COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-2039
04/2019

Initial Study – Environmental Checklist

Clos-Solene Winery Expansion (revised 12/4/2023)
Conditional Use Permit: ED22-132; DRC2021-00025

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.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agriculture & Forestry Resources	☐ Hazards & Hazardous Materials	☐ Recreation
☒ Air Quality	☒ Hydrology & Water Quality	☐ Transportation
☒ Biological Resources	☐ Land Use & Planning	☒ Tribal Cultural Resources
☒ Cultural Resources	☐ Mineral Resources	☒ Utilities & Service Systems
☐ Energy	☒ Noise	☐ Wildfire
☒ Geology & Soils	☐ Population & Housing	☒ 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.

SWCA Environmental Consultants	Brandi Cummings Digitally signed by Brandi Cummings Date: 2023.12.04 15:55:33 -08'00'		12/4/2023
Prepared by (Print)	Signature		Date
Holly Phipps			12/4/2023
Reviewed by (Print)	Signature	For Eric Hughes, Principal Environmental Specialist	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. A site visit was conducted by County staff. 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 Solene Vineyard LLC for a Conditional Use Permit (DRC2021-00025) to allow the phased development of a 27,248-square-foot winery facility, including a 19,101-square-foot underground wine cave system with a 3,505-square-foot exterior covered work area and a 4,642-square-foot administration building and tasting room with 3,117 square feet of interior space and 1,525 square feet of exterior space. The winery would increase the annual case production from 5,000 cases per year to a maximum of 10,000 cases per year. The project includes a request for a modification of the County of San Luis Obispo Land Use Ordinance (LUO) Section 22.30.070.D.2.d(1) setback standards that require a 200-foot setback from each property line to allow the underground wine cave system to be set back 34 feet and 5 inches from the northern property line and the administration building and tasting room to be set back a minimum of 41 feet and 4 inches from the southern property line. The project would result in approximately 2.6 acres of ground disturbance on a 26.69-acre parcel including 14,900 cubic yards of cut and 12,200 cubic yards of fill, to be balanced on-site (difference accounts for 15% soil shrinkage). The project site is within the Agriculture (AG) land use category and is located at 2040 Niderer Road, approximately 4 miles west of the city of Paso Robles in the Adelaida subarea of the North County Planning Area.

Expanded Project Description

Implementation of the project would relocate and expand an established 2,742-square-foot winery facility with tasting room and paved exterior production area. The new facility would be approximately 27,248-square feet and would be located approximately 600 feet to the east on the same 26.69-acre property and would also include various site improvements (Figures 1 and 2). Construction of the new winery and proposed site improvements would be conducted in two phases and would occur over approximately 29 months. Construction activities would result in 2.6 acres of ground disturbance, including approximately 14,900 cubic yards of cut and 12,200 cubic yards of fill, to be balanced on-site. The maximum depth of excavation would be 16.5 feet (at the entrance of the proposed wine cave system). Anticipated construction equipment includes a scraper, motor grader, water truck, compactor, excavator, backhoe, telehandler forklift, skip loader, skid steer, and horizontal drill. Project construction would require between six and

seventeen vehicle trips per day depending on the phase of construction. These trips would include construction worker trips, material deliveries, and other truck trips associated with construction.

Phase 1 of the project would include the construction of a 19,101-square-foot underground wine cave system with a 3,505-square-foot exterior covered work area. The wine cave system would include 9,546 square feet of production space, 8,754 square feet of storage space, and an 810-square-foot wine-club-members lounge and wine preparation area (Figure 3). Phase 1 of the project would also include improvements to the existing driveway, construction of new parking spaces, installation of utility connections, construction of a new on-site septic system, installation of approximately 7,667 square feet of native landscaping, and installation of five 10,000- to 15,000-gallon water storage tanks (see Figure 2). Approximately 2.25 acres of existing irrigated vineyards will be removed to support the construction of the subterranean caves.

The project site is accessible via an existing private driveway from Niderer Road. The existing 11- to 17-foot-wide driveway would be extended approximately 1,150 feet east in order to provide access to the new winery facility and would be widened to a 20-foot-wide roadway with 2-foot-wide shoulders on each side, resulting in a total width of 24 feet. Shoulders would not be constructed on the portion of the driveway that crosses the on-site blue-line creek; however, the existing culvert at the road crossing would be extended to 20 feet in width. For work along this segment of the existing driveway, a Streambed Alteration Agreement from the California Division of Fish and Wildlife (CDFW) will be required pursuant to Section 1600 of the California Fish and Game Code. In addition, the existing entrance gate would be relocated 50 feet east of its current location to provide a vehicle queuing area off the roadway, compliant with County Fire/CAL FIRE and County Department of Public Works standards. Additionally, a hammerhead turn around would be installed at the project access driveway intersection with Niderer Road. A total of 19 parking spaces, including three Americans with Disabilities Act (ADA) parking spaces, would be provided: 17 parking spaces would be constructed at the administrative building constructed during Phase 2, and two parking spaces would be constructed at the exterior work area at the end of the driveway extension. The proposed on-site septic system would include construction of a septic leach field southeast of the existing winery and residence and installation of septic tanks along the proposed driveway extension. Five 10,000- to 15,000-gallon water tanks would be installed east of the proposed winery facility and two fire hydrants would be installed, with one at end of the proposed driveway extension and the second in the proposed parking area for the administration building. Turnouts for emergency vehicles would be installed along the proposed driveway extension.

Phase 2 project activities would include the construction of three aboveground buildings, including a 2,384-square-foot administrative building, a 430-square-foot restroom building, and an 853-square-foot tasting room with 539 square feet of covered patio space. Phase 2 project activities would also include construction of a 310-square-foot shade structure and a 126-square-foot breezeway that would connect Buildings 1 and 2 (Figure 4). The administrative building would consist of 865 square feet of office space, 181 square feet of wine storage, a 406-square-foot staff room, and a 420-square-foot exterior reception area. The restroom building would include a 231-square-foot interior restroom, a 101-square-foot storage closet, and a 98-square-foot covered exterior area. The wine tasting room would consist of four individual interior areas totaling 853 square feet. The interior wine tasting room areas would be connected by 539 square feet of covered patio space. Proposed aboveground buildings would have a maximum height of 17 feet above average natural grade.

The project would increase the annual case production of the project site from 5,000 cases per year to a maximum of 10,000 cases per year. Operation of the project is anticipated to generate a 30% increase in activity resulting in approximately 45 additional visitors per week (for a total of approximately 190 visitors

per week) and requiring four additional full-time employees (for a total of 10 employees). The existing on-site winery, tasting room, and residence would remain in place; however, the existing winery and tasting room would cease to operate when the new winery facility begins operation. Future uses of the existing winery and tasting room are currently not known; however, commercial use would cease and no demolition is proposed. Implementation of the proposed project would reduce the number of annual wine production operational trips to the site from 512 to 196 due to the on-site consolidation of associated operational activities at two off-site locations and the reduction of off-site grape deliveries (Orosz Engineering Group 2023).

The project proposes to restrict wine tasting room visitation to "by appointment only" seven days a week, in comparison to the winery's existing operations that are only limited to "by appointment only" on Tuesday and Wednesday (D980195D Condition 11.J). No special events are requested; however, the winery will continue to participate in Industry Wide Events and non-advertised wine club and marketing activities (allowed per 22.30.070D.2.i: e.g., non-advertised wine club activities, wine club pick up parties, and activities with under 50 attendees). Ongoing hosting of annual fall and spring non-advertised wine club dinners and seminars will continue with the addition of one two-hour fall release session and one two-hour spring release session (2 total) as part of the expanded winery project. Each additional release session will have 60 guests. Under current operations, these private wine club activities are held in a tent on the existing crush pad. The project will move these activities to the wine tasting room(s) or the wine cave.

The project would require the removal of one non-native walnut tree (*Juglans ssp.*), the relocation of seven non-native olive trees (*Olea europaea*), and the removal of approximately 2.25 acres of on-site vineyards. The project would not remove any oak trees; however, impacts to the critical root zone (CRZ) of one oak tree are anticipated to occur as a result of construction of the proposed driveway. The project would include planting two oak trees as part of the landscape plan and approximately 7,667 square feet of native landscaping.

Water for the project would be provided by an existing on-site well located south of the existing on-site winery and residence. The project site is not located within the Paso Robles Groundwater Basin and would not draw groundwater from the basin. The project would install a new on-site septic system to treat wastewater generated by the proposed project and a new winery wastewater processing system that allows for its reuse for irrigation and dust control.

Ordinance Modifications

The project includes a request for a setback modification as allowed by Section 22.30.070.D.2.d(1), which requires a 200-foot setback from each property line for wineries with public tastings. The setback may be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required. Additionally, the Review Authority must first determine that the request satisfies one of the required findings, which include (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); and (2) the setbacks are not practical or feasible due to existing topographic conditions or existing vegetation. The requested setback modification would allow the underground wine cave system to be set back 34 feet from the northern property line and the administration building and tasting room to be set back a minimum of 41 feet from the southern property line. The parcel is constrained by established vineyards, oak woodland, dry creek, and existing development as well as large portions of the property that are considered prime soils (Class II). The project was designed to avoid as much Class II soils as possible, while still minimizing impacts to agricultural lands. Additionally, the project is constrained by topographic features as the parcel

is approximately 450 feet wide, contains slopes over 30%, contains a blue-line creek that traverses the western third of the project site, and has high landslide risk areas.

Baseline Conditions

The project site consists of a single 26.69-acre parcel (Assessor's Parcel Number [APN] 040-041-008) and is characterized by gently sloping to steeply sloping topography to the east. The steeply sloping portion of the property is identified as an area with high landslide risk. There is an unnamed blue-line creek aligned in a north–south direction through the parcel that connects to Willow Creek approximately 0.3 mile south of the project site. The portion of the creek on the property is ephemeral and does not show evidence of recent flows. The blue-line creek is located along the western side of the existing winery and residence and the existing driveway crosses over the creek. The portion of the creek that flows under the driveway is located within a 24-inch-wide culvert and the driveway crossing consists of a dirt berm that crosses the topographic low point of the creek in an east–west direction (Terra Verde 2021). Individual coast live oak (*Quercus agrifolia*) trees and coast live oak woodland occur along the blue-line creek, north and south of the driveway crossing.

