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project.

With respect to project operations, water and solids (e.g. grape pomace) from wineries could create objectionable odors. Specifically, the wastes are typically high in biodegradable organic matter and enough water is typically present to allow aerobic biological treatment (when sufficient oxygen is present) and anaerobic treatment (when oxygen concentrations are limited). Though both aerobic and anaerobic treatment can generate odors, most people find the odor associated with the anaerobic process to be more offensive.

Based on the project's location in a rural agricultural area with agricultural zoning, and the limited number of nearby receptors, the project would not create objectionable odors affecting a substantial number of people, and the impact would be *less than significant*.

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### *Conclusion*

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. However, the project has the potential to result in daily construction related emissions resulting in a significant but mitigable impact. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment and would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. Therefore, potential impacts to air quality would be less than significant with the implementation of the measures listed below.

### *Mitigation*

**AQ-1.** To mitigate fugitive dust emissions related to project construction, the following shall be implemented:

- a) Reduce the amount of the disturbed area where possible;
- b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c) All dirt stock pile areas should be sprayed daily as needed;
- d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

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- m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

**AQ-2.** The required mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- a) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
- d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e) Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- g) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i) Electrify equipment when feasible;
- j) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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### IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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"/>
(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"/>
(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"/>
(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 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 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"/>

#### Setting

*Sensitive Resource Area Designations* The County of San Luis Obispo Land Use Ordinance (LUO) Sensitive Resource Area (SRA) combining designation applies to areas of the county with special environmental



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qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection.

### *Federal and State Endangered Species Acts*

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats.

### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

### *Oak Woodland Ordinance*

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of Urban or Village areas within the inland portions of the county (not within the Coastal Zone). "Clear-cutting" is defined as the removal of one acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. "Oak woodland" includes the following species: Blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizeni*), valley oak (*Quercus labata*), and California black oak (*Quercus kelloggii*). The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition. Heritage oaks are any individual oak species, as defined in the Oak Woodland Ordinance, of 48 inches diameter at breast height (dbh) or greater, separated from all Stands and Oak Woodlands by at least 500 feet. Minor Use Permit approval is required to remove any Heritage Oak.

The project site does not support oak woodland or Heritage Oaks.

### *Clean Water Act and State Porter Cologne Water Quality Control Act*

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as "navigable waters of the U.S." that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

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The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State. Based on the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site does not support wetlands, riparian or deep-water habitats (USFWS 2019).

### *Conservation and Open Space Element*

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order to sustain biological resources. The COSE identifies Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines.

As discussed in the project Biological Resources Assessment (Sage Institute, Inc., January 21, 2021), the proposed project site is surrounded by a mix of winery facilities, vineyards and agricultural production, and rural ranch uses. Review of available aerial photography shows that a large portion of the project site has been in active vineyard cultivation going back to at least 2003. Except for drainage corridors, much of the site was disked (plowed) and/or mowed at the time of the on-site survey. Grassland areas include an herbaceous cover dominated by ruderal non-native herbaceous annual plant species. Blue oaks line the unnamed blue-line drainages that traverse the site, and are scattered elsewhere on the property, including the vineyard. Isolated riparian vegetation and potential wetland habitat was observed in impounded areas of the unnamed drainages that are located outside the project footprint. Please refer to the setting discussion under Section II, Agriculture and Forestry Resources, for a detailed description of on-site soils.

### **Habitat Types and Plant Communities**

#### *Blue Oak Woodland and Forest*

The project site supports 16 acres of Blue oak woodland which is mostly associated with the unnamed blue-line drainages that traverse the property as depicted in the Biological Resources Assessment. These corridors generally extend beyond the top-of-bank (TOB) that is not disked or plowed, and as such represents the most undisturbed native habitat within the Study Area. Blue oaks (*Quercus douglassii*) of all size classes were observed, although the majority of trees are mature. Understory within these areas is comprised of non-native annual grassland as described below.

#### *Developed / Ruderal*

Developed / ruderal comprises 5.8 acres of the Study Area and is mostly associated with the southwest corner of the project site and is comprised of developed land with residences, several barn/farm structures, along with compacted roads and parking/storage areas lacking vegetation. Scattered blue oaks and non-native landscaping shrubs, pine trees, and pepper trees were observed scattered around the buildings.

#### *Disturbed Annual Grassland*

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The disturbed non-native annual grassland habitat, or semi-natural annual brome grassland alliance (CNPS: 42.026.00), is typically dominated by non-native annual grasses and herbaceous broadleaf plant species, along with native forbs and wildflowers. Annual grassland habitat occurs as patches of habitat and within the understory of the on-site blue oak woodland. This habitat covers 66.8 acres of the project site and is mowed and/or disked annually for weed suppression.

The non-native annual grassland within the project was observed to be relatively low in species diversity and dominated by mixed stands of slender wild oats (*Avena barbata*), soft chess (*Bromus hordeaceus*), ripgut brome (*B. diandrus*), vetch (*Vicia sativa*), and rattail fescue (*Festuca myuros*). Other common non-native forbs observed include mustards (*Hirschfeldia*; *Brassica*), fillarees (*Erodium cicutarium*, *E. botrys*), prickly lettuce (*Lactuca serriola*), yellow-star thistle (*Centaurea solstitialis*), and morning glory (*Convolvulus arvensis*). Native herbaceous species expected to occur in low abundance include species such as sky lupine (*Lupinus nanus*), California poppy (*Eschscholzia californica*), narrow leaf milkweed (*Asclepia fascicularis*), and clustered tarweed (*Deinandra fasciculata*).

### *Vineyard*

Approximately 30 acres of vineyard located in the southeast portion of the Study Area has been in operation since at least 2003. This area is typical of vineyard operations in the region and includes a few blue oak trees that are scattered among the vineyard. This habitat designation also includes primary vineyard access roads and equipment areas.

### *Stock Pond / Freshwater Marsh*

Freshwater marshes typically occur in nutrient-rich mineral soils that drain slowly and are waterlogged or saturated for most or all of the year. Freshwater marsh plant communities are characterized by the presence of emergent hydrophytes (plants adapted to growing in saturated marshes are vernal, filling with winter and spring rains and drying out in the summer).

The approximately 1-acre stock pond / freshwater marsh within the Study Area is man-made and is supported by a substantial permanent earthen dam structure. Although the pond was dry in December 2020 and January 2021, evidence of species observed include sedge and curly dock. Much of the pond area was unvegetated with its cracked mud bottom exposed due its completely dry condition. The amount of open water and vegetation density varies greatly depending on annual precipitation and appears to be seasonal, at least over the past several years.

### **Special Status Botanical Resources**

As discussed in the project Biological Resources Assessment, a search of the California Natural Diversity Database (CNDDDB) revealed the recorded occurrences of 17 special-status plant species within a ten-mile radius of the project site. None of these species are formally listed as rare, threatened or endangered. One is a CNPS rank 4, and the rest are CNPS rank 1.B species suggesting regional or statewide rarity. No rare, threatened, or endangered plant species or remnants thereof were observed within the project area.

The special-status plant species occurrences recorded in the CNDDDB are commonly associated with a specific soil type, native undisturbed habitat, moisture regime (e.g. wetland), and/or elevation range that dictates the range or microhabitat of the species. Additionally, the documented long-term cultivation and/or maintenance of the site significantly reduces the establishment of any native habitat to support the special-status plant species recorded in the region. The project Biological Resources Assessment provides a discussion of the required habitat, or micro-habitat element for the special-status plants, and concludes that there would be no special-status plants expected to occur in the Study Area.

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The perennial species bristlecone fir (*Abies bracteata*), mesa horkelia (*Horkelia cuneata* var. *puberula*), Kellogg's horkelia (*H. cuneata* var. *sericea*) were not observed during the project rare plant surveys and suitable habitat is also lacking on-site for these species.

Special-status plants recorded in the CNDDDB associated with serpentine or specialized soils that are not expected to occur on the project site include Mile's milk-vetch (*Astragalus didymocarpus* var. *milesianus*), La Panza mariposa lilies (*Calochortus obispoensis*; *C. simulans*), Lemmon's jewelflower (*Caulanthus lemmonii*), Eastwood's larkspur (*Delphinium parryi* ssp. *Eastwoodiae*), yellow flowered eriastrum (*Eriastrum luteum*), and woodland woollythreads (*Monolopia gracilens*). The project site does not represent suitable habitat for these plant species.

The special-status plant species known for moist/wetland type habitats occurring in the region are the shining navarretia (*Navarretia nigeliformis* ssp. *radians*), Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*), oval-leaved snapdragon (*Antirrhinum ovatum*), spreading navarretia (*Navarretia fossalis*), and Santa Lucia dwarf rush (*Juncus luciensis*). No mesic/moist/wetland habitats occur on the project site therefore, these species are not expected to occur.

Only marginal habitat within unmaintained grassland areas have the potential to support the non-formally listed special-status species such as the dwarf calycadenia (*Calycadenia villosa*) and San Luis Obispo owl's-clover (*Castilleja densiflora* var. *obispoensis*). None of this habitat is located within the project area and none were observed during the project rare plant surveys.

### **Special Status Wildlife**

#### *Aquatic Species*

The CNDDDB has recorded occurrences for the California red-legged frog, western pond turtle, and western spadefoot toad and the vernal pool fairy shrimp within the ten-mile search range.

The western pond turtle and California red-legged frog are highly aquatic species found in lowlands and foothills in or near permanent sources of deep water with dense, shrubby, emergent or riparian vegetation, none of which occur on the project site. The seasonal stock pond feature is located within an ephemeral drainage feature and does not appear to support perennial or (near permanent) surface water. Typical emergent vegetation required for these species is also lacking. As such, the project site does not support suitable aquatic habitat for these species.

The vernal pool fairy shrimp and western spadefoot are closely associated with vernal pools or temporary pond/puddle habitats that are not subject to flowing water. Evidence of seasonal ponding was observed during field surveys or indicated on the review of multiple years of aerial photography. Although no activities are proposed within the stock pond or drainage areas, this feature supports limited seasonal aquatic habitat for these two species within the Study Area (vernal pool fairy shrimp are typically limited to static pools, not drainage corridors).

#### *Insects*

The Lompoc grasshopper (*Trimerotropis occulens*) is mostly associated with sandy soils in grassland, coastal scrub or chaparral habitats. No such habitat occurs on site and the Study Area is well outside the known range of this species. The Atascadero June beetle (*Polyphylla nubila*) is known only from inland sand dunes that are not present on the project site and would not occur. The Crotch bumble bee (*Bombus crotchii*) ranges throughout California to Baja typically found in wildflower rich grasslands and shrublands. The local CNDDDB record is an unspecified location from a 1959 collection. The project site is not wildflower rich and supports only scattered marginal habitat for this species in non-maintained areas.

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### *Reptiles*

The northern California legless lizard and coast horned lizard require undisturbed native habitats with suitable prey (insects/ants,) that do not occur on the cultivated/developed project site. As such, they are not expected to occur.

### *Fish*

The CNDDDB includes one occurrence for Monterey Hitch which is a species most often found in slow warm water, including lakes and quiet stretches of rivers. Hitch are sometimes found in cool and clear, low-gradient streams, hiding among aquatic vegetation in sandy runs or pools. The Study Area is outside the currently known range for this species and no suitable stream habitat is located on-site.

### *Birds*

The CNDDDB includes occurrences for wide-ranging resident and migratory bird species known from the region of the project site. The tricolored blackbird is locally nomadic but requires bulrush and cattail marsh or ponds for breeding that are not present on the project site. The least Bell's vireo is a breeding season migrant from the Salinas River that requires dense riparian habitat that does not occur on the project site. As such, the project site does not support suitable habitat for these two species.

The wide ranging locally nomadic and migrant raptors listed in the CNDDDB have the potential to use the site for occasional foraging habitat. This includes the golden eagle, ferruginous hawk (winter migrant), Swainson's hawk (breeding migrant), and prairie falcon. The Study Area site supports potential limited foraging and/or nesting opportunities for these wide-ranging species, as well as other more common raptors such as red-tailed hawk, red-shouldered hawk, barn owl, and great-horned owl.

### *Mammals*

The American badger, Salinas pocket mouse, and Nelson's antelope squirrel are typically found in grasslands with friable soils for digging burrows. The site is west of the currently accepted range for the Nelson's antelope squirrel and Salinas pocket mouse (CNDDDB occurrences are dated 1950 and 1918, respectively). The cultivated and developed areas of the site do not support suitable habitat for any of these mammal species. Limited suitable habitat for American badger is located within the disturbed annual grassland areas and along the edges of the oak woodland.

The pallid bat may occupy a variety of woodland, forest, and shrubland habitats. This species is highly sensitive to disturbance and typically roosts in rocky areas. No suitable habitat is located onsite for this species.

### *San Joaquin Kit Fox Habitat Evaluation*

The project site was specifically evaluated for suitability to provide habitat for the San Joaquin kit fox (SKJF) which is a wide-ranging species known from northeastern and southeastern San Luis Obispo County. The SKJF occupies open country grassland, open scrubland, and oak savannah where there are friable soils for burrowing and an abundant rodent prey base. This small species of fox is known to use available ground squirrel or other existing burrows for den sites as they typically do not excavate their own dens. The developed / maintained project site itself does not support quality habitat as it is regularly tilled, limiting burrowing animals and the establishment of a prey base.

The project site falls within the agency established movement corridor linking the Camp Roberts subpopulation with the core population in the Carrizo Plains. The Study Area falls within the SKJF corridor between the Carrizo Plain and Camp Roberts within 10 miles of several historic and a few more recent

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recorded occurrences. Most of the occurrences are on Camp Roberts where they have not been seen in many years. The Chandler Ranch observations south of Highway 46 is dated from the 1990's with no recent records of observations. There are 2014 observations of scat from a scent station study updating previous observations almost 10 miles to the east of the project site near Shandon.

The California Department of Fish and Wildlife (CDFW) requires the completion of the SJKF habitat evaluation form to evaluate potential impacts on the SJKF resulting from discretionary projects. The habitat evaluation form completed for this project site is provided as part of the project Biological Resources Assessment and shows a preliminary score of 76. Typically, scores above 50 require compensatory mitigation for the loss of habitat resulting from project implementation with scores in the 70's equating to a 3:1 ratio. The Study Area is within a 3:1 mitigation ratio area designated by the San Luis Obispo County's map of Standard San Joaquin Kit Fox Mitigation Ratios. No direct take (i.e. mortality, destruction of active dens, etc.) is allowed under the habitat mitigation fee program.

### **Waters of the U.S., Wetlands, and Waters of the State**

Visual inspection of the entire project site under the Biological Resources Assessment resulted in observations of two unnamed blue-line drainages that potentially represent jurisdictional waters of the U.S./State. The southern drainage includes an earthen dam structure and impoundment that appears to have been historically used as a stock pond based on aerial review. Historic aerial review indicates this pond feature at least partially fills on a seasonal basis. Based on the project site plans, no new structures are proposed within these drainages, and existing road crossings would be utilized to access the proposed incidental camping sites and Winery Site. As such, there are no Section 404/401 permits required from the Army Corps of Engineers (Corps) or Regional Water Quality Control Board (RWQCB), and there is no Section 1600 Streambed Alteration Agreement (SAA) required from the CDFW.

#### *Discussion*

- (a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The proposed project would result in temporary and permanent impacts to approximately 1.5 acres of highly disturbed non-native annual grassland in the location of the proposed winery facility, two incidental camping sites, and related facilities. The proposed disturbance areas do not support any native plant communities and provides minimal habitat for locally common wildlife accustomed to agricultural or mowed/disked grasslands. No impacts to the blue oak woodland are proposed, and retention of the trees would continue to provide nesting, foraging, and roosting habitat for resident and migratory birds as well as other common wildlife species.

No special-status plant or wildlife species were observed and are not expected to occur on the project site as there is no suitable habitat for any of these species. Vegetation removal (clearing and grubbing) during the nesting season for birds could result in the destruction of active bird's nests, including ground-nesting birds. Even unintended destruction of active nests is prohibited by the Fish and Game Code of California Sections 3503 and 3503.1 (raptors specifically). As such, this is considered a potentially significant impact requiring mitigation to avoid take or destruction of active nests in order to reduce this potentially significant impact to a less than significant level.

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The project is within the SJKF movement corridor between the Carrizo Plain core population and the Camp Roberts subpopulation. While there are abundant open lands through the area, the project could incrementally block or degrade potential SJKF movement through this corridor. The proposed project would permanently develop approximately 0.22 acres for the proposed winery site subject to County mitigation requirements. The remaining approximately 65.5 acres of annual grassland, 30 acres of vineyard, 16 acres of blue oak woodland, and the 1-acre stock pond would still allow unobstructed movement for SJKF through the area. Per the County guidelines, this loss of 0.22 acres of habitat movement opportunity for the SJKF is considered a potentially significant impact requiring a contribution to the long-term conservation of the movement corridor through the region as typical mitigation.

Although there is no formally-listed special-status plant or wildlife species habitat present on the site, impacts on general biological resources (i.e., SJKF) are considered to be *significant but mitigable*.

- (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?*

Although the project site supports mapped blue line creeks, no riparian vegetation or other sensitive natural communities within or immediately adjacent to the proposed areas of disturbance were identified as part of the project Biological Resources Assessment. Therefore, the project would not result in impacts to riparian habitat or other sensitive natural communities and *less than significant impacts would occur*.

- (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?*

Visual inspection of the entire project site under the Biological Resources Assessment resulted in observations of two unnamed blue-line drainages that potentially represent jurisdictional waters of the U.S./State. The southern drainage includes an earthen dam structure and impoundment that appears to have been historically used as a stock pond based on aerial review. Historic aerial review indicates this pond feature at least partially fills on a seasonal basis. Based on the project site plans, no new structures are proposed within these drainages, and existing road crossings would be utilized to access the proposed incidental camping sites and Winery Site. With the avoidance of jurisdictional waters under the proposed project, impacts are considered less than significant and jurisdictional agency permitting is not required.

- (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?*

The CNDDDB includes occurrences for wide-ranging resident and migratory bird species known from the region of the project site. The tricolored blackbird is locally nomadic but requires bulrush and cattail marsh or ponds for breeding that are not present on the project site. The least Bell's vireo is a breeding season migrant from the Salinas River that requires dense riparian habitat that does not occur on the project site. As such, the project site does not support suitable habitat for these two species.

The wide ranging locally nomadic and migrant raptors listed in the CNDDDB have the potential to use the site for occasional foraging habitat. This includes the golden eagle, ferruginous hawk (winter

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migrant), Swainson's hawk (breeding migrant), and prairie falcon. The Study Area site supports potential limited foraging and/or nesting opportunities for these wide-ranging species, as well as other more common raptors such as red-tailed hawk, red-shouldered hawk, barn owl, and great-horned owl. Vegetation removal (clearing and grubbing) during the nesting season for birds could result in the destruction of active bird's nests, including ground-nesting birds. Even unintended destruction of active nests is prohibited by the Fish and Game Code of California Sections 3503 and 3503.1 (raptors specifically). As such, this is considered a *significant but mitigable* impact.

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

The project would not adversely affect sensitive habitats or resources identified in the COSE or native tree species protected under the County Oak Woodland Ordinance. However, the project is within the SJKF movement corridor between the Carrizo Plain core population and the Camp Roberts subpopulation. While there are abundant open lands through the area, the project could incrementally block or degrade potential SJKF movement through this corridor. The proposed project would permanently develop approximately 0.22 acres for the proposed winery site subject to County mitigation requirements. The remaining approximately 65.5 acres of annual grassland, 30 acres of vineyard, 16 acres of blue oak woodland, and the 1-acre stock pond would still allow unobstructed movement for SJKF through the area. Per the County guidelines, this loss of 0.22 acres of habitat movement opportunity for the SJKF is considered a potentially significant impact requiring a contribution to the long-term conservation of the movement corridor through the region as typical mitigation. As discussed under Item (a), above, impacts related to SJKF are considered *significant but mitigable*.

The proposed area of disturbance does not support any other sensitive resources that are protected by local policies and plans.

- (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?*

The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is within areas identified as critical habitat or within the County's San Joaquin Kit Fox standard mitigation ratio area (County of San Luis Obispo 2007). Please refer to the impact discussion above under Item (e) for more detail on SJKF impacts. As such, the project would result in *significant but mitigable* impacts related to the County's SJKF conservation plan.

### Conclusion

Upon implementation of mitigation measures BIO-1 through BIO-12, impacts to biological resources would be less than significant.

### Mitigation

**BIO-1.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo that states that one or a combination of the following three San Joaquin kit fox compensatory mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.66 acres (0.22 acres of development multiplied by 3 as a result of an applied 3:1 mitigation ratio) of suitable habitat in the kit fox corridor area (e.g. either on-site or off-



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- site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife and the County. This mitigation alternative (a.) requires that all aspects of this program must be in place before County-permit issuance or initiation of any ground disturbing activities.
- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy,” would total: \$1,650 (0.22 x 3 x \$2,500). This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; actual cost may increase depending on the timing of payment. This fee must be paid after the CDFW provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.
  - c. Purchase credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, would total: \$1,650 (0.22 x 3 x \$2,500).