The project site currently supports wine production and tasting room uses, including approximately 17 acres of vineyards and an existing 1,786-square-foot wine production area, a 336-square-foot tasting room, and a 620-square-foot covered porch. Current wine production is allowed up to 5,000 cases per year. The winery currently operates under a small winery discharge waiver through the Regional Water Quality Control Board (RWQCB) for wastewater discharge. The existing winery and tasting room operate by appointment only Thursday through Monday (and on legal holidays). The winery has six full-time employees and attracts approximately 145 visitors per week. The winery currently generates approximately 512 annual operational trips for production and delivery activities. There is also an existing 1,876-square-foot single-family residence located adjacent to the existing winery located in the northwestern portion of the property. There are two active wells on the Property, Well #1 used for the existing residence, winery, and tasting room and Well #2 used for irrigating the vineyards. The existing 17-acre vineyard water demand is estimated to be 8.5 acre-feet-per-year (AFY) while the remaining demand (winery, tasting room, and residential uses) is estimated at 0.63 AFY. The project site is located in a rural area and surrounding areas primarily include agricultural land uses and scattered rural residential development and accessory structures. There are three off-site residences located within 1,000 feet of the project site and the nearest off-site residences are located approximately 325 feet west of proposed driveway improvements near Niderer Road and approximately 570 feet southeast of the proposed winery location.

ASSESSOR PARCEL NUMBER: 040-041-008

Latitude: 35° 35' 11.17" N **Longitude:** 120° 45' 58.37" W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area: North County **Sub:** Adelaida **Comm:**

Land Use Category: Agriculture

Combining Designation: Renewable Energy Overlay

Parcel Size: 26.69 acres

Topography: Gently sloping to steeply sloping

Initial Study – Environmental Checklist

Vegetation: Vineyards, oak and other native trees, non-native trees

Existing Uses: Winery and Tasting Room, Wine Production, Vineyards, Single-family residence(s), accessory structures

Surrounding Land Use Categories and Uses:

North: Agriculture; agricultural uses ; accessory structures; undeveloped

East: Agriculture; undeveloped

South: Agriculture; scattered residences ; accessory structures; undeveloped

West: Agriculture; agricultural uses ; scattered residences ; accessory structures; blue line creek