This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BIO-2 Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

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- b.** The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR-9. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c.** Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- d.** In addition, the qualified biologist shall implement the following measures:
1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
    - a. Potential kit fox den: 50 feet
    - b. Known or active kit fox den: 100 feet
    - c. Kit fox pupping den: 150 feet
  2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
  3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

**BIO-3 Prior to issuance of grading and/or construction permits,** the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction. In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

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- BIO-4** During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
- BIO-5** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- BIO-6** During the site-disturbance and/or construction phase, any pipes, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BIO-7** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BIO-9** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BIO-10** During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.
- BIO-11** Prior to commencement of any construction, to avoid conflicts with nesting raptors, construction activities shall not be allowed during the nesting season (March to July), unless a County-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The
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results of the surveys will be passed immediately to the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the County.

**BIO-12** Vegetation removal and initial site disturbance shall be conducted between September 1st and January 31st outside of the nesting season for birds. If vegetation and/or tree removal is planned for the bird nesting season (February 1st to August 31st), then preconstruction nesting bird surveys shall be conducted by a qualified biologist and submitted to the County Planning and Building Department prior to ground disturbance activities to determine if any active nests would be impacted by project construction. If no active nests are found, then no further mitigation shall be required.

If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. During all ground disturbing activities, nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist.

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### V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 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 checked="" 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"/>

#### Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers.

As defined by CEQA, a historical resource includes:

1. A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).
2. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence.

The County of San Luis Obispo LUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites and/or structures important to local, state, or national history. Standards are included regarding minimum parcel size and permit processing requirements for parcels with an established structure and Historic Site combining designation. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the Land Use Element (LUO 22.14.080).

San Luis Obispo County was historically occupied by two Native American tribes: the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is not known, as those boundaries may have changed over time.

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The COSE identifies and maps anticipated culturally sensitive areas and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site.

In order to determine the nature of the project site cultural and tribal cultural resources, a cultural resources survey was prepared for the proposed project (Cultural Resources Survey of the Vinyl Vineyards, Paso Robles, San Luis Obispo County, California. Central Coast Archaeological Research Consultants, December 2020). As discussed in the cultural resources survey, the Vinyl Vineyards study area is situated east of the contemporary town of Paso Robles on a series of gently southwest-northeast and north-south facing slopes. The project is situated between Huerhuero Creek to the west (100 meters) and an unnamed tributary of Huerhuero Creek that trends east-west through the central study area. The project area is within an agricultural environment, with roads, infrastructure, vineyards, and development defining all margins of the study area boundaries.

Within the southeast portion of the survey area, where a mature vineyard is established, a survey was walked in 20-meter parallel west-east transects between the rows. Due to land preparation and dirt roads in this area, ground surface visibility was excellent (100%). The remainder of the survey area was intensively walked in 10-meter parallel northwest-southeast transects. Extensive gopher burrows and back dirt, as well as soil exposed along the drainages and edges of the landforms were inspected for evidence of subsurface cultural remains and boots scrapes were used to expose the ground surface at 10-meter intervals. The central survey area was recently disked, therefore providing good to excellent (90 -100%) ground surface visibility throughout the project area.

The field investigation identified no prehistoric materials or historic cultural resources within the Vinyl Vineyards Project location. Located within an area characterized as low archaeological sensitivity, the landform the project is located on has been altered during previous grading, agriculture practices, and land preparation. The potential for intact archaeological deposits existing on the properties is considered to be low.

Due to the previous land preparation, the surveyed acreage throughout the undeveloped portion of the project area had excellent visibility. Surface soils are a medium brown culturally sterile fine sandy loam. Naturally occurring high quality brown, light brown, and off-white cherts were present throughout the survey area. On site vegetation is characterized predominately non-native annual grasses, with several mature valley oaks (*Quercus lobata*) within the central study area, and a blue oak woodland (*Quercus douglasii*) lining the drainages.

The archival research with the Central Coast Information Center (CCIC) database completed as part of the project cultural resources survey, including the intensive archaeological survey of the Vinyl Vineyards Project site identified no cultural resources. The current survey thus confirms the records search conducted at the CCIC, and the previous archaeological studies in the vicinity that found no evidence of archaeological material in the same environmental context.

Many important cultural resources, such as Tribal Cultural Resources, do not necessarily leave an archaeological footprint or have physically identifiable manifestations. It is therefore vital to seek out the possibility of these important resources and their locations through consultation with Salinan and Chumash tribal members. Under the authority of AB 52, the County has contacted the Native American Heritage Commission (NAHC) to obtain a list of regional tribal representatives. The County sent out invitations to consult on the proposed project to the identified tribal representatives. As a result of the required tribal consultation invitations, no requests for consultation were received.

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## Initial Study – Environmental Checklist

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In the unlikely event that buried cultural materials are encountered during construction, the County requires that all ground disturbances will cease until a qualified archaeologist is contacted to evaluate the nature, integrity, and significance of the deposit.

### Discussion

- (a) *Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

Based on the results of the project archaeological survey, the project site does not contain any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resources and *no impacts would occur*.

- (b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

The CCIC records search, Native American Heritage Commission (NAHC) coordination, and field survey associated with the project archaeological survey did not identify the presence of archaeological resources within or adjacent to the project area. As defined by CEQA, no historical resources or unique archaeological resources were identified within the project area and no further archaeological study is recommended at this time.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

- (c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

Based on existing conditions, buried human remains are not expected to be present in the site area. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant*.

### Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be less than significant and no mitigation measures are necessary.

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*Mitigation*

None necessary.

### VI. ENERGY

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

*Setting*

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

The County COSE establishes goals and policies that aim to reduce vehicle miles traveled, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. The COSE provides the basis and direction for the development of the County’s EnergyWise Plan (EWP), which outlines in greater detail the County’s strategy to reduce government and community-wide greenhouse gas emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

In 2010, the EWP established a goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to “[a]ddress future energy needs through increased conservation and efficiency in all sectors” and “[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020.” In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.



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The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

*If the project is located within the Renewable Energy Area combining designation, include that information here.*

### Discussion

- (a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Project implementation would require minimal consumption of energy resources. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Energy demands during project operation would be provided through existing infrastructure and would not substantially increase over existing demands. Operational energy use would be consistent with that of similar facilities and would not be wasteful or inefficient. There are no unique project characteristics that would result in a significant increase in energy usage, or an inefficient, wasteful use, or unnecessary consumption of energy resources. Potential impacts would be *less than significant*.

- (b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Implementation of the project would not result in a significant new energy demand and there are no project components or operations that would conflict with the EWP or any other state or local plan for renewable energy or energy efficiency. Compliance with State laws and regulations, including the most recent Building Code requirements, will ensure the project continues to reduce energy demands and greenhouse gas emissions, through, for example, increasing state-wide requirements that energy be sourced from renewable resources. Therefore, *no impact would occur*.

### Conclusion

The project would not result in a significant energy demand during short-term construction or long-term operations and would not conflict with state or local renewable energy or energy efficiency plans. Therefore, potential impacts related to energy would be less than significant and no mitigation measures are necessary.

### Mitigation

None necessary.

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### VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or 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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The proposed project site is located approximately 6 miles east of the mapped Rinconada Fault, approximately 20 miles west of the Red Hills fault (part of the San Juan fault zone), and approximately 30 miles west of the San Andreas fault. The California Department of Conservation Fault Activity Map also shows an unnamed active fault approximately 2 miles southwest of the project site.

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Seismic groundshaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. Per the County’s Land Use View Mapping Application, the project is located in an area with low potential for liquefaction to occur.

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of

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landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. Per the County's Land Use View Mapping Application, the project is located in an area with low to moderate potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. As discussed above under Section II, Agriculture and Forestry Resources, the project soil types are classified as follows:

- The Arbuckle component soils are considered to have a high to moderate risk of erosion and a high to moderate shrink swell characteristic;
- The San Ysidro component soils are considered to have moderate erosion and high shrink swell characteristics;
- The Positas component soils consist of high erosion and shrink swell characteristics; and
- The Nacimiento component soils are considered to have high erosion and shrink swell characteristics.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate, with the exception of construction of one single-story single family residence, agricultural uses not involving a building, agricultural accessory structures, and alterations or additions to any structure which does not exceed 50 percent of the assessed value of the structure. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault within an Earthquake Fault Zone (LUO 22.14.070). The project site is not located with a GSA per the County LUO.

Paleontological resources are fossilized remains of ancient environments, including fossilized bone, shell, and plant parts; impressions of plant, insect, or animal parts preserved in stone; and preserved tracks of insects and animals. Paleontological resources are considered nonrenewable resources under state and federal law. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils, as determined by rock type, past history of the rock unit in producing fossil materials, and fossil sites that have been recorded in the unit. Paleontological resources are generally found below ground surface in sedimentary rock units. The boundaries of the sedimentary rock unit is used to define the limits of paleontological sensitivity in a given region.

In the county, the Coastal Franciscan domain generally lies along the mountains and hills associated with the Santa Lucia Range. Fossils recorded from the Coastal Franciscan formation include trace fossils (preserved tracks or other signs of the behaviors of animals), mollusks, and marine reptiles. Nonmarine or continental deposits are more likely to contain vertebrate fossil sites. Occasionally vertebrate marine fossils such as whale, porpoise, seal, or sea lion can be found in marine rock units such as the Miocene Monterey Formation

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and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California. Vertebrate fossils of continental material are usually rare, sporadic, and localized.

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Where substantial subsurface disturbance is proposed in paleontologically sensitive units, Implementation Strategy CR 4.5.1 (Paleontological Studies) requires a paleontological resource assessment and mitigation plan be prepared, to identify the extent and potential significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources.

With respect to suitability for the construction of septic tanks and leach fields (as proposed under this project), the project site soils slope and depth to rock severely limit the soils for septic tank absorption fields and onsite investigations are needed to determine proper methods of disposal.

### *Discussion*

(a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

(a-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.*

Based on the California Department of Conservation Earthquake Zone Map, the project site is not located within a mapped Alquist-Priolo earthquake hazard zone (CGS 2018). Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be *less than significant*.

(a-ii) *Strong seismic ground shaking?*

Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. However, San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. The project would be required to comply with the California Building Code (CBC) and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking. Implementation of the project would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant*.

(a-iii) *Seismic-related ground failure, including liquefaction?*

Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with primarily low potential for liquefaction. In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction; therefore, the potential impacts would be *less than significant*.

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(a-iv) *Landslides?*

The project site has low to moderately sloping topography. Based on the County Safety Element Landslide Hazards Map the project site is in areas of Low and Moderate Potential Landslide Risk. The majority of the project site is within a Low Potential Landslide Risk area. Areas of Moderate Potential Landslide Risk are focused along steeper banks where building construction will not occur. As the areas of the project proposed for development are not located on substantial slopes, the project would not result in significant adverse effects associated with landslides and impacts would be *less than significant*.

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

The project is expected to disturb approximately 6.3 acres on a 120-acre site and does not include substantial vegetation removal. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant*.

(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?*

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located in an area with slopes susceptible to local failure or landslide.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction risk and the project is not located within the GSA combining designation. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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

Based on the Soil Survey of San Luis Obispo County and Web Soil Survey, the project site is located within an area known to contain expansive soils as defined in the Uniform Building Code. However, all future development would be required to comply with the most recent CBC requirements, which have been developed to properly safeguard structures and occupants from land stability hazards, such as expansive soils. It should also be noted that the project does not include residential development or structures proposed for human habitation. Therefore, potential impacts related to expansive soil would be *less than significant*.

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- (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?*

With respect suitability for the construction of septic tanks and leach fields, the project site soils slope and depth to rock severely limit the soils for septic tank absorption fields and onsite investigations are needed to determine property methods of disposal.

The project includes the installation of leach fields and septic tank to dispose of wastewater. The leach lines shall be located at least 100 feet from any private well, and at least 200 from any community/public well. The proposed project must comply with ordinance requirements for the placement and design of septic systems. Prior to building permit issuance, the standard septic systems will be evaluated in greater detail to ensure compliance with the Central Coast Basin and will not be approved if Basin Plan criteria cannot be met.

The winery's proposed maximum annual production of 5,000 cases will qualify for a small winery discharge waiver through Regional Water Quality Control Board (RWQCB). The wastewater will be treated, and land applied under provisions of the RWQCB winery wastewater waiver. The proposed winery wastewater treatment will require discharge waiver from the RWQCB prior to construction. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant, and no mitigation measures are required.

- (f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project does not include substantial grading or earthwork that would disturb the underlying geologic formation in which paleontological resources may occur. Therefore, potential impacts on paleontological resources would be *less than significant*.

### *Conclusion*

The project site is not within the GSA combining designation or an area of high risk of landslide or liquefaction. Although geologic conditions related to high erosion and shrink swell potential exist, the project would be required to comply with CBC and standard LUO requirements which have been developed to properly safeguard against seismic and geologic hazards. Therefore, potential impacts related to geology and soils would be less than significant and no mitigation measures are necessary.

### *Mitigation*

Not necessary.

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### VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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"/>
(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"/>

#### Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth’s climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO<sub>2</sub>/year (MT CO<sub>2</sub>e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bight Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO<sub>2</sub>/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

Under CEQA, an individual project’s GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State’s plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. This initial Scoping Plan contained the main strategies to be implemented in order to achieve the target emission levels identified in AB 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state’s GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of



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energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the State's GHG reduction goals and require ARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. The initial Scoping Plan was first approved by ARB on December 11, 2008 and is updated every five years. The first update of the Scoping Plan was approved by the ARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030-2035) toward reaching the 2050 goals. The most recent update released by ARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

The County Energy Wise Plan (EWP; 2011) identifies ways in which the community and County government can reduce greenhouse gas emissions from their various sources. Looking at the four key sectors of energy, waste, transportation, and land use, the EWP incorporates best practices to provide a blueprint for achieving greenhouse gas emissions reductions in the unincorporated towns and rural areas of San Luis Obispo County by 15% below the baseline year of 2006 by the year 2020. The EWP includes an Implementation Program that provides a strategy for actions with specific measures and steps to achieve the identified GHG reduction targets including, but not limited to, the following:

- Encourage new development to exceed minimum Cal Green requirements;
- Require a minimum of 75% of nonhazardous construction and demolition debris generated on site to be recycled or salvaged;
- Continue to implement strategic growth strategies that direct the county's future growth into existing communities and to provide complete services to meet local needs;
- Continue to increase the amount of affordable housing in the County, allowing lower-income families to live closer to jobs and activity centers, and providing residents with greater access to transit and alternative modes of transportation;
- Reduce potable water use by 20% in all newly constructed buildings by using the performance methods provided in the California Green Building Code;
- Require use of energy-efficient equipment in all new development;
- Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index of 10 for high-slope roofs and 68 for low-slope roofs; and
- Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities.

In 2016 the County published the EnergyWise Plan 2016 Update, which describes the progress made toward implementing measures in the 2011 EWP, overall trends in energy use and emissions since the baseline year of the inventory (2006), and the addition of implementation measures intended to provide a greater understanding of the County's emissions status.

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### Discussion

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

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project would generate less than the SLOAPCD Bright-Line Threshold of 1,150 metric tons of GHG emissions. The project's construction-related and operational GHG emissions and energy demands would be minimal. Therefore, the project's potential direct and cumulative GHG emissions would be less than significant and less than a cumulatively considerable contribution to regional GHG emissions.

Projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the ARB (or other regulatory agencies) and will be regulated by standards implemented by the ARB, the federal government, or other regulatory agencies. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be *less than significant*.

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

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, EWP, or other state and local regulations related to GHG emissions and renewable energy. The project would be generally consistent with the property's existing land use and would be designed to comply with the California Green Building Code standards. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and potential impacts would be *less than significant*.

### Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. Therefore, potential impacts related to greenhouse gas emissions would be less than significant and no mitigation measures are necessary.

### Mitigation

None necessary.

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### IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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 or excessive noise for people residing or working in the project area?	<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"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study – Environmental Checklist

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### Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>. The project would not be located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (State Water Resources Control Board [SWRCB] 2015).

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The project is located within a high fire hazard severity zone, and, based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

The County also has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan, Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and the Tsunami Response Plan.

### Discussion

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

The project does not propose the routine transport, use or disposal of hazardous substances. Any commonly-used hazardous substances within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. *No impacts* associated with the routine transport of hazardous materials would occur.

- (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?*

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety

## Initial Study – Environmental Checklist

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laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, potential impacts would be *less than significant*.

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

The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *no impacts would occur*.

- (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?*

Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. Therefore, *no impacts would occur*.

- (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?*

The project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip. However, the project site is located within the County's Airport Review Area Combining Designation given its location just outside of the 2-mile buffer from the Paso Robles Municipal Airport. Although the subject property is within the County Airport Review Area Combining Designation, the property is located outside the Paso Robles Municipal Airport mapped flight paths, noise contours, and safety areas. Individual development projects, such as this application, are not mandated for referral to the Airport Land Use Commission for review. Additionally, since the project is not within the Paso Robles Municipal Airport Land Use Plan land use policy areas, there are no safety, noise, or density standards applicable to the project. As such, impacts are considered to be *less than significant*.

- (f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Any construction-related detours would include proper signage and notification and would be short-term and limited in nature and duration. Therefore, potential impacts would be *less than significant*.

- (g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Based on the County Safety Element, the project is located within a high fire hazard severity zone with a response time of 5 to 10 minutes within a State/Cal Fire Responsibility Area. The project will be conditioned to implement building and site improvements in accordance with the Fire Code,

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including, but not limited to implementation of a fire safety plan. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

### *Conclusion*

The construction and use of the proposed winery facility, tasting room and dry camping spots will not require the use or generation of any hazardous materials. Additionally, the project is not located on a site known to contain, use, or generate any hazardous materials. The project is outside of the Paso Robles Municipal Airport Review Area and it is unlikely that the project result in any safety hazard or excessive noise exposure. The project is not expected to interfere with any adopted emergency response or evacuation plan. Finally, the threats posed by the project's location within a High Fire Hazard Severity Zone will be minimized to less than significant levels through the requirements set forth by Cal Fire. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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"/>
(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"/>
(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:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
(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"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### Setting

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The Central Coast Regional Water Quality Control Board (RWQCB) has established Total Maximum Daily Load (TMDL) thresholds for waterbodies within the County. A TMDL establishes the allowable amount of a particular pollutant a waterbody can receive on a regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and measures to achieve the allowable amount of pollutant loading. Section 303(d) of the Clean Water Act (CWA) requires states to maintain a list of bodies of water that are designated as “impaired”. A body of water is considered impaired when a particular water quality objective or standard is not being met.

The RWQCB’s Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The U.S. Army Corps of Engineers (USACE), through Section 404 of the CWA, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. are typically identified by the presence of an ordinary high water mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. The State Water Resources Control Board (SWRCB) and nine RWQCBs regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the state.

The proposed project is located within the Paso Robles Groundwater Basin.

Water for urban uses in the County is obtained from either surface impoundments such as Santa Margarita Lake, Whale Rock, and Lopez reservoirs, or from natural underground basins (aquifers). In October 2015, the County Board of Supervisors adopted a resolution which established the Countywide Water Conservation Program (CWWCP) in response to the declining water levels in the Nipomo Mesa subbasin of the Santa Maria Groundwater Basin, Los Osos Groundwater Basin, and the Paso Robles Groundwater Basin (PRGWB). A key strategy of the CWWCP is to ensure that all new construction or new or expanded agriculture will be required to offset its predicted water use by reducing existing water use on other properties within the same water basin. Each of the three groundwater basin areas have specific policies that apply.

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing.

The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of one-half acre or more in



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geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. Two branches of an unnamed seasonal drainage swale traverse the northern portion of the property, running in an east to west direction, in proximity to the location of the proposed dry camping areas (within 70 feet and 60 feet of the drainage channel centerline, respectively). There is also a small agriculture retention pond along the lower drainage path.

In order to determine the project water demand for both industrial and domestic use and for a review of available water sources with respect to capacity and water quality, a study was prepared by the Wallace Group, Inc. (March 18, 2021). As discussed in the water analysis, the existing water sources at the project consist of two wells. One is dedicated to an existing residential structure on the property and will not be used for the proposed project. The second is currently being used to irrigate existing vineyards as an agricultural well. The well capacity is 500 gallons per minute (gpm) and the initial water quality results available indicate the well may require treatment to meet potable standards for arsenic. The existing agricultural well was constructed to potable well standards such that it has a 50-foot deep cement annular seal and could be purposed as a domestic well for the proposed project. The preliminary well completion report, pump test, and water quality data documentation included in the water analysis memo. As part of the Paso Robles Groundwater Basin requirements, the well will include a water meter and monthly inspections will be conducted with records kept by the owner.

The tables below shows the annual and monthly water usage estimated for the project. The monthly process wastewater totals are based on the typical seasonal distribution of water demands in a small winery. The return rate estimates are based on experience with similar size wineries and based on a standard septic system with leach field.