Figure 1. Project Location Map

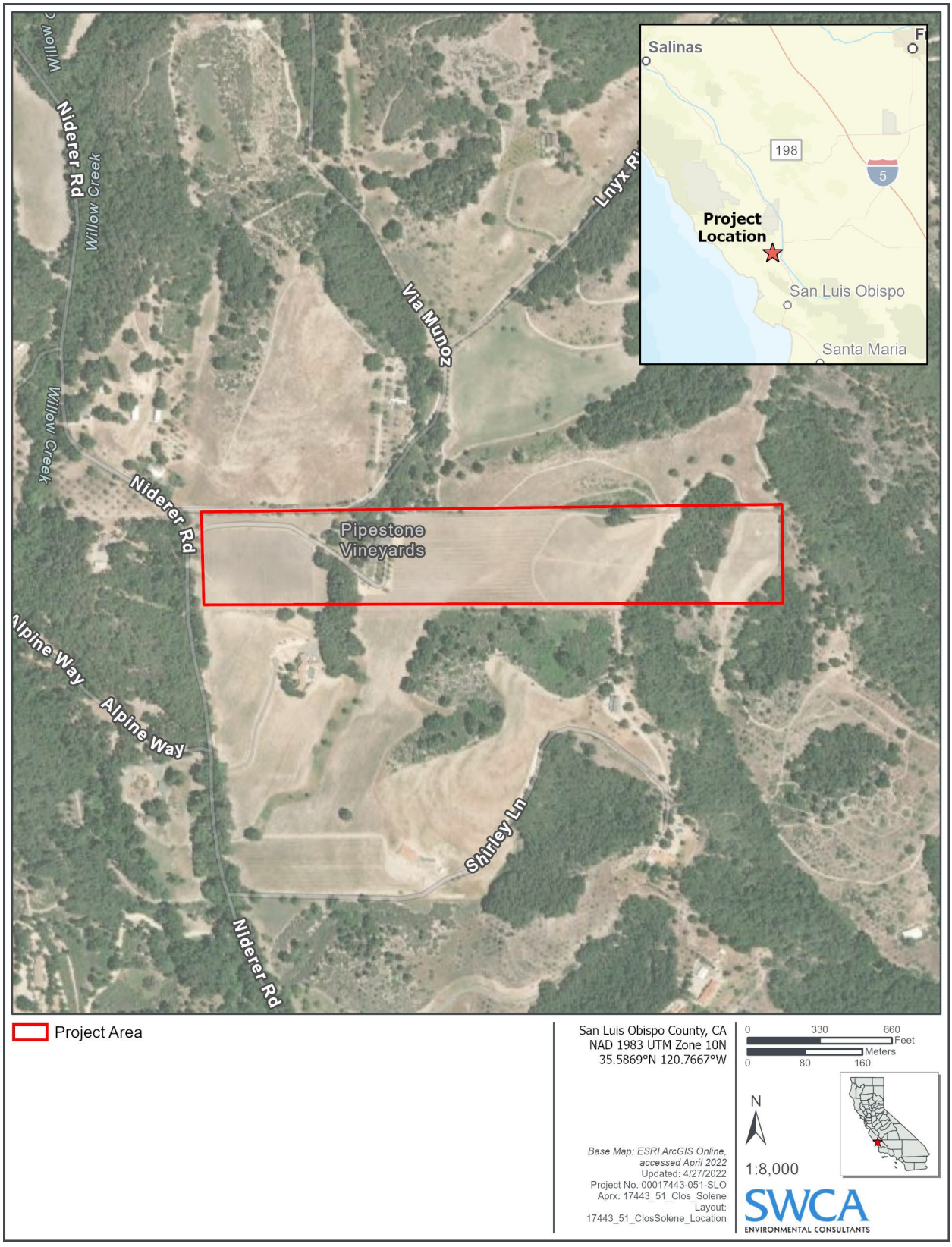


Figure 2. Site Plan Map

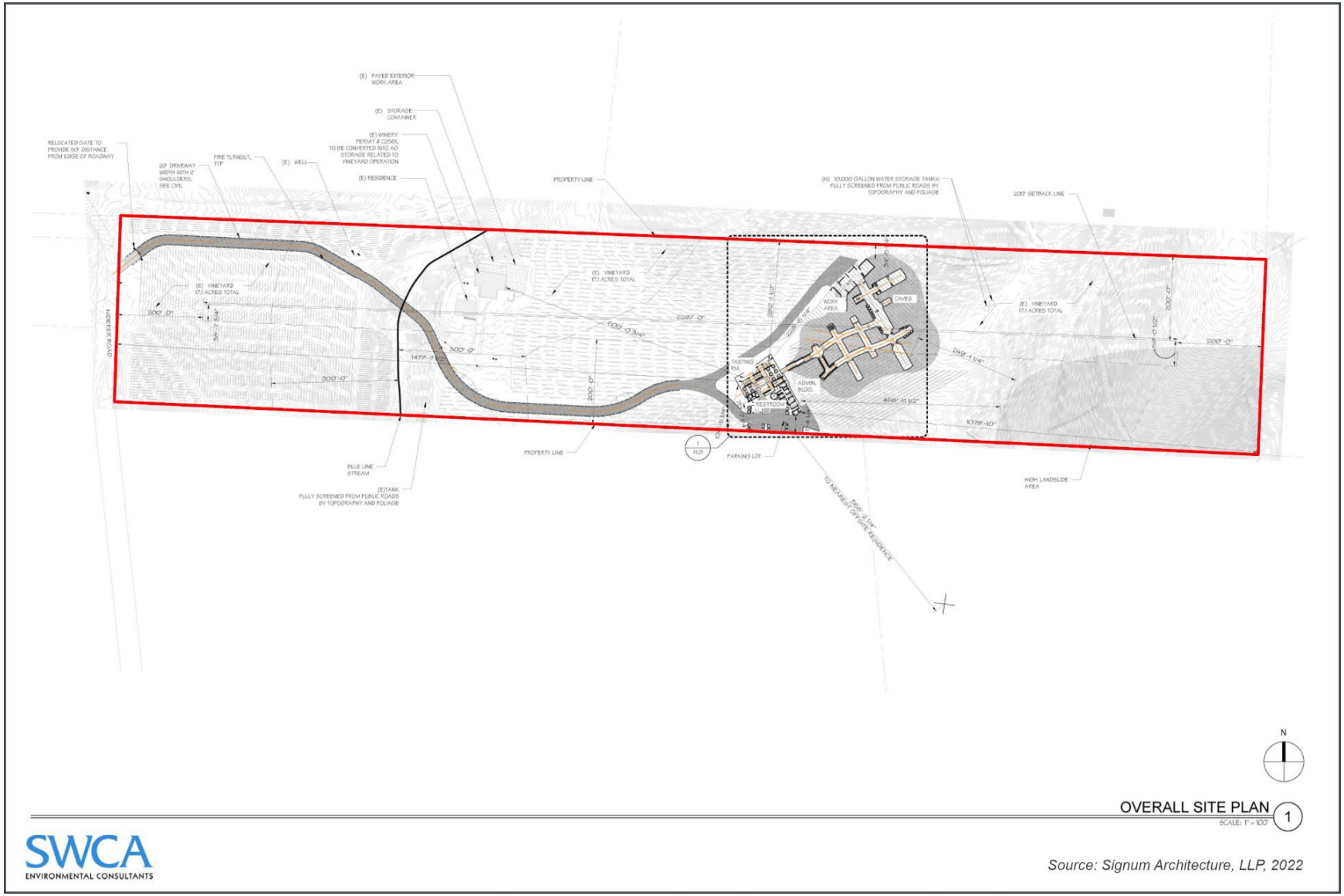
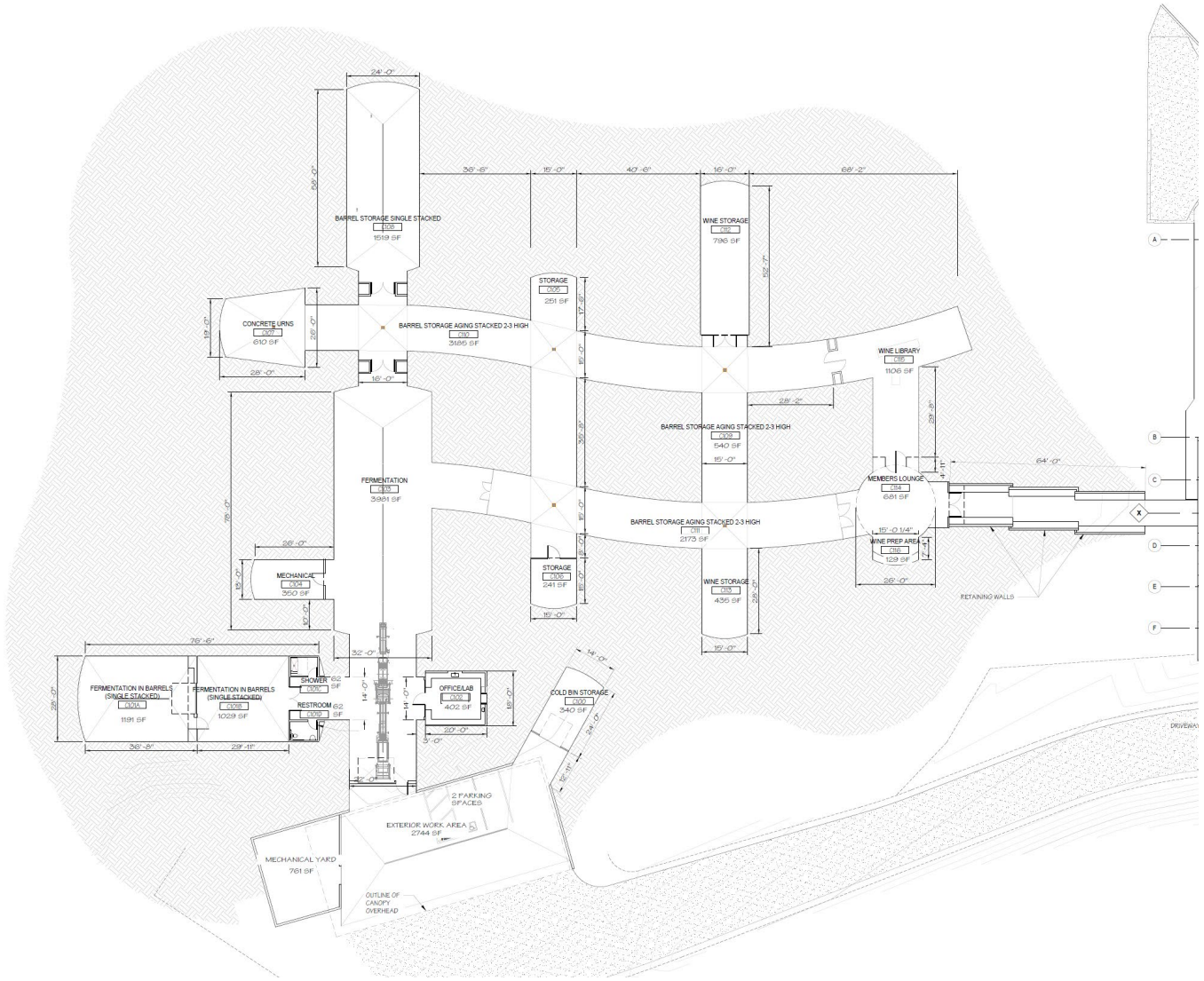
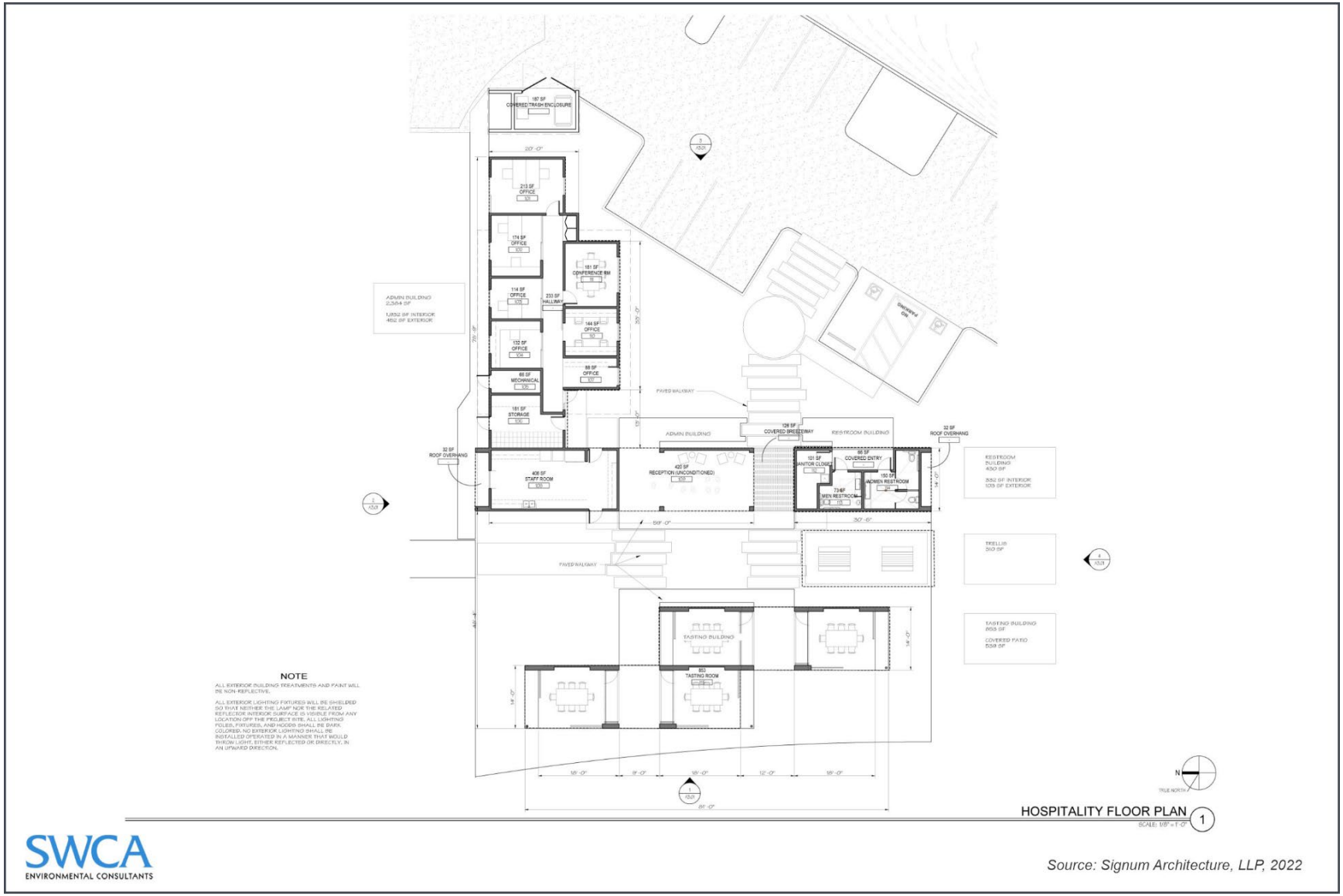


Figure 3. Phase 1 Site Plan



Source: Signum Architecture, LLP 2023

Figure 4. Phase 2 Site Plan



C. Environmental Analysis

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

I. AESTHETICS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:					
(a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

California Scenic Highway Program

The California 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. A highway may be designated scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic highways within San Luis Obispo County include U.S. Highway 101 (US 101), State Route 46 (SR 46), portions of State Route 41 (SR 41), State Route 1 (SR 1), and Lake Nacimiento Drive.

County Conservation and Open Space Element

The *County of San Luis Obispo General Plan 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 County COSE provides a number of goals and policies to protect the visual character and identity 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, identity, and sense of place. The County COSE identifies several goals for visual resources in rural parts of the county, listed below:

- **Goal VR 1:** The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.
- **Goal VR 2:** The natural and historic character and identity of rural areas will be preserved.
- **Goal VR 3:** The visual identities of communities will be preserved by maintaining rural separation between them.
- **Goal VR 7:** Views of the night sky and its constellation of stars will be maintained.

Some of the strategies identified to accomplish the goals listed above include encouraging project designs that emphasize native vegetation and conforming grading to existing natural forms, as well as ensuring that new development follows the Countywide Design Guidelines to protect rural visual and historical character.

County of San Luis Obispo Land Use Ordinance

The County LUO establishes regulations for exterior lighting (LUO Section 22.10.060), height limitations for each land use category (LUO Section 22.10.090), setback requirements (LUO Section 22.10.140), and other visual resource protection policies. In addition, County LUO Section 22.30.070.D.2.g provides specific design requirements for wineries, including exterior design standards, screening requirements, height limitations, and exterior lighting requirements. 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 of San Luis Obispo General Plan Land Use and Circulation Element* (LUCE).

The County LUO also defines a Sensitive Resource Area (SRA) combining designation that applies to areas having high environmental quality and special ecological or educational significance. Since these designated areas are considered visual resources by the County, the County LUO establishes specific standards for projects located within these areas. The project site is not located in an SRA combining designation.

Existing Conditions

The project site consists of a single 26.69-acre parcel and is characterized by gently sloping to steeply sloping topography. There is an ephemeral, unnamed blue-line creek aligned in a north–south direction through the parcel that connects to Willow Creek approximately 0.3 mile south of the project site. The creek is located along the western side of the existing on-site winery and residence and crosses under the existing access driveway via a culvert. The property supports vineyards and oak woodland and there are native and non-native trees located along the blue-line creek.

The project site is located in a rural area and surrounding areas primarily consist of agricultural land uses and scattered rural residential development and accessory structures. The project site currently supports wine production uses, including approximately 17 acres of vineyards and an existing 1,786-square-foot wine production area, a 336-square-foot tasting room, and a 620-square-foot covered porch. There is also an existing 1,876-square-foot single-family residence located adjacent to the existing winery and two on-site wells located in the northwestern and southern portions of the property.