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**Table 4. Annual Water Estimates**

Use	Rate	Gross Demand (gallons/year)	Gross Demand (AFY)	Return rate (recycled or recharged)	Net Demand (AFY)
Wine	5,000 Cases per year (@10 gallons per	50,000	0.15	Process waste to likely be hauled for	0.15
Tasting Room	Estimated 200 patrons per week at 5	52,000	0.16	80%	0.03
Employee Demand	5 FTE @20 GPD /employee = 100 gpd x 365 days	36,500	0.11	80%	0.02
Event Demand	150 patrons per event at 5	4,500	0.01	80%	0.00
Landscaping Demand	13,700 SF at ~1.4 ft/year	143,926.00	0.44	Conservative estimate will not include any	0.44
<b>Total New Water Demand</b>		<b>286,926</b>	<b>0.88</b>		<b>0.65</b>

**Table 5. Monthly Analysis of Proposed Winery Demand (Not Including Domestic Uses)**

Month	Estimated Wine Production Water Demand (gal)	Estimated Average Daily Demand (gal)	Estimated Peak Day Demand, 2.5X Peaking Factor (gal)
Jan	1,250	40	101
Feb	1,250	45	112
Mar	2,750	89	222
Apr	4,500	150	375
May	4,250	137	343
June	2,000	67	167
Jul	2,000	65	161
Aug	6,250	202	504
Sep	9,250	308	771
Oct	8,000	258	645
Nov	6,000	200	500
Dec	2,500	81	202
<b>Total</b>	<b>50,000</b>		

As shown above, the available water source has far more capacity than necessary for the proposed winery, both on a peak daily demand basis and annual usage basis. A potable storage tank is proposed to be sited

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adjacent to the existing agricultural well and will contain 5,000-10,000 gallons of storage, which is several days' minimum storage during peak harvest conditions, including both industrial and domestic demands.

The project site is located within the Paso Robles Groundwater Basin. All new urban and rural development within the PRGWB is required to offset new water use at a minimum 1:1 ratio through the purchase of water offset credits prior to construction permit issuance.

### *Discussion*

- (a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The proposed project includes a total of 6.3 acres of disturbance, and a total cut volume of 5,729.54 cubic yards and a total fill volume of 5,494.14 cubic yards. The project site supports highly erodible soils, but on-site slopes are gentle to moderate. The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use. Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Adherence to the County's LUO for sedimentation and erosion control (Sec. 22.52.120) will adequately address these impacts. Additionally, disturbed areas will be permanently stabilized with impermeable surfaces and landscaping and stockpiles will be properly managed during construction to avoid material loss due to erosion.

To reduce construction-related surface water quality impacts, the project will be subject to Section 22.52.080 of the County's Land Use Ordinance (Title 22) which requires a drainage plan. Compliance with this plan will direct surface flows in a non-erosive manner through the site.

The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its domestic wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant.

The proposed project improvements are not expected to impact the unnamed blue line drainages that runs in an east/west direction in the northern half of the subject property.

The on-site drainages have the potential to be considered jurisdictional. However, based on the project site plans, no new structures are proposed within these drainages, and existing road crossings would be utilized to access the proposed incidental camping sites and Winery Site. As such, there are no Section 404/401 permits required from the Army Corps of Engineers (Corps) or Regional Water Quality Control Board (RWQCB), and there is no Section 1600 Streambed Alteration Agreement (SAA) required from the CDFW.

Implementation of the project would not substantially change the volume or velocity of runoff leaving any point of the site or result in a significant increase in impervious surface area. The project site is generally flat and does not pose a risk to downslope runoff, sedimentation, erosion, or runoff. Existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality. The project would not substantially affect surface water or groundwater quality. Therefore, potential impacts would be *less than significant*.

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- (b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The net water demand for the project is expected to be 0.65 AFY. The project is located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA). The existing water sources at the project consist of two wells. One is dedicated to an existing residential structure on the property and will not be used for the proposed project. The second is currently being used to irrigate existing vineyards as an agricultural well. The well capacity is 500 gpm and the initial water quality results available indicate the well may require treatment to meet potable standards for arsenic. The existing agricultural well was constructed to potable well standards such that it has a 50-foot deep cement annular seal and could be purposed as a domestic well for the proposed project. The preliminary well completion report, pump test, and water quality data documentation included in the water analysis memo. As part of the Paso Robles Groundwater Basin requirements, the well will include a water meter and monthly inspections will be conducted with records kept by the owner. The project proposes the construction of new septic systems and leach fields to support the project implementation.

Maximum proposed case production at 5,000 cases will fall under a Winery Wastewater Discharge waiver with RWQCB.

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. It is not anticipated that the project would deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant*.

- (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:*
- (c-i) *Result in substantial erosion or siltation on- or off-site?*

The project will result in approximately 6.3 acres of site disturbance, including a total cut volume of 5,729.54 cubic yards and a total fill volume of 5,494.14 cubic yards. A sedimentation and erosion control plan is required to minimize the potential for soil erosion, which would be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120 to minimize potential impacts related to erosion, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation.

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant*.

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- (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. The project would result in an increase in impervious surface area on the project property as a result of installation of winery facility, parking areas, camping areas and associated flatwork.

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant*.

- (c-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?*

The project would be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in exceedance of the capacity of existing or planned drainage systems or provide substantial additional sources of polluted runoff would be *less than significant*.

- (c-iv) *Impede or redirect flood flows?*

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. Therefore, *no impacts would occur*.

- (d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Based on the County Safety Element, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (DOC 2019). The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

- (e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by SGMA. The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. The project would not conflict with the Central Coastal Basin Plan, SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, *no impacts would occur*.

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### *Conclusion*

Compliance with existing regulations and/or required plans would adequately reduce potential impacts associated with hydrology and water quality to be less than significant.

### *Mitigation*

Compliance with existing regulations and/or required plans would adequately reduce potential impacts associated with hydrology and water quality to be less than significant.

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### XI. LAND USE AND PLANNING

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

#### Setting

The LUO was established to guide and manage the future growth in the County in accordance with the General Plan, to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands, to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses, and to protect and enhance significant natural, historic, archeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the County General Plan.

The County Land Use Element (LUE) provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic growth principles to define and focus the county's pro-active planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The proposed project site is zoned Agriculture (Ag). The surrounding properties and all adjacent parcels are also designated Ag by the County Land Use Element.

The inland LUE also contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply "areawide", in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County's unincorporated inland urban and village areas. The project is located within the North County Planning Area and El Pomar/Estrella Sub Area.

The proposed project is located in an area designated Agricultural by the County of San Luis Obispo. The project site is surrounded by large agricultural parcels and rural residences. Surrounding uses are identified on Page 2 of this Initial Study and the proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies

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(e.g., County Fire/CAL FIRE for Fire Code, Environmental Health, Public Works, Agricultural Department, and Native American Tribes etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

In addition, the project was determined to be consistent with the Agricultural Processing section (§22.30.070) and with the Rural Recreation and Camping section (§22.30.520) of the LUO. Consistent with Section 22.30.020(D) of the County's LUO, the applicant's Conditional Use Permit application has been submitted specially to request an exception to the special use setback standard for incidental camping. The requested exception maintains the intent of the standards, while allowing for flexibility to respond to specific site conditions and context. The exception provides for a setback from adjacent noise sensitive use (e.g., residential structures) of 863 feet. The exception does not compromise the health, safety, or welfare of the public, or impact the continued use and development of neighboring properties. The applicant requests the incidental campsite setback be adjusted to a minimum setback of 250 feet from adjacent property lines with a setback of 863 feet from the nearest existing adjacent residential use.

### *Discussion*

(a) *Physically divide an established community?*

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur*.

(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?*

The County Land Use Ordinance requires setbacks of 200 feet from each property line and 400 feet from existing residences outside the ownership of the applicant for public tasting wineries. Consistent with Section 22.30.020(D) of the County's LUO, the applicant's Conditional Use Permit application has been submitted specially to request an exception to the special use setback standard for incidental camping. The requested exception maintains the intent of the standards, while allowing for flexibility to respond to specific site conditions and context. The exception provides for a setback from adjacent noise sensitive use (e.g., residential structures) of 863 feet. The exception does not compromise the health, safety, or welfare of the public, or impact the continued use and development of neighboring properties. The applicant requests the incidental campsite setback be adjusted to a minimum setback of 250 feet from adjacent property lines with a setback of 863 feet from the nearest existing adjacent residential use.

The project would be consistent with all other setback requirements, land use designations and the guidelines and policies for development within the applicable area plan, inland LUO, and the COSE. The project is consistent with existing surrounding developments and does not contain sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. With the granting of setback modification, the project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. Impacts would be *less than significant*.



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### *Conclusion*

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Therefore, potential impacts related to land use and planning would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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"/>

#### Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (Public Resources Code Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey 2011 a):

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- **MRZ-2:** Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- **MRZ-3:** Areas containing known or inferred aggregate resources of undetermined significance.

The County LUO provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The EX combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The state geologist has designated a mineral resource area of statewide or regional significance pursuant to PRC Sections 2710 et seq. (SMARA); and,
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could

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hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

### *Discussion*

- (a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, *no impacts would occur*.

- (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?*

There are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. Therefore *no impacts would occur*.

### *Conclusion*

No impacts to mineral resources would occur and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(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"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located 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"/>

#### Setting

The San Luis Obispo County Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant policies of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses, and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

Noise sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools – preschool to secondary, college and university, specialized education and training
- Health care services (e.g., hospitals, clinics, etc.)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums
- Hotels and motels

## Initial Study – Environmental Checklist

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- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

All sound levels referred to in the Noise Element are expressed in A-weighted decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

The proposed project includes a maximum of ten annual temporary events of up to 150 persons, which may be allowed by a Conditional Use Permit in conjunction with a winery tasting room. Events are proposed to be held at the winery and adjacent outdoor areas. These events would be separate from the winery activities that are not defined as special events (such as industry-wide events, wine club activities, or non-advertised gathering of less than 50 people). Events would include amplified outdoor music between the hours of 10 am and 5 pm.

The proposed project also includes incidental (dry) camping proposed in two locations west of the proposed winery. Campsites are anticipated to be available open for use seven days a week. The camping areas would accommodate up ten tent or self-contained recreational vehicles (RV). Campsite improvements will include access road and turnaround pursuant to County Fire Department standards. The campsite area ground surface will be a natural, non-combustible, and porous materials to create a level area for pitching tents or leveling RVs. As a “dry” camping facility, water supply and portable restrooms, consistent with Health Department standards, will be provided, but no other utility or RV hook up services or connections (electric, water, or wastewater disposal) will be available. Camping supplies and resources will be brought in (and out) by campers.