Discussion

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

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints and may be officially or informally designated by public agencies or other organizations. Vistas are inherently expansive views, usually from an open area or an elevated point. 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.

The project site is not designated as an SRA by the County LUO. The project site and surrounding area are characterized by gently to steeply sloping topography and scattered low-density residential and agricultural land uses. Roadways within the project area primarily consist of privately maintained roads and the nearest road that provides public views of the project site is Niderer Road, which provides access to the project site from the west. Niderer Road is located approximately 760 feet west of existing on-site structures and, due to distance as well as intervening topography and vegetation, the existing winery and residence is blocked from the viewshed of Niderer Road. The proposed project would be sited approximately 600 feet east of the existing structures, which would impede visibility of the proposed project from Niderer Road. Proposed aboveground buildings and structures would be constructed in a lower valley portion of the site with upward sloping topography located directly north, east, and south, which would further reduce visibility of the aboveground portion of the proposed winery from public views. The proposed project would retain natural vegetation on-site to the maximum extent feasible and install native vegetation to further screen the proposed aboveground structures from surrounding areas. In addition, the proposed project would be required to comply with County LUO Section 22.30.070.D.2.g, which establishes winery design standards to ensure visual consistency with surrounding areas through design, architecture, height, and lighting requirements. Based on required compliance with the County LUO, the distance from Niderer Road, intervening vegetation and topography, and installation of native vegetation, the aboveground project features would be primarily blocked from public views and would not degrade the scenic landscape as viewed from public roads or other public areas; therefore, 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 site is located approximately 1.9 miles northwest of SR 46 West and approximately 4 miles west of US 101, which, at these locations, are considered eligible for designation as scenic highways (California Department of Transportation [Caltrans] 2018). However, the project site is not visible from SR 46 West or US 101 due to distance as well as intervening topography, vegetation, and existing development. Therefore, the proposed project would not damage scenic resources within a designated state scenic highway, and *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 project site is located in a rural area approximately 4 miles west of the incorporated city of Paso Robles. Surrounding parcels consist of moderate to large agricultural and rural residential lots. The surrounding visual character consists of vineyards, wineries, and rural residences intermixed with natural grasslands and oak woodland. The topography of the project site and surrounding area is characterized by gently to steeply sloping topography and consists of vineyards, oak woodland, and grassland habitat. There is an on-site blue-line creek that crosses the project site in a north–south direction and supports native and non-native trees and shrubs. The project site currently supports wine production uses, including approximately 17 acres of vineyards, a wine production area, a tasting room, and a covered porch. There is also an existing single-family residence adjacent to the existing winery. Due to intervening topography and existing vegetation, the existing winery and on-site residence are not visible from Niderer Road from the west.

The proposed project would relocate and expand an existing 2,742-square-foot winery to a new 27,248-square-foot winery that would be constructed in the central/west portion of the property, approximately 600 feet east of the existing winery and residence. Existing on-site structures, including the existing winery facilities, would remain in place. The proposed project would be required to comply with County LUO Section 22.30.070.D.2.g, which establishes winery design standards to ensure visual consistency with surrounding areas through design, architecture, height, and lighting requirements. In accordance with the winery design standards, the proposed project would have a maximum height of 17 feet and would consist of neutral colors and materials intended to be visually consistent with the surrounding vineyards and hillsides. Native vegetation would be installed around the proposed development and associated improvements to provide natural screening of the proposed project's aboveground features. The proposed project would not require any changes to existing signage on Niderer Road near the existing driveway.

The proposed project would also improve the existing driveway off Niderer Road and extend it to the central portion of the site, install utility connections, construct a new on-site septic system, install five 10,000- to 15,000-gallon water storage tanks, construct additional parking spaces, and install native landscaping. Proposed improvements would primarily be located at or below ground level, with the exception of the five 10,000- to 15,000-gallon water tanks on the east portion of the parcel. In accordance with County LUO Section 22.30.070.D.2.g.2, the proposed water tanks would be entirely screened from public roads. Proposed development of project features at or below ground level would not be visible from public areas and would not result in a substantial adverse change to the existing visual character of the site or surrounding area.

As discussed under Impact Discussion I.(a) above, based on natural topography and existing vegetation, the proposed winery facility would be primarily blocked from public views and would not substantially alter the existing visual character of the area as viewed from surrounding public areas. As a result, the proposed project would not degrade public views of the project area. In addition, based on required compliance with the County LUO, the proposed project would not include architectural or design features that would be inconsistent with the visual character of the surrounding area. Therefore, implementation of the proposed project would not change or

otherwise degrade the existing visual character of the site or surrounding areas, 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 project site is located in a rural area and existing sources of exterior lighting in the area are limited and primarily consist of lighting from the existing on-site winery facility and intermittent vehicle headlights along nearby roadways. Implementation of the proposed project would relocate and expand an established winery and associated uses to a new 27,248-square-foot winery proposed to be constructed on the same property. The proposed project would be required to comply with County LUO Section 22.30.070.D.2.g(4), which establishes exterior lighting requirements for wineries. This section of the County LUO requires all exterior lighting fixtures to be shielded so that light and glare is not visible from any off-site location; requires that all lighting poles, fixtures, and hoods are dark colored; and requires that exterior lighting be shielded downward, which would avoid creating a substantial new source of light or glare within the project area. Based on preliminary lighting plans, exterior lighting is proposed at the production canopy, as well as at the administrative, tasting room, wine cave portal, and restroom buildings. Light fixtures at the production canopy will be mounted on its underside. All exterior lights at the administrative and restroom buildings will be installed so as not to cast any light upwards, and the fixtures will be dark to match the exterior palette of the buildings. All landscape/path lighting at the hospitality area will be low to the ground and only cast light downward. Based on required compliance with the County LUO, potential impacts would be *less than significant*.

Conclusion

The project site is not located within the viewshed of a designated scenic highway. Based on the topography and existing vegetation, and required compliance with the County LUO, implementation of the project would not be expected to degrade public views, result in an adverse change in the existing visual character of the project area, or affect day or nighttime views. Therefore, potential impacts related to aesthetic resources would be less than significant and no mitigation measures would be necessary.

Mitigation

Mitigation is not necessary.

II. AGRICULTURE AND FORESTRY RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

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:

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☐	☒
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(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))?	☐	☐	☐	☒
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

Setting

The California Department of Conservation (DOC) 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. According to the DOC FMMP, the project site is located on land designated as Farmland of Statewide Importance, Unique Farmland, Farmland of Local Potential, and Grazing Land (DOC 2016).

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 on farming and open space uses as opposed to full market value. The project site is located within the Agriculture (AG) land use designation but is not subject to a Williamson Act contract.

Chapter 6 of the County COSE identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important agricultural soils within the county are identified in Table SL-2 of the County COSE, and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the County COSE and *County of San Luis Obispo General Plan Agriculture Element*.

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) *Soil Survey of San Luis Obispo County, California* and the NRCS Web Soil Survey, the project site is underlain by the following soil types (NRCS 2022):

- **(144) Gazos shaly clay loam, 9 to 30 percent slopes.** This well-drained soil has a very high runoff class and a depth to restrictive feature of 20 to 40 inches to lithic bedrock. The typical soil profile includes channery clay loam and unweathered bedrock. This soil is designated as Other Productive Soils in Table SL-2 of the County COSE.
- **(145) Gazos shaly clay loam, 30 to 50 percent slopes.** This well-drained soil has a very high runoff class and a depth to restrictive feature of 20 to 40 inches to lithic bedrock. The typical soil profile includes channery clay loam and unweathered bedrock. This soil is not included in Table SL-2 of the County COSE.
- **(158) Lockwood shaly loam, 2 to 9 percent slopes.** This well-drained soil has a medium runoff class and a depth to restrictive feature of more than 80 inches. The typical soil profile includes channery loam and channery clay loam. This soil is designated as Farmland of Statewide Importance in Table SL-2 of the County COSE.

Forestland is defined in California Public Resources Code (PRC) Section 12220(g) as land that can support 10% 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 in PRC Section 4526 as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any 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 is designated as Farmland of Statewide Importance, Unique Farmland, Farmland of Local Potential, and Grazing Land by the FMMP (DOC 2016). The project site currently consists of an established winery facility and approximately 17 acres of vineyards. Implementation of the proposed project would result in the loss of approximately 2.25 acres of existing vineyards, including approximately 1 acre of Farmland of Statewide Importance; however, the project would not convert the area to non-agricultural uses as the project would support the existing agricultural uses on-site. Additionally, the project site would continue viticulture of the remaining 14.76 acres of vineyards on-site. The proposed winery and tasting room would be consistent with the zoning for agricultural use and would not result in the conversion of the project site to non-agricultural land uses. Therefore,

implementation of the project would not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and *no impacts* would occur.

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

The project site is located within the AG land use designation but is not subject to a Williamson Act contract. The proposed winery facility and tasting room is an allowable use within the AG land use category and would be consistent with the existing zoning for agricultural use. Therefore, the project would not 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 within the AG land use designation and does not include land use designations or zoning for forest land or timberland. Therefore, the project would not conflict with or cause rezoning of forestland or land for timber production, and *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 and is not considered forest land as defined by PRC Section 12220(g). The proposed project would result in the removal of one non-native walnut tree and the relocation of seven olive trees, for construction of the proposed winery. The proposed project would result in impacts to the CRZ of one oak tree during construction of proposed driveway improvements. County LUO Section 22.58 defines the clear-cutting of oak woodlands as the removal of contiguous trees that occupy an area of 1 acre or more. Impacts to the CRZ of one on-site oak tree would not constitute clear-cutting pursuant to the requirements of County LUO Section 22.58. The proposed project would install native landscaping, including the planting of two oak trees, which would offset impacts to the oak tree and increase the number of native trees within the project site. The proposed project would not result in the loss of forest land or convert forest land to non-forest use; therefore, *no impacts* 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?

Soils within the project site are designated as Other Productive Soils and Farmland of Statewide Importance in Table SL-2 of the County COSE, which is based on the NRCS soil classification system as opposed to the FMMP, which accounts for historical agricultural practices. The project site is located within the AG land use category and the proposed winery and tasting room would be consistent with the zoning for agricultural use. The proposed project would result in the loss of approximately 2.25 acres of existing vineyards; however, vineyard production would continue to occur on the remaining 14.76 acres of vineyard. The proposed winery and tasting room would be consistent with the zoning for agricultural use; therefore, implementation of the proposed project would not result in the conversion of the project site to non-agricultural land uses.

Implementation of the proposed project would ultimately result in a net reduction of groundwater use on-site and would not reduce the availability of groundwater for other agricultural uses in the project area (see *Section X., Hydrology and Water Quality)*. The proposed project would not result in a new source of substantial dust or other emissions that could inadvertently damage crops in the

project area. The proposed project would not introduce incompatible land uses or result in other changes to the environment that could indirectly result in the conversion of farmland to non-agricultural use or forestland to non-forest use; therefore, *no impacts* would occur.

Conclusion

The proposed project would not directly or indirectly result in the conversion of farmland, forest land, or timberland 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 related to agricultural and forestry resources would be less than significant and mitigation measures are not necessary.

Mitigation

Mitigation is not necessary.

III. AIR QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:					
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting

Criteria Air Pollutants and Ambient Air Quality 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 (USEPA), California Air Resources Board (CARB), and 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 CARB 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 California 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 CARB adopted the CAAQS developed by the California Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (less than 10 microns in diameter [PM_{10}] and less than 2.5 microns in diameter [$PM_{2.5}$]), ozone (O_3), nitrogen dioxide (NO_2), sulfate, carbon monoxide (CO), sulfur dioxide (SO_2), visibility-reducing particles, lead (Pb), hydrogen sulfide (H_2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the USEPA 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 USEPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO_2, ozone, PM_{10} and $PM_{2.5}$, and SO_2.

California law continues to mandate compliance with the 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 primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

San Luis Obispo County Clean Air Plan

The *San Luis Obispo County 2001 Clean Air Plan* (CAP), prepared by the SLOAPCD, is a comprehensive planning document intended to evaluate long-term air pollutant emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{10}. The 2001 CAP presents a detailed description of the sources and pollutants that 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. In order to be considered consistent with the 2001 CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the 2001 CAP.

SLOAPCD Criteria Pollutant 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 SLOAPCD 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_x), reactive organic gases (ROGs), greenhouse gases (GHGs), and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. The SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). The SLOACPD has established several different methods for determining the significance of project operational impacts:

1. Demonstrate consistency with the most recent CAP for San Luis Obispo County;

2. Demonstrate consistency with a plan for the reduction of GHG emissions that has been adopted by the jurisdiction in which the project is located that complies with State CEQA Guidelines Section 15183.5;
3. Compare predicted ambient criteria pollutant concentrations resulting from the project to federal and state health standards, when applicable;
4. Compare calculated project emissions to SLOAPCD emission thresholds; and
5. Evaluate special conditions, which apply to certain projects.

The SLOAPCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 pounds per day (lbs/day) threshold of significance for the emission of particulate matter (PM_{10}). According to the SLOAPCD estimates, an unpaved 1-mile-long roadway carrying six round trips would likely exceed the 25 lbs/day PM_{10} threshold.

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. There is an occupied on-site residence located approximately 600 feet east of the proposed winery. In addition, there are three off-site residences located within 1,000 feet of the project site and the nearest off-site residence is located approximately 325 feet west of proposed driveway improvements. The nearest off-site residence to the proposed winery is located approximately 570 feet southeast.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the CARB. Serpentine and other ultramafic rocks are fairly common throughout San Luis Obispo 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 site is not located in an area identified as containing NOA by the SLOAPCD (SLOAPCD 2022).

Discussion

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

In order to be considered consistent with the 2001 CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the 2001 CAP (SLOAPCD 2012). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The proposed project would be limited to winery uses and would not include new residential or commercial retail uses that could facilitate substantial population growth and associated vehicle trips within the area; therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable.

The proposed project would generate four additional full-time jobs, which are expected to be filled by the existing local workforce. As discussed in detail in Section XVII, *Transportation*, implementation of the proposed project would result in one additional general public peak-hour trip and 11

additional employee/production peak-hour trips to the site; however, the proposed project would allow existing off-site production activities to be conducted on-site, which would reduce the number of annual winemaking operational trips (trips associated with grape deliveries, bottling, shipping, barrel deliveries, etc.) from 512 to 196 (Orosz Engineering Group 2023). Therefore, implementation of the proposed project would not generate vehicle miles traveled (VMT) in a manner that would exceed regional thresholds and would therefore not conflict with the 2001 CAP. As described in detail under Impact Discussion III.(b), below, the proposed project would not generate air pollutant emissions above SLOAPCD thresholds during project construction or operation. Therefore, the proposed project would be consistent with the air quality goals and objectives included in the 2001 CAP, and impacts related to consistency with applicable air quality plans 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?

San Luis Obispo County is currently designated as non-attainment for ozone and PM_{10} under the CAAQS (CARB 2020).

Construction Emissions

Construction activities associated with the proposed project would result in the generation of criteria air pollutants, including ozone precursors (ROG and NO_x) and fugitive dust. Fugitive dust emissions would result from grading operations and ROG and NO_x emissions would result from the use of large diesel-fueled equipment, including scrapers, loaders, bulldozers, haul trucks, compressors, and generators. Project grading would result in approximately 2.6 acres of ground disturbance, including approximately 14,900 cubic yards of cut and 12,200 cubic yards of fill to be balanced on-site (accounting for 15% soil shrinkage).

The SLOAPCD *CEQA Air Quality Handbook* provides thresholds of significance for construction-related emissions. Based on estimated construction phase length, grading volumes, and other factors, estimated construction-related emissions that would result from the proposed project were calculated using the California Emissions Estimator Model (CalEEMod) and are compared to applicable SLOAPCD thresholds in Table 1. The CalEEMod results are included in Attachment 1.

Table 1. Construction Emissions Summary

Criteria Pollutant	Highest Daily/Quarterly Emissions	SLOAPCD Threshold	Exceeds Threshold?
Uncontrolled Daily Construction Emissions – Summer Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	40 lbs/day	137 lbs/day	No
Diesel Particulate Matter (DPM)	3 lbs/day	7 lbs/day	No
Uncontrolled Daily Construction Emissions – Winter Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	40 lbs/day	137 lbs/day	No
Diesel Particulate Matter (DPM)	3 lbs/day	7 lbs/day	No

Table 1. Construction Emissions Summary

Criteria Pollutant	Highest Daily/Quarterly Emissions	SLOAPCD Threshold	Exceeds Threshold?
Uncontrolled Quarterly Construction Emissions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	0.55 ton/quarter	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	0.05 ton/quarter	0.13 ton/quarter	No
Fugitive Dust (PM_{10})	0.10 ton/quarter	2.5 tons/quarter	No

Notes: All calculations were made using CalEEMod. See Attachment 1 for model results. DPM is equal to combined exhaust PM_{10} and $PM_{2.5}$, and dust is equal to fugitive PM_{10} from CalEEMod.

1. CalEEMod calculates quarterly emissions of ROG + NOX but does not generate quarterly emissions for DPM and dust; therefore, maximum annual construction emissions of DPM and dust were divided by 4.
2. DPM is equal to combined exhaust PM_{10} and $PM_{2.5}$, and dust is equal to fugitive PM_{10} from CalEEMod.

As shown in Table 1, estimated daily and quarterly construction emissions would not exceed SLOAPCD's recommended thresholds of significance. Therefore, potential air quality impacts associated with project construction would be *less than significant*.

Operational Emissions

Implementation of the project would result in the operation of an expanded winery, including wine production and wine tasting facilities. Wine fermentation and storage activities release ROG emissions that could contribute to an exceedance in SLOAPCD thresholds. Fermentation and storage would be conducted within the proposed underground wine cave system, which would reduce the potential release of ROG emissions. Operational vehicle trips also have the potential to generate ROG and NO_x emissions. The winery would continue to participate in standard marketing and sales activities and is not requesting a Special Event Program.

Implementation of the proposed project would generate four additional full-time employees and 45 additional visitors per week for a total of 10 full-time employees and approximately 190 visitors per week. As compared to existing conditions, the proposed project would generate one additional general public peak-hour trip and 11 additional employee/production peak-hour trips to and from the site per day. However, implementation of the proposed project would reduce the number of annual wine production operational trips to the site from 512 to 196 due to the on-site consolidation of associated operational activities at two off-site locations (Orosz Engineering Group 2023). Therefore, implementation of the proposed project would not generate VMT in a manner that would exceed regional VMT thresholds or SLOAPCD operational emissions thresholds.

The existing driveway would be extended approximately 1,150 feet to provide access to the proposed winery. The driveway and proposed parking areas would be constructed with gravel, which could result in operational PM_{10} emissions. SLOAPCD establishes an annual PM_{10} threshold of 25 lbs/day. According to the results of the CalEEMod conducted for the project, operational PM_{10} emissions for the project would be 0.7 lbs/day; therefore, operational emissions would not exceed SLOAPCD thresholds.

Based on the analysis provided above, potential impacts would be *less than significant*.

(c) Expose sensitive receptors to substantial pollutant concentrations?

According to the SLOAPCD *CEQA Air Quality Handbook*, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions. There are three off-site residences located within 1,000 feet of the project site and the nearest off-site residence is located approximately 325 feet west of proposed driveway improvements within the western portion of the property. The nearest off-site residence to the proposed winery is located approximately 570 feet southeast. As evaluated above, the proposed project would not result in construction-related or operational criteria air pollutant emissions above established SLOAPCD thresholds; however, due to the close proximity of sensitive receptor locations, Mitigation Measures AQ-1 and AQ-2 have been included to ensure compliance with diesel idling restrictions intended to reduce exposure of DPM to sensitive receptors and to reduce fugitive dust emissions near sensitive receptors. With implementation of Mitigation Measures AQ-1 and AQ-2, the proposed project would not expose sensitive receptors to substantial pollutant concentrations; therefore, impacts would be *less than significant with mitigation*.