As discussed above under Section III, Air Quality, rural residences occur on adjacent parcels to the southwest and east of the subject property. The residence to the southwest is located approximately 1,560 feet from the proposed winery and tasting room and 836 feet and 1,304 feet from the proposed recreational camping areas respectively. The residence to the east is located approximately 1,750 feet from the proposed winery and tasting room (and over a half-mile from the proposed camping sites).

The existing ambient noise environment is characterized by marginal traffic on Union Road, as well as agricultural equipment from surrounding agricultural processing facilities and residential properties.

The proposed project site is not within loud noise source based on the County's noise contour map. The nearest existing noise-sensitive land use are the rural residential developments discussed above.

### Discussion

- (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?*

The County of San Luis Obispo LUO establishes acceptable standards for exterior and interior noise levels and describe how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use.

**Table 6. Maximum allowable exterior noise level standards<sup>(1)</sup>**

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Sound Levels	Daytime 7 a.m. to 10 p.m.	Nighttime <sup>(2)</sup>
Hourly Equivalent Sound Level (L <sub>eq</sub> , dB)	50	45
Maximum level, dB	70	65

(1) When the receiving noise-sensitive land use is outdoor sports and recreation, the noise level standards are increased by 10 db.

(2) Applies only to uses that operate or are occupied during nighttime hours

The County LUO noise standards are subject to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. on weekdays, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. Noise associated with agricultural land uses (as listed in Section 22.06.030), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. The County LUO requires that construction activities be conducted during daytime hours to be able to utilize County construction noise exception standards and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. Compliance with these standards would ensure short-term construction noise would be less than significant.

Winery Special Events. Section 22.30.70.D.2.i.(3) states the following: Special events are limited to 40 days per year. Any special event proposing outdoor amplified music shall only be allowed from 10:00 a.m. to 5:00 p.m. No outside amplified sound shall occur before 10:00 a.m. or after 5:00 p.m. The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65dB. The project includes a proposed maximum of ten annual temporary events of up to 150 persons, which is allowed for consideration with the application of a Conditional Use Permit such as the one proposed for consideration as part of the proposed project. The applicants are not requesting a waiver or modification of the Winery Special Events amplified music requirements.

Industry-wide Events. The Paso Robles Wine Country Alliance hosts regional trade and consumer events around North County throughout the year. Currently three annual events are held. These are open house weekends where visitors can participate in the different industry-wide events where they might otherwise not have access to participating wineries.

The project intends to participate in activities during the Wine Industry Weekends and other marketing activities not defined as special events (non-advertised wine club activities and activities with under 50 attendees) by the Land Use Ordinance.

The project is not expected to generate loud noises, nor conflict with the surrounding uses. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. Compliance with these standards, and the requirements for winery special events discussed above, would ensure noise impacts would be *less than significant*.

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

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

(c) *For a project located 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?*

The project site is located adjacent to (but outside of) the Paso Robles Municipal Airport Land Use Plan, just over 2 miles from the airport. The project does not include residential use or the development of human habitation and would not expose people living or working in the project area to excessive noise levels; therefore, *no impact would occur*.

### *Conclusion*

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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## XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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 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"/>

### Setting

The County of San Luis Obispo General Plan Housing Element recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The Housing Element includes an analysis of vacant and underutilized land located in urban areas that is suitable for residential development and considers zoning provisions and development standards to encourage development of these areas. Consistent with State housing element laws, these areas are categorized into potential sites for very low- and low-income households, moderate-income households, and above moderate-income households.

The County’s Inclusionary Housing Ordinance requires the provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Section 22.12.080.B.2.e. does not require Inclusionary Housing fees if the commercial structures cumulatively do not exceed 5,000 square feet. The proposed winery building would be approximately 6,411 square feet, including interior and exterior production areas of 4,597 SF and 1,475 SF, respectively. The incidental tasting room would encompass approximately 810 SF, and would be located within the winery building. As such, inclusionary Housing fees will be required at time of submittal of building permits.

As discussed above under Section III, Air Quality, rural residences occur on adjacent parcels to the southwest and east of the subject property. The residence to the southwest is located approximately 1,560 feet from the proposed winery and tasting room and 836 feet and 1,304 feet from the proposed recreational camping areas respectively. The residence to the east is located approximately 1,750 feet from the proposed winery and tasting room (and over a half-mile from the proposed camping sites).



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### Discussion

- (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)?*

The project does not include the construction of new homes and daily operations at the proposed winery would potentially employ full-time employees. Workers would likely be sourced from the local labor pool and would not result in increased housing demand. The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. The project does not include the extension or establishment of roads, utilities, or other infrastructure that would induce development and population growth in new areas. In addition, the project would be subject to inclusionary housing fees to offset any potential increased need for housing in the area. Therefore, the project would not directly or indirectly induce substantial growth and impacts would be *less than significant*.

- (b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, *no impacts would occur*.

### Conclusion

No impacts to population and housing would occur and no mitigation measures are necessary.

### Mitigation

None necessary.

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### XV. PUBLIC SERVICES

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(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"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The proposed project is located in a High Fire Hazard Severity Zone. The project site is within an area classified as State Responsibility Area. The nearest Cal Fire/County Fire station (Cal Fire Station 52) is located at 4050 Branch Drive, approximately 4.1 vehicular miles east of the project site. Based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The proposed project area is served by County

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Sheriff and the nearest station is the North Station in Templeton, 356 North Main Street in the Community of Templeton, located approximately 9.8 vehicular miles south of the project site.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project is within the Paso Robles Joint Unified School District, which includes six elementary schools, two middle school, and two high schools.

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to the serve new development, including fire protection, law enforcement, schools, parks, and roads.

### *Discussion*

- (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?*

The project would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. Based on the limited nature of development proposed, the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant*.

#### *Police protection?*

The project does not propose a new use or activity that would require additional police services above what is normally provided for similar surrounding land uses. The project would not result in a significant increase in demand for police protection services and would not result in the need for new or altered police protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

#### *Schools?*

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional school services or facilities to serve new student populations. Therefore, potential impacts would be *less than significant*.

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### *Parks?*

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. Therefore, potential impacts would be *less than significant*.

### *Other public facilities?*

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, impacts related to other public facilities would be *less than significant*.

### *Conclusion*

The project does not propose development that would substantially increase demands on public services and would not induce population growth that would substantially increase demands on public services. The project would be subject to payment of development impact fees to reduce the project's negligible contribution to increased demands on public services and facilities. Therefore, potential impacts related to public services would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### XVI. RECREATION

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Recreation Element.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

#### Discussion

- (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?*

The project proposes a winery facility and up to ten dry camping spots and would potentially employ full-time employees. Workers would likely be sourced from the local labor pool and would not result in increased demand on existing or planned recreational facilities in the county. The project is intended to provide additional recreational opportunities (i.e., dry camping spaces) and is not proposed in a location that would affect any existing trail, park, recreational facility, coastal access,

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and/or natural area. The project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional parks or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant*.

- (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?*

The project includes the proposed development of up to ten dry camping spots (no utility hook ups and no Recreational Vehicles), which would be considered an addition to regional recreational opportunities. As such, the proposed project would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *less than significant impacts would occur*.

### *Conclusion*

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, potential impacts related to recreation would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### XVII. TRANSPORTATION

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<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"/>
(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 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"/>

#### Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county.

In 2013, Senate Bill 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of Senate Bill 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation Plan (RTP), programming of state funds for transportation projects, and the administration

## Initial Study – Environmental Checklist

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and allocation of transportation development act funds required by state statutes. As the Metropolitan Planning Organization (MPO), SLOCOG is also responsible for all transportation planning and programming activities required under federal law. This includes development of long-range transportation plans and funding programs, and the approval of transportation projects using federal funds.

The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County of San Luis Obispo as well as the Cities within the county in facilitating the development of the RTP.

The County Department of Public Works establishes bicycle paths and lanes in coordination with the RTP, which outlines how the region can establish an extensive bikeway network. County bikeway facilities are funded by state grants, local general funds, and developer contributions. The RTP also establishes goals and recommendations to develop, promote, and invest in the public transit systems, rail systems, air services, harbor improvements, and commodity movements within the county in order to meet the needs of transit-dependent individuals and encourage the increasing use of alternative modes by all travelers that choose public transportation. Local transit systems are presently in operation in the cities of Morro Bay and San Luis Obispo, and South County services are offered to Grover Beach, Arroyo Grande, Pismo Beach, and Oceano. Dial-a-ride systems provide intra-community transit in Morro Bay, Atascadero, and Los Osos. Inter-urban systems operate between the City of San Luis Obispo and South County, Los Osos, and the North Coast.

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County's General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. Due to the location of the project site, there are no pedestrian, bicycle, or public transit facilities serving of the project site.

In order to determine the project transportation and traffic impacts, a transportation analysis was prepared for the proposed project (Vinyl Vineyards Transportation Analysis, Central Coast Transportation Consulting, July 6, 2021). As discussed in the project transportation analysis, the two existing eastern driveways at the project site will be used for winery and special events operations. Both driveways are paved and meet County Standard A-5a. There is an existing gate at the central (eastern) driveway approximately 600 feet west of Penman Springs Road. A new gate is proposed at the easternmost driveway across from Penman Springs Road. No additional driveway improvements are proposed.

The traffic analysis specifies that no collisions were reported at the Union Road/Penman Springs Road intersection or at any of the project driveways between 2016 and 2020. Five collisions were reported in the series of curves just west of the project parcel. One collision involved a westbound driver and four involved an eastbound driver. There is currently a horizontal alignment warning sign and chevrons in the westbound direction. However, no signage was observed in the eastbound direction.



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### Discussion

- (a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

As discussed in the project transportation analysis, the County released draft guidelines in 2021 for evaluating transportation impacts using VMT consistent with recently mandated changes to CEQA. Small projects consistent with the General Plan and generating fewer than 110 daily trips are presumed to have a less-than-significant impact. The County's winery and special events trip calculator identifies a yearly threshold of 27,610 annual trips based on the 110 daily trip thresholds, not including weekends or holidays.

The Institute of Transportation Engineers (ITE) *Trip Generation Manual* 10th Edition was used to estimate the camping trip generation and the peak to daily factor for regular winery activities. The ITE trip generation rate for campgrounds is based on occupied campsites. The daily trips were adjusted using seasonal occupancy rates from a trip generation assessment of County campground facilities (Orosz Engineering Group, 2017).

The daily and annual project trip generation is shown in Table 7, below.