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

Typically, construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. The project site is not located in an area with the potential for NOA to occur (SLOAPCD 2022). In addition, the proposed project would not require the demolition of any existing on-site buildings or structures that may contain asbestos-containing material (ACM) or lead-based paint.

Wine production facilities have the potential to generate adverse odors throughout the production process, such as fermentation, storage, and winery wastewater disposal (SLOAPCD 2012). Fermentation and storage would be conducted within the proposed underground wine cave system, which would reduce the potential to emit long-term adverse odors from the project site. Additionally, the proposed project would construct a new winery wastewater processing system to treat wastewater generated by the proposed project and would be required to comply with the conditions of the State Water Resources Control Board (SWRCB) Statewide General Waste Discharge Requirements for Winery Process Water for discharges of winery wastewater (Order No. WQ 2021-0002-DWQ). Based on site design and compliance with Order No. WQ 2021-0002-DWQ , wine production activities at the site would not emit long-term odors that could adversely affect a substantial number of people. Therefore, odors generated by the proposed project would be short term, intermittent, and primarily undetectable. The project would not expose people to other emissions, including adverse odors or NOA; therefore, impacts would be *less than significant*.

Conclusion

The proposed project would be consistent with the SLOAPCD 2001 CAP and would not exceed established SLOAPCD emissions thresholds during project construction or operation. Mitigation Measures AQ-1 and AQ-2 have been included to reduce DPM and fugitive dust exposure to sensitive receptors during construction. The proposed project would not result in adverse odors or other emissions. Upon implementation of the identified mitigation measures, potential impacts related to air quality would be less than significant.

Mitigation

AQ-1 **Diesel Idling Restrictions.** During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
    b. Diesel idling when equipment is not in use shall not be permitted;
    c. Use of alternative fueled equipment shall be used whenever possible; and
    d. Signs that specify the no-idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 California Code of Regulations 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine when vehicle is not in use, except as noted in Subsection (d) of the regulation; and
    b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the no-idling requirement. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 **Fugitive Dust Measures.** During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

1. Reduce the amount of disturbed area where possible.
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible.
3. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers, as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.

5. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast-germinating, non-invasive, grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District.
7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. "Track out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code (CWC) Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked-out soils, the track-out prevention device may need to be modified.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
12. All required PM_{10} mitigation measures should be shown on grading and building plans.
13. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the Mitigation Measures as necessary to minimize dust complaints and reduce visible emissions below the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork, or demolition.

IV. BIOLOGICAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
(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?	☐	☐	☐	☒
(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?	☐	☒	☐	☐
(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?	☐	☒	☐	☐
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
(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?	☐	☐	☐	☒

Setting

Federal and State Endangered Species Acts

The Federal Endangered Species Act (FESA) of 1973 provides legislation to protect plant and animal species listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS). The California Endangered Species Act (CESA) of 1984 ensures legal protection for plants listed as threatened or endangered by the CDFW and wildlife species formally listed as endangered or threatened. In addition, CDFW 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. CDFW also maintains a Watch List (WL) for species that were previously SSC but no longer merit SSC status, or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

In addition, the California Native Plant Society (CNPS) maintains a list of plant species ranging from presumed extinct to limited distribution, based on the following:

- California Rare Plant Ranks (CRPR)
    - 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
    - 1B: Plants rare, threatened, or endangered in California and elsewhere
    - 2A: Plants presumed extirpated in California, but common elsewhere
    - 2B: Plants rare, threatened, or endangered in California, but more common elsewhere
    - 4: Plants of limited distribution – a watch list
- California Rare Plant Threat Ranks
    - 0.1: Seriously threatened in California
    - 0.2: Moderately threatened in California
    - 0.3: Not very threatened in California

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 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 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.

California Fish and Game Code

California Fish and Game Code Sections 3511, 4700, 5050 and 5515 identify a Fully Protected classification to identify and provide additional protection to those animals that were rare or faced possible extinction. Fully Protected Species (FPS) may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for scientific research, for relocation of the bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (NCCP).

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 the CWA and the 2015 Clean Water Rule, USACE regulates activities in waters that are jurisdictional by rule in all cases; jurisdictional by rule, as defined; and waters requiring a case-specific evaluation. Traditional navigable waters (TNW), interstate waters, the territorial seas, and impoundments of these waters are jurisdictional by rule. Tributaries and adjacent waters are jurisdictional by rule, if they meet certain definitions as defined in the 2015 Clean Water Rule. Waters such as vernal pools, coastal prairie wetlands, prairie potholes, waters that are within the 100-year flood plain of a TNW, and waters within 400 feet of the high tide line require a case specific evaluation to determine jurisdictional status.

The SWRCB and nine RWQCBs regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the 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.

County of San Luis Obispo General Plan Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the County 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 County COSE identifies several key goals pertaining to biological resources within the county:

- **Goal BR 1:** Native habitat and biodiversity will be protected, restored, and enhanced.
- **Goal BR 2:** Threatened, rare, endangered, and sensitive species will be protected.
- **Goal BR 3:** Maintain the acreage of native woodlands, forests, and trees at 2008 levels.
- **Goal BR 4:** The natural structure and function of streams and riparian habitat will be protected and restored.
- **Goal BR 5:** Wetlands will be preserved, enhanced, and restored.
- **Goal BR 6:** The County's fisheries and aquatic habitats will be preserved and improved.
- **Goal BR 7:** Significant marine resources will be protected.

Sensitive Resource Area Designations

The County LUO SRA combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the County LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection. The project site is not located in an SRA combining designation.

Existing Conditions

This section is largely based on the *Spring Botanical Survey and Jurisdictional Wetland Delineation for Road Improvements for Clos Solene Winery at 2040 Niderer Road, Paso Robles, California (APN 040-041-008)*, prepared by Terra Verde Environmental Consulting, LLC (Terra Verde) to evaluate biological resources present at the project site (Terra Verde 2021; Attachment 2).

The project site currently supports wine production uses, including approximately 17 acres of vineyards and an existing 1,786-square-foot wine production area, a 336-square-foot tasting room, and a 620-square-foot covered porch. There is also an existing 1,876-square-foot single-family residence located adjacent to the existing winery and an on-site well located in the northwestern portion of the property. The project site is located in a rural area and surrounding areas primarily include agricultural land uses and scattered rural residential development and accessory structures.

The project site and surrounding area is characterized by gently sloping to steeply sloping topography and supports oak woodland, annual grassland, vineyards, and non-native trees. There is a mapped blue-line creek that runs in a north–south direction through the project site and connects to Willow Creek approximately 0.3 mile south of the project site. The creek flows through a 24-inch culvert under the existing on-site driveway. The driveway crossing consists of a dirt berm that crosses the topographic low point of the creek in an east–west direction. Areas north of the road crossing consist of wild oats and annual brome grassland and support oak woodland further upstream and areas south of the crossing consist of coast live oak and vineyards. According to the wetland delineation conducted for the proposed project, the creek is ephemeral and there is no evidence of an ordinary high-water mark (OHWM) or a defined bed, bank, or channel. The creek does not support evidence of recent flows and has likely not flowed during the past 2 years. Based on the ephemeral nature of the creek and lack of an OHWM, this creek would not be considered waters of the United States; however, since it is a mapped blue-line creek, it is assumed that it would be considered waters of the state under the jurisdiction of CDFW and RWQCB (Terra Verde 2021).

Special-Status Plants

The botanical survey conducted for the proposed project included a review of the CDFW California Natural Diversity Database (CNDDB) and the CNPS rare plant database, which revealed five special-status plant species have been previously recorded within a 5-mile radius of the project site. Of the five special-status species that have been previously documented in the vicinity of the project site, two species were determined to have potentially suitable habitat on-site. In addition, based on the habitat conditions of the site, three additional special-status plant species were determined to have the potential to occur on-site. According to the botanical survey, the following five special-status plant species have the potential to occur on-site:

- Douglas' fiddleneck (*Amsinckia douglasiana*) – CRPR 4.2
- umbrella larkspur (*Delphinium umbraculorum*) – CRPR 1B.3
- woodland woolythreads (*Monolopia gracilens*) – CRPR 1B.2
- narrow-petaled rein orchid (*Piperia leptopetala*) – CRPR 4.3
- hooked popcornflower (*Plagiobothrys uncinatus*) – CRPR 1B.2

During an appropriately timed botanical survey conducted on May 3, 2021, no special-status species were observed within the project site (Terra Verde 2021).

Special-Status Wildlife

Based on a nine-quadrangle query of the CNDDB, the following special-status wildlife species have been previously recorded in the vicinity of the project area (CDFW 2022):

- tricolored blackbird (*Agelaius tricolor*): This is a state threatened species and typical habitat includes freshwater, swamp, and marsh habitat. The nearest occurrence of this species is located approximately 6.6 miles east of the project site (CNDDB Occ. 998). The project site does not support suitable habitat for this species.
- vernal pool fairy shrimp (*Branchinecta lynchi*): This is a federally threatened species and typical habitat includes valley and foothill grassland, vernal pool, and wetland habitat. The nearest occurrence of this species is located approximately 4.8 miles northeast of the project site (CNDDB Occ. 287). While the project site supports grassland habitat, the mapped blue-line creek is dry at this location; therefore, the project site does not support suitable habitat for this species.
- western snowy plover (*Charadrius nivosus nivosus*): This is a federally threatened species and typical habitat includes standing waters, sand shore, and wetland habitat. The nearest occurrence of this species is located approximately 13 miles southwest of the project site (CNDDB Occ. 154). The project site does not support suitable habitat for this species.
- monarch butterfly – overwintering population (*Danaus plexippus* pop. 1): This is a federal candidate species that typically occurs in closed-cone forests. The nearest occurrence of this species is located approximately 12 miles southwest of the project site (CNDDB Occ. 116). The project site does not support suitable habitat for this species.
- tidewater goby (*Eucyclogobius newberryi*): This is a federally endangered species and typical habitat includes flowing waters. The nearest occurrence of this species is located approximately 11.3 miles southwest of the project site (CNDDB Occ. 50). The blue-line creek is dry at this location and would not provide adequate connectivity for this species; therefore, the project site does not support suitable habitat for this species.
- bald eagle (*Haliaeetus leucocephalus*): This is a federally delisted species and a state endangered species. Typical habitat includes lower montane coniferous forest and old growth forest. The nearest occurrence of this species is located approximately 12.4 miles northwest of the project site (CNDDB Occ. 215). The project site does not support suitable habitat for this species.
- Morro shoulderband (*Helminthoglypta walkeriana*): This is a federally threatened species that typically occurs in coastal dunes and coastal scrub habitats. The nearest occurrence of this species is located approximately 14.7 miles southwest of the project site (CNDDB Occ. 6). The project site does not support suitable habitat for this species.
- steelhead southern California Distinct Population Segment (DPS) (*Oncorhynchus mykiss irideus* pop.10): This is a federally endangered species that typically occurs in flowing coastal waters. The nearest occurrence of this species is located approximately 11.1 miles southwest of the project site (CNDDB Occ. 12). The blue-line creek is dry at this location and would not provide adequate connectivity for this species; therefore, the project site does not support suitable habitat for this species.
- steelhead south-central California coast DPS (*Oncorhynchus mykiss irideus* pop. 9): This is a federally threatened species that typically occurs in flowing coastal waters. The nearest occurrence of this species is located approximately 9.9 miles southwest of the project site (CNDDB Occ. 15). The blue-

line creek is dry at this location and would not provide adequate connectivity for this species; therefore, the project site does not support suitable habitat for this species.

- California red-legged frog (*Rana draytonii*): This is a federally threatened species that typically occurs in aquatic, wetland, marsh, and riparian habitats. The nearest occurrence of this species is located approximately 4.3 miles southwest of the project site (CNDDB Occ. 861). The project site does not support pools of standing or flowing water, provides low habitat connectivity, and experiences frequent disturbance; therefore, this species is not expected to occur within the project area.
- least Bell's vireo (*Vireo bellii pusillus*): This is a state and federally endangered species that typically occurs in riparian habitats. The nearest occurrence of this species is located approximately 4.2 miles northeast of the project site (CNDDB Occ. 127). The project site supports trees and grassland along the mapped blue-line creek; however, no riparian communities were identified within the project site (Terra Verde 2021). Therefore, potential for occurrence is low.
- San Joaquin kit fox (*Vulpes macrotis mutica*): This is a federally endangered and state threatened species. The nearest occurrence of this species is located approximately 7.2 miles northeast of the project site (CNDDB Occ. 945). This species typically occurs in scrub and grassland habitats with loose soils for denning and requires ample access to food supply and habitat connectivity. The project site is located in an area with low habitat connectivity and is not within an area with potential for San Joaquin kit fox occurrences (USFWS 2020). Additionally, the site experiences frequent disturbance and supports agricultural uses. Based on the lack of habitat connectivity and frequent disturbance, this species is not expected to occur within the project area.

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 be a phased construction of a new 27,248-square-foot winery, which would have the potential to result in direct removal of special-status plant species if present within the project site during construction. In addition, proposed construction activities have the potential to result in direct (i.e., take) or indirect (i.e., noise, dust, light pollution) disturbance to special-status wildlife species if present within the project area during project construction. The proposed winery and a majority of the driveway extension would be sited within the existing vineyard, which reduces the potential for special-status plant and wildlife species to occur based on the lack of suitable habitat, frequent disturbance, and the use of pesticides and herbicides. However, proposed driveway improvements would require work over the mapped blue-line creek, which is normally dry at this location. Habitat north of the road crossing consists of wild oats and annual brome grassland and supports oak woodland further upstream and habitat south of the crossing consists of coast live oak and vineyards (Terra Verde 2021).

Special-Status Plants

Based on the results of the botanical survey, no special-status plant species were observed within the proposed area of disturbance along the roadway crossing (Terra Verde 2021). Therefore, implementation of roadway improvements over the blue-line creek would not result in disturbance to special-status species. In addition, construction of the new winery and roadway extension would occur within the existing vineyards, which does not support suitable habitat for special-status plant

species based on frequent disturbance and use of pesticides and herbicides. Therefore, implementation of the project would not result in adverse impacts to special-status plant species.

Special-Status Wildlife

Based on existing site conditions, there is low potential for least Bell's vireo to occur within native and non-native trees located along the blue-line creek. As described above, the project site does not support suitable habitat for other special-status wildlife species that have been previously recorded in the vicinity of the project site based on the lack of habitat connectivity, frequent disturbance, and ongoing agricultural uses on-site.

The proposed project would require the removal of one non-native tree and the relocation of seven non-native trees, which could result in disturbance to least Bell's vireo and/or other nesting migratory birds if present during proposed tree removal or roadway improvements. Native oak woodland habitat would be retained along the blue-line creek to provide long-term nesting bird habitat and Mitigation Measure BIO-1 has been included to require a preconstruction survey for nesting birds to determine the presence and/or absence of nesting migratory birds, including least Bell's vireo, on-site and includes the proper avoidance protocol to be implemented in the event special-status bird species or other migratory birds are found nesting in the project area. With implementation of the identified mitigation, the proposed project would not result in disturbance to special-status wildlife species.

Based on the analysis above, the proposed project would not result in substantial adverse effects on special-status species, and impacts would be *less than significant with mitigation*.

(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?*

There is a mapped blue-line creek that runs in a north–south direction through the project site. According to the botanical survey and wetland delineation conducted for the proposed project, vegetation surrounding the blue-line creek includes coast live oak woodland, wild oats, and annual brome grassland. No riparian habitat or other sensitive natural communities occur within or adjacent to the project site (Terra Verde 2021). Because no riparian habitat or other sensitive natural communities occur on or adjacent to the project site, the proposed project would not result in substantial adverse effects on riparian habitat or other sensitive natural communities; therefore, *no 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?*

There is a mapped blue-line creek that runs in a north–south direction through the project site and connects to Willow Creek approximately 0.3 mile south of the site. The blue-line creek flows through a 24-inch culvert under the existing on-site driveway. As described above, according to the wetland delineation conducted for the proposed project, the blue-line creek is ephemeral and there is no evidence of an OHWM or a defined bed, bank, or channel. The blue-line creek does not support evidence of recent flows and has likely not flowed during the past two years; therefore, the blue-line creek would not be considered waters of the United States. According to information from the Applicant, the creek did not flow during the extreme weather events of winter 2023. However, since

it is a mapped blue-line creek, it is assumed that it would be considered waters of the state under the jurisdiction of CDFW and RWQCB (Terra Verde 2021).

Construction activities would be located approximately 760 feet east of the blue-line creek and would not result in direct alteration of or other disturbance to this feature. However, proposed improvements to the existing driveway would require work over and adjacent to the creek. Proposed improvements would involve extension of the existing culvert and would require a CDFW Lake and Streambed Alteration Agreement in accordance with Section 1600 of the California Fish and Game Code and a waste discharge requirement (WDR) from RWQCB, pursuant to Section 13260(a) of the California Water Code. Mitigation Measure BIO-2 has been included to ensure compliance with CDFW and RWQCB permitting requirements. Additionally, Mitigation Measure BIO-3 identifies best management practices (BMPs) to be implemented during construction to reduce erosion and other pollutants that could run off from the site and enter the blue-line creek or surrounding areas.

The proposed project would disturb more than 1 acre of soils and would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) with BMPs. The proposed project would also be subject to County LUO Section 22.52.120, which requires the preparation of an Erosion and Sedimentation Control Plan for all construction and grading projects 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 and would be subject to the review and approval of the County Department of Public Works. Implementation of Mitigation Measures BIO-2 and BIO-3 and adherence to RWQCB and County LUO Section 22.52.120 requirements would reduce direct and indirect impacts to the blue-line creek; therefore, potential impacts would be *less than significant with mitigation*.

(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 project site is surrounded by scattered single-family residences and agricultural land uses. The project site consists of existing development, including a single-family residence, a winery, a driveway, and approximately 17 acres of vineyards. According to the CDFW Habitat Connectivity Viewer, the project site is located in an area with low habitat connectivity (CDFW 2022). Further, existing on-site uses would reduce the site's potential to provide terrestrial habitat connectivity. The proposed project would result in the removal of one non-native walnut tree and the relocation of seven non-native olive trees. Native oak woodlands would be retained at the site and the proposed project would install native vegetation which would provide long-term nesting bird habitat within the project area. Based on the limited number of trees to be removed and proposed installation of native vegetation, the proposed project would not reduce the ability for migratory birds to use this site for nesting. Mitigation Measure BIO-1 has been included to avoid and/or minimize the potential to disturb migratory birds if present within the project site during construction activities. The mapped blue-line creek connects to Willow Creek approximately 0.3 mile south of the project site; however, the portion of the blue-line creek that runs below the existing driveway is located within a culvert and would not provide habitat for migratory or breeding fish species based on the lack of pooled or flowing water. The proposed project would not 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. Therefore, potential impacts would be *less than significant with mitigation*.

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

The County Inland LUO Chapter 22.58 establishes regulations for clear-cutting oak woodlands. The proposed project would result in disturbance to the CRZ of one oak tree for construction of proposed driveway improvements. However, the proposed project would not remove any native trees, such as coast live oaks, or clear-cut oak woodlands. The proposed project would not be subject to regulations included in County LUO Section 22.58. In addition, the proposed project would plant two new oaks and other native trees as landscaping, which would offset impacts to the CRZ of the oak tree during installation of proposed driveway improvements. The proposed project would not conflict with the County LUO and impacts would be *less than significant*.

(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 site does not overlap with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plans. Therefore, the proposed project would not conflict with any approved local, regional, or state habitat conservation plans, and *no impacts* would occur.

Conclusion

Mitigation Measures BIO-1 through BIO-3 have been included to avoid and/or minimize potential impacts related to special-status wildlife species and the mapped blue-line creek. The proposed project would not result in disturbance to the on-site creek or otherwise impede the use of this area for wildlife connectivity. In addition, the proposed project would not conflict with a Habitat Conservation Plan or the County LUO for oak tree preservation. Upon implementation of the identified mitigation measures, potential impacts related to biological resources would be less than significant.