**Table 7. Project Trip Generation**

<b>Winery &amp; Special Event Operations<sup>1</sup></b>						
Annual Days	Activity	Peak Hour Trips		Daily Trips		Annual Trips
		Winery	Special	Winery	Special Event	
261	Weekday Non-Event	6	-	37	-	9,657
94	Weekend Non-Event	6	-	37	-	3,478
0	Weekday Event	6	60	37	120	0
10	Weekend Event	6	60	37	120	1,570
<b>365 Total Annual Trips (Winery and Special Events)</b>						<b>14,705</b>
<b>Camping Operations</b>						
Annual Days	Activity	Maximum Trips <sup>2</sup>		Occupancy <sup>3</sup>	Daily Trips	Annual Trips
		Peak Hour	Daily			
155	Weekday (Oct-April)	3	27	50%	14	2,170
106	Weekday (May-Sept)	3	27	75%	21	2,226
104	Weekend	3	27	100%	27	2,808
<b>365 Total Annual Trips (Camping)</b>						<b>7,204</b>
<b>TOTAL ANNUAL PROJECT TRIPS</b>						<b>21,909 &lt;</b>

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1. Winery and special event trips obtained from VMT SLO Special Events Calculator.
2. PM peak hour of adjacent street trips obtained from ITE LU #416 Campground/Recreational Vehicle Park based on occupied campsites. PM peak hour assumed to be 10% of daily trips.
3. Occupancy rates per study of SLO County campground facilities (Orosz, 2017).

As shown above, the project would generate 21,909 annual trips, less than the 27,610 annual trip threshold. Therefore, the impacts related to VMT are considered *less than significant*, and no mitigations are required or recommended. In addition it is important to note that VMT would still be below the threshold with 100 percent camping occupancy.

### Union Road Volumes and Operations

Union Road is a two-lane road with no pedestrian or bike facilities. Historic traffic volumes were obtained from the County. Volumes on Union Road near the project site have fluctuated over the past 15 years as shown in Table 8, below.

**Table 8. Average Daily Traffic (ADT) Volumes**

Roadway Segment	Date	ADT
Union Road (W of Kit Fox Lane)	6/30/17	1,716
Union Road (W of Kit Fox Lane)	3/9/14	1,827
Union Road (W of Kit Fox Lane)	6/17/10	2,088
Union Road (W of Kit Fox Lane)	9/26/06	1,980

Source: San Luis Obispo County, 2021.

The County of San Luis Obispo has adopted a level of service (LOS) standard of LOS C for roadways and intersections in rural areas outside the Urban Reserve Line (URL). Consistent with County Circulation Studies, the ADT would need to exceed 3,000 for unacceptable LOS D operations on a two lane local road. Union Road near the project site would operate acceptably with and without the project. There is no posted speed and no bike facilities are proposed on Union Road.

### Roadway Safety Analysis

The project is expected to generate nine regular peak hours trips and 60 special event peak hours trips as shown in Table 7. Per County Resolution 2008-152, the development does not meet the criteria for road improvements. However, a Roadway Safety Analysis (RSA) is required from the project entrance to 0.5 miles toward the nearest intersection. Traffic collision data was obtained from the Statewide Integrated Traffic Records System (SWITRS) for Union Road between Penman Springs Road and 0.5 miles west as shown in Table 9 below.

**Table 9. Union Road Collision History**

Date	Time	Location	Injury Degree	Primary Collision Factor	Collision Type	Direction of Travel
7/2/16	18:30	2640' w/o Penman Springs	Property	DUI	Other	East
8/17/18	5:50	2640' w/o Penman Springs	Property	Improper Turning	Overtur	East
7/5/19	6:50	2640' w/o Penman Springs	Property	Improper Turning	Overtur	West
7/9/16	5:25	2112' w/o Penman Springs	Complaint of	Improper Turning	Overtur	East
6/30/19	10:15	2112' w/o Penman Springs	Property	Improper Turning	Overtur	East

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Five solo vehicle collisions were reported between 2016 and 2020 west of Penman Springs Road. No collisions occurred at the Union Road/Penman Springs Road intersection or at any of the project driveways. One collision involved a westbound driver, and four collisions involved an eastbound driver. All collisions occurred in daylight or dusk.

All the collisions were reported in the series of curves located west of the project parcel. Currently, the westbound direction has a 45 MPH horizontal alignment warning signs with W1-8 chevrons on the first curve. No signage was observed in the eastbound direction.

An additional series of curves with 30 MPH horizontal alignment warning signs is located approximately a quarter mile west of the collision concentration. Although an additional horizontal alignment warning sign is not required per the California Manual on Uniform Traffic Control Devices (CAMUTCD), the traffic engineer has recommended the installation of an eastbound sign west of the westernmost curve to notify drivers. A Type P object marker is also recommended at the culvert headwall within the curves. The recommended curve advisory speed of 40 miles per hour was determined using a ball bank indicator consistent with CAMUTCD practices. The roadside sign plan is included as part of the project traffic analysis. Impacts related to roadway safety are considered *significant but mitigable*.

### Site Access and Circulation

The project traffic analysis reviewed the site plan provided by the applicant and reflected herein. There are four existing driveways on Union Road accessing the subject parcel. The easternmost driveway at Penman Springs Road will be the primary entrance to the winery and campsites. An entry gate is proposed and will be located seventy-five feet from Union Road consistent with County Standards. The central (eastern) driveway would provide secondary access during special events and the two western driveways would be used for access to the existing residence and vineyards.

The two eastern driveways proposed for winery and camping access are currently paved and meet County Standard A-5a. An entry gate is proposed at the easternmost driveway and will be located seventy-five feet from Union Road consistent with County Standards. There is an existing gate at the central (eastern) driveway. Site access and internal circulation impacts are *considered less than significant*, and no additional driveway improvements are proposed.

(b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Section 15064.3, subdivision (b) states that if existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. As discussed in the project transportation analysis, the County released draft guidelines in 2021 for evaluating transportation impacts using VMT consistent with recently mandated changes to CEQA. Small projects consistent with the General Plan and generating fewer than 110 daily trips are presumed to have a less-than-significant impact. The County's winery and special events trip calculator identifies a yearly threshold of 27,610 annual trips based on the 110 daily trip thresholds, not including weekends or holidays.

As shown above, the project would generate 21,909 annual trips, less than the 27,610 annual trip threshold. Therefore, the impacts related to VMT are considered *less than significant*, and no mitigations are required or recommended. In addition it is important to note that VMT would still be below the threshold with 100 percent camping occupancy.

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

Per County Resolution 2008-152, the development does not meet the criteria for road improvements. However, a Roadway Safety Analysis (RSA) is required from the project entrance to 0.5 miles toward the nearest intersection. Traffic collision data was obtained from the Statewide Integrated Traffic Records System (SWITRS) for Union Road between Penman Springs Road and 0.5 miles west as shown in Table 9 above in the discussion under impact issue area (a). All of the collisions identified above were reported in the series of curves located west of the project parcel. Currently, the westbound direction has a 45 MPH horizontal alignment warning signs with W1-8 chevrons on the first curve. No signage was observed in the eastbound direction.

Although an additional horizontal alignment warning sign is not required per the California Manual on Uniform Traffic Control Devices (CAMUTCD), the traffic engineer has recommended the installation of an eastbound sign west of the westernmost curve to notify drivers. A Type P object marker is also recommended at the culvert headwall within the curves. The recommended curve advisory speed of 40 miles per hour was determined using a ball bank indicator consistent with CAMUTCD practices. The roadside sign plan is included as part of the project traffic analysis. Impacts related to roadway safety are considered *significant but mitigable*.

- (d) *Result in inadequate emergency access?*

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, the project would not adversely affect existing emergency access and *no impacts would occur*.

### *Conclusion*

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts related to conflicts with a program, plan, ordinance or policy, conflicts or inconsistency with CEQA Guidelines section 15064.3, subdivision (b), and emergency access would be reduced to less than significant. However, in order to reduce impacts related to roadway safety (discussed under impact issue areas (a) and (c), above) to less than significant levels, the following mitigation will be required.

### *Mitigation*

- T-1** Prior to issuance of construction permits, the applicant shall include the installation of the recommended roadway safety measures on project site plans. This shall include the installation of an eastbound sign west of the westernmost curve to notify drivers. A Type P object marker shall also be shown as being installed at the culvert headwall within the curves. The roadside sign plan shall reflect the recommendations provided in Attachment A of the project traffic analysis. Installation of the required roadway safety measures shall be confirmed by the County prior to final inspections.

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### XVIII. TRIBAL CULTURAL RESOURCES

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(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 checked="" type="checkbox"/>	<input type="checkbox"/>
(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"/>

#### Setting

Approved in 2014, AB 52 added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

- 1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
  - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.

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- 2) 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 California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

The County in accordance with AB 52 Cultural Resources requirements outreach to four was conducted: Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey Counties, Xolon Salinan Tribe, and yak tityu tityu yak tiłhini. As of this date, the County has not received a request for consultation.

### *Discussion*

- (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:*

- (a-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)?*

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. The CCIC records search, Native American Heritage Commission (NAHC) coordination, and field survey associated with the project archaeological survey did not identify the presence of archaeological resources within or adjacent to the project area. As defined by CEQA, no historical resources or unique archaeological resources were identified within the project area and no further archaeological study is recommended. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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- (a-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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040). Therefore, potential impacts would be *less than significant*.

### *Conclusion*

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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 type="checkbox"/>	<input checked="" 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"/>
(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 type="checkbox"/>	<input checked="" 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"/>
(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"/>

#### Setting

The County Public Works Department provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater “will serve” letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the County rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

Per the County’s Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0



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acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. Existing on-site utility infrastructure is limited to the existing residence and vineyard operation. Please refer to Section X, Hydrology and Water Quality, for a detail discussion of existing water infrastructure on the project site.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the City of San Luis Obispo, Chicago Grade Landfill, located near the community of Templeton, and Paso Robles Landfill, located east of the City of Paso Robles. The project's solid waste needs would be served by Mid-State Solid Waste and Recycling and the Paso Robles Landfill.

### *Discussion*

- (a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The project site contains two existing wells (domestic and Ag). The project proposes to obtain its water needs from on-site wells and wastewater will be treated, separated, and land applied under Regional Water Quality Control Board (RWQCB) winery wastewater waiver provisions. Energy needs will be provided through proposed connection to existing infrastructure. The project would not require the expansion of existing community facilities. Therefore, impacts would be less than significant.

The project includes a new on-site septic system and new on-site winery wastewater processing system. The proposed project must comply with ordinance requirements for the placement and design of septic systems. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the domestic septic systems will be evaluated in greater detail to ensure compliance with the Central Coast Basin and will not be approved if Basin Plan criteria cannot be met.

The proposed winery wastewater treatment will require a discharge waiver from the Regional Water Quality Control Board ("RWQCB") prior to construction. The winery's proposed maximum annual production of 5,000 cases will qualify for a small winery discharge waiver through Regional Water Quality Control Board ("RWQCB"). All waste will go into a holding tank where the solids will settle, and the liquids will be treated and re-used onsite for vineyard irrigation and dust control under the provisions of the RWQCB winery wastewater waiver. Based on compliance with existing regulations and requirements, potential wastewater impacts would be *less than significant*.

- (b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The net water demand for the project is expected to be 0.65 AFY. The project is located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA). The existing water sources at the project consist of two wells. One is dedicated to an existing residential structure on the property and will not be used for the proposed project. The second is currently being used to irrigate existing vineyards as an agricultural well. The well capacity is 500 gpm and the initial water quality results available indicate the well may require treatment to meet potable

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standards for arsenic. The existing agricultural well was constructed to potable well standards such that it has a 50-foot deep cement annular seal and could be purposed as a domestic well for the proposed project. The preliminary well completion report, pump test, and water quality data documentation included in the water analysis memo. As part of the Paso Robles Groundwater Basin requirements, the well will include a water meter and monthly inspections will be conducted with records kept by the owner. The project proposes the construction of new septic systems and leach fields to support the project implementation.

Maximum proposed case production at 5,000 cases will fall under a Winery Wastewater Discharge waiver with RWQCB.

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. It is not anticipated that the project would deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant*.

- (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?*

The project proposes the use of an on-site wastewater treatment systems. No additional demand will be added to the community's provider's existing commitments. Therefore, impacts associated with wastewater collection and treatment capacity are considered *less than significant*.

- (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?*

Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

- (e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant*.

### Conclusion

The project would not result in significant increased demands on water, wastewater, or stormwater infrastructure and facilities. No substantial increase in solid waste generation would occur. Therefore, potential impacts to utilities and service systems would be less than significant and no mitigation measures are necessary.

### Mitigation

None necessary.

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### XX. WILDFIRE

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(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"/>
(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"/>
(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"/>
(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"/>

#### Setting

In central California, the fire season usually extends from roughly May through October, however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (CALFIRE) based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency’s ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the County have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The Moderate Hazard designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has “fire weather” is less than in high or very high fire severity zones. Based on the County Land Use View mapping tool, the project site is within the high fire hazard severity zone.

The County Emergency Operations Plan (EOP) addresses several overall policy and coordination functions related to emergency management. The EOP includes the following components:

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- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;
- Outlines the integration of assistance that is available to local jurisdictions during disaster situations that generate emergency response and recovery needs beyond what the local jurisdiction can satisfy;
- Specifies the direction, control, and communications procedures and systems that will be relied upon to alert, notify, recall, and dispatch emergency response personnel, alert the public, protect residents and property, and request aid/support from other jurisdictions and/or the federal government;
- Identifies key continuity of government operations; and
- Describes the overall logistical support process for planned operations.

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread (Barros et al. 2013).

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. Implementation strategies for this policy include identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire resistant building materials.

The County has prepared an Emergency Operations Plan (EOP) to outline the emergency measures that are essential for protecting the public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

### *Discussion*

(a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project. There are adequate alternative routes available to accommodate any rerouted trips through the project area for the short-term construction period. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

## Initial Study – Environmental Checklist

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- (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?*

The project site is gently to moderately sloping, is regularly mowed for vegetation/weed management and substantial on-site vegetation is limited to the blue oaks associated with the on-site drainages. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be *less than significant*.

- (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?*

The project would not require the installation or maintenance of utility or wildfire protection infrastructure and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. Therefore, potential impacts would be *less than significant*.

- (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?*

The project site has gentle to moderate slopes and would not be located near a hillslope or in an area subject to downstream flooding or landslides. The applicant will be required to submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 of the Land Use Ordinance. In addition, the applicant will be required to submit complete erosion and sedimentation control plans for review and approval in accordance with Section 22.52.120 of the Land Use Ordinance. The project does not include any design elements that would 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. Therefore, impacts would be *less than significant*.

### *Conclusion*

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. Therefore, potential impacts associated with wildfire would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

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### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects 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"/>

*Setting*

Refer to setting information provided above.

*Discussion*

- (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?*

The proposed project has the potential to have significant impacts related to Air Quality, Biological Resources, and Transportation. However, with the inclusion of mitigation measures, impacts would be mitigated to *less than significant*.

## Initial Study – Environmental Checklist

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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)?*

The proposed project does not have impacts that are individually limited, but cumulatively considerable. Therefore, potential cumulative impacts would be *less than significant*.

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

Based on the nature and scale of the project, the project would not result in a substantial adverse direct or indirect effect on human beings.

### *Conclusion*

Potential impacts would be less than significant and no mitigation measures are necessary.

### *Mitigation*

None necessary.

## Initial Study – Environmental Checklist

### Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	<b>In File</b>
<input checked="" type="checkbox"/>	County Environmental Health Services	<b>In File</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>In File</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Airport Land Use Commission	<b>No Response</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>In File</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>No Response</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Wildlife	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Services District	<b>Not Applicable</b>
<input type="checkbox"/>	Other	<b>Not Applicable</b>
<input type="checkbox"/>	Other <u>Native American Consultation</u>	<b>No Response</b>

\*\* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Project File for the Subject Application</li> <li><b>County Documents</b></li> <li><input type="checkbox"/> Coastal Plan Policies</li> <li><input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)</li> <li><input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Agriculture Element</li> <li><input checked="" type="checkbox"/> Conservation &amp; Open Space Element</li> <li><input type="checkbox"/> Economic Element</li> <li><input checked="" type="checkbox"/> Housing Element</li> <li><input checked="" type="checkbox"/> Noise Element</li> <li><input checked="" type="checkbox"/> Parks &amp; Recreation Element/Project List</li> <li><input checked="" type="checkbox"/> Safety Element</li> </ul> </li> <li><input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)</li> <li><input type="checkbox"/> Building and Construction Ordinance</li> <li><input checked="" type="checkbox"/> Public Facilities Fee Ordinance</li> <li><input type="checkbox"/> Real Property Division Ordinance</li> <li><input type="checkbox"/> Affordable Housing Fund</li> <li><input type="checkbox"/> Airport Land Use Plan</li> <li><input checked="" type="checkbox"/> Energy Wise Plan</li> <li><input type="checkbox"/> El Pomar-Estrella Sub-area of the North County Planning Area</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Design Plan</li> <li><input type="checkbox"/> Specific Plan</li> <li><input type="checkbox"/> Annual Resource Summary Report</li> <li><input type="checkbox"/> Circulation Study</li> <li><b>Other Documents</b></li> <li><input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook</li> <li><input checked="" type="checkbox"/> Regional Transportation Plan</li> <li><input checked="" type="checkbox"/> Uniform Fire Code</li> <li><input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)</li> <li><input type="checkbox"/> Archaeological Resources Map</li> <li><input type="checkbox"/> Area of Critical Concerns Map</li> <li><input type="checkbox"/> Special Biological Importance Map</li> <li><input type="checkbox"/> CA Natural Species Diversity Database</li> <li><input checked="" type="checkbox"/> Fire Hazard Severity Map</li> <li><input checked="" type="checkbox"/> Flood Hazard Maps</li> <li><input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County</li> <li><input type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)</li> <li><input type="checkbox"/> Other</li> </ul> |
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In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Barros, Ana M.G., Jose M.C. Pereira, Max A. Moritz, and Scott L. Stephens. 2013. Spatial Characterization of Wildfire Orientation Patterns in California. *Forests* 2013, 4; Pp 197-217." 2013.

CAL FIRE. 2007. "Draft Fire Hazard Severity Zones in Local Responsibility Areas." Available at <[http://frap.fire.ca.gov/webdata/maps/san\\_luis\\_obispo/fhszl06\\_1\\_map.40.pdf](http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf)>

California Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Available at: <<https://www.envirostor.dtsc.ca.gov/public/>>

California Department of Transportation (Caltrans). 2008. Scenic Highway Guidelines. October 2008.

California State Water Resources Control Board. 2012. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems. June 19<sup>th</sup>, 2012.

Central Coast Archaeological Research Consultants. Cultural Resources Survey of the Vinyl Vineyards, Paso Robles, San Luis Obispo County, California. December 2020.

Central Coast Transportation Consulting. Vinyl Vineyards Transportation Analysis. July 6, 2021

\_\_\_\_\_. 2015. Geotracker. Available at: <<http://geotracker.waterboards.ca.gov/>>

\_\_\_\_\_. 2018. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTUS Policy) Fact Sheet. August 2018.

County of San Luis Obispo. 2007. San Joaquin Kit Fox Standard Mitigation Ratio Areas. Available at: <<https://www.slocounty.ca.gov/getattachment/2c0fc293-eb37-4a0c-af22-5e0992efd025/Kit-Fox-Habitat-Area.aspx>>

\_\_\_\_\_. 2016. 2015/2016 County Bikeways Plan. July 6<sup>th</sup>, 2016.

\_\_\_\_\_. 2016. Emergency Operation Plan. December 2016.

\_\_\_\_\_. 2018. San Luis Obispo County Parks & Recreation Group Day Use & Facilities. Available at: <<https://slocountyparks.com/day-use-parks/>>

County of San Luis Obispo Department of Planning and Building. 2018. Onsite Wastewater Treatment System Local Agency Management Program. January 18<sup>th</sup>, 2018.

Department of Conservation (DOC). 2019. San Luis Obispo County Tsunami Inundation Maps. Available at: <<https://www.conservation.ca.gov/cgs/tsunami/maps/San-Luis-Obispo>>.

Pacific Gas and Electric (PG&E). 2019. Delivering Low-Emission Energy. Available at: <[https://www.pge.com/en\\_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page](https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page)>.

Sage Institute, Inc. Vinyl Vineyards Biological Resources Assessment. January 22, 2021.

San Luis Obispo Council of Governments (SLOCOG). 2019. Responsibilities. Available at:

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<<https://slocog.org/about/responsibilities>>.

United States Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: <[https://ca.water.usgs.gov/land\\_subsidence/california-subsidence-areas.html](https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html)>

U.S. Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory Surface Waters and Wetlands. May 5, 2019. Available at: <https://www.fws.gov/wetlands/data/Mapper.html>

Wallace Group. Vinyl Vineyards Water Memo. March 18, 2021.

Cultural Resources Survey of Vinyl Vineyards. Central Resources Survey of The Vinyl Vineyards, Paso Robles, San Luis Obispo County, CA. Central Coast Archeological Research Consultants. December 2020.

Biological Assessment of Vinyl Vineyards. Vinyl Vineyards, 4374 Union Road, San Luis Obispo County, CA. January 22, 2021.

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### Exhibit B - Mitigation Summary

The applicant has agreed to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.