Mitigation

BIO-1 **Nesting Bird Surveys.** Prior to initiation of any site preparation/construction activities, if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

1. A 50-foot exclusion zone shall be established around non-listed, passerine species, and a 250-foot exclusion zone shall be established for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if Phase 1 improvements are completed, exclusion zones may be removed until initiation of site preparation for Phase 2 begins), or it has been determined by a qualified biologist that the young

have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young.

2. If special-status avian species are identified and nesting within the work area, no work shall begin until an appropriate exclusion zone is determined in consultation with the County of San Luis Obispo and any relevant resource agencies.

The results of the survey shall be provided to the County of San Luis Obispo Planning and Building Department prior to commencement of initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated, and a separate survey report shall be prepared and submitted to the County of San Luis Obispo Planning and Building Department.

BIO-2 **Agency Permits.** Prior to project initiation, all applicable agency permits with jurisdiction over the project area (e.g., California Department of Fish and Wildlife Lake and Streambed Alteration Agreement and Regional Water Quality Control Board Section 401) shall be obtained, as necessary. Any additional measures required by these agencies shall be implemented as necessary throughout the project, including requirements for habitat creation or restoration/enhancement. Appropriate restoration and enhancement activities may include planting native species, correcting bank stabilization issues, and providing habitat enhancements by reducing non-native invasive species. Success criteria shall include, at a minimum, at least 80% survival of container plants and 80% relative cover by vegetation type, unless other performance measures are required by the agencies. As part of these permitting processes, the Applicant shall be required to demonstrate that the proposed project has been designed and measures will be implemented in a manner that avoids and minimizes impacts on aquatic resources and meets the permitting agencies' expectations. Permits and/or authorizations shall be submitted to the County prior to any construction activities that occur within and near the mapped blue-line creek.

BIO-3 **Best Management Practices.** The following Best Management Practices shall be installed prior to the start of construction to protect the blue-line creek and project boundaries (i.e., areas above steep cliffs) from water quality, runoff, and erosion/sedimentation concerns during project implementation: straw wattles, exclusion fencing, gravel bags, and silt fencing. Additionally, all equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials and a designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. The staging area shall be located a minimum of 50 feet from the blue-line creek, and all fueling and maintenance activities shall take place in the staging area. Erosion and sediment controls shall be installed properly and shall be maintained regularly throughout construction to increase effectiveness. Other Best Management Practices shall also be implemented as necessary and/or as required by project permits, such as avoiding washing, refueling, and maintenance of equipment within 50 feet (unless otherwise noted in project-

specific permits) from the blue-line creek, regardless if water is present or absent in the channel.

V. CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Setting

The project site is located in an area 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 currently the subject of debate, as those boundaries may have changed over time.

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 habitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

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 that 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.

Pursuant to CEQA, a resource included in a local register of historic resources or identified as significant in a historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

Discussion

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

There is an existing winery and single-family residence located on the project site. Existing structures would remain on-site and would not require modification, demolition, or removal. Additionally, the proposed project would not include the use of high-impact construction activities (i.e., pile driving) that could directly or indirectly damage or result in adverse change to a historical building or structure. Because existing structures would remain in place, the proposed project would not have the potential to cause a substantial adverse change in the significance of a historical resource; therefore, *no impacts* would occur.

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

Construction activities associated with the proposed project would result in approximately 114,906 square feet (2.6 acres) of ground disturbance, including 14,900 cubic yards of cut and 12,200 cubic yards of fill to be balanced on-site. There are no known archaeological resources located within the project site; however, there is still some potential for inadvertent discovery of unknown cultural resources if present within the proposed work area and the area of excavation for the winery cave system. The maximum depth of excavation would be 16.5 feet, at the entrance of the proposed wine cave system. Mitigation Measure CR-1 requires preparation of a Cultural Resource Monitoring Plan by a County-approved archaeologist to reduce the potential to adversely affect previously unidentified cultural resources if present within the proposed disturbance area. The Cultural Resource Monitoring Plan identifies requirements to be implemented prior to and during project construction, including, but not limited to, cultural resource monitoring within culturally sensitive areas and implementation of protocol in the event an unknown resource is encountered. The proposed project would also be required to comply with County LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per County LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on implementation of Mitigation Measure CR-1 and required compliance with the County LUO, the proposed project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant with mitigation.*

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

There are no known human remains or cemeteries located within the project area; however, the proposed project would require ground disturbance and excavation, which could uncover or disturb unknown human remains if present within the project area. As evaluated above, implementation of Mitigation Measure CR-1 would reduce the potential to adversely affect previously unidentified cultural resources, including human resources, if present within the proposed disturbance area. The proposed project would also be required to comply with California Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the Native American Heritage Council (NAHC). Based

on implementation of Mitigation Measure CR-1 and required compliance with Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, implementation of the proposed project is not anticipated to disturb human remains; therefore, potential impacts would be *less than significant with mitigation*.

Conclusion

Based on implementation of Mitigation Measure CR-1 and required compliance with Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, the proposed project is not anticipated to disturb unknown cultural resources. Therefore, potential impacts related to cultural resources would be less than significant.

Mitigation

CR-1 **Cultural Resources Monitoring Plan** Prior to issuance of grading permits, the Applicant shall retain a County of San Luis Obispo-approved archaeologist to prepare a Cultural Resource Monitoring Plan, which requires monitoring of all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved Plan. The Applicant shall retain a County of San Luis Obispo-approved archaeologist monitor to conduct monitoring as specified in the Cultural Resource Monitoring Plan. The Cultural Resource Monitoring Plan shall include the following at a minimum:

1. List of personnel involved in the monitoring activities
2. Inclusion of involvement of the Native American community
3. Description of how the monitoring and reporting shall occur, including the frequency of monitoring (e.g., full-time, part time, spot checking) and define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring.
4. Description of what resources may be expected to be encountered (and identifying areas of moderate to high potential for buried resources)
5. For construction work identified to occur in moderate to high sensitivity areas, define preconstruction testing or monitoring to be done and the process that will be followed should buried resources be encountered (the following priority should be included in process: try first to avoid resource, then minimize impact to resource, and lastly mitigate the impacted resource). This process shall identify triggers or thresholds for when work would stop and a Phase III (data recovery) program is needed before work proceeds.
6. Description of circumstances for halting work on-site and procedures to be followed for such events. This shall include County of San Luis Obispo and applicant responsibilities and how remedial work is expected to be handled.
7. Inclusion of a construction worker crew education component. At a minimum, this component will address the following:
    a. Establish a worker protocol to address unanticipated finds.
    b. Provide cultural resources awareness training to all field crews and field supervisors to include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an

unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites.

c. If not clearly shown on all applicable construction drawings (and marked in the field), generate a "field supervisor" graphic that shows those areas sensitive to potential buried resources.

VI. ENERGY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. PG&E utilizes clean energy sources, including 50% from renewable energy sources and 43% from other GHG-free energy sources (PG&E 2021).

PG&E offers two programs through which consumers may purchase electricity from renewable sources: the Solar Choice program and the Regional Renewable Choice program. Under the Solar Choice program, a customer remains on their existing electric rate plan and pays a modest additional fee on a per kilowatt-hour (kWh) basis for clean solar power. The fee depends on the type of service, rate plan, and enrollment level. Customers may choose to have 50% or 100% of their monthly electricity usage to be generated via solar projects. The Regional Renewable Choice program enables customers to subscribe to renewable energy from a specific community-based project within PG&E's service territory. The Regional Renewable Choice program allows a customer to purchase between 25% and 100% of their annual usage from renewable sources.

The Southern California Gas Company (SoCalGas) is the primary provider of natural gas for urban and rural communities within San Luis Obispo County. SoCalGas has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019).

State Building Code Requirements

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 *2022 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.

Vehicle Fuel Economy Standards

In October 2012, the USEPA and the National Highway Traffic Safety Administration (NHSTA), on behalf of the U.S. Department of Transportation (USDOT), issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's I standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO_2) per mile for the fleet of cars and light-duty trucks by the model year 2025.

In January 2017, USEPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022–2025 vehicles. However, on March 15, 2017, USEPA Administrator Scott Pruitt and USDOT Secretary Elaine Chao announced that the USEPA intends to reconsider the Final Determination. On April 2, 2018, USEPA Administrator Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the USEPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2nd notice is not USEPA's final agency action, and the USEPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect.

As part California's overall approach to reducing pollution from all vehicles, the CARB has established standards for clean gasoline and diesel fuels and fuel economies of new vehicles. The CARB has also put in place innovative programs to drive the development of low-carbon, renewable, and alternative fuels, such as their Low Carbon Fuel Standard (LCFS) Program pursuant to California Assembly Bill (AB) 32 and the Governor's Executive Order S-01-07.

In January 2012, the CARB approved the Advanced Clean Cars Program, which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15% of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34% fewer global warming gases and 75% fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2022).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of NO_x and particulate matter from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Local Energy Plans and Policies

The County has adopted the COSE, which establishes goals and policies that aim to reduce VMT, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. This element 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.

The County EWP established the 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 County EWP and outline overall trends in energy use and emissions since the baseline year of the County EWP inventory, 2006.

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 County LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO Section 22.14.100). The project is located within the Renewable Energy Area combining designation.

Discussion

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

Construction of the proposed project would require the use of fossil fuels, electricity, and natural gas for construction vehicles and equipment. Proposed energy use during construction would be short-term and limited in scale and would not result in unnecessary, wasteful, or inefficient energy consumption. Although not necessary to reduce energy use during construction, Mitigation Measure AQ-1 included in Section III, *Air Quality*, has been identified to ensure compliance with state and local diesel-idling restrictions and the use of alternative fuels as applicable to ensure avoidance of unnecessary, wasteful, and inefficient energy consumption during construction; therefore, energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources.

Implementation of the proposed project would result in the operation of a 27,248-square-foot winery facility which would include wine production activities and visitor-serving uses. The project's operational electricity needs would be supplied by PG&E, which sources 50% of its energy from renewable energy sources and 43% of its energy from other greenhouse-gas free energy sources (PG&E 2021). By using electricity from PG&E, the proposed project would reduce the long-term use of non-renewable energy resources.

The proposed project would result in one additional general public peak-hour vehicle trip and 11 additional employee/other production-related peak-hour trips. Implementation of the proposed project would consolidate off-site production activities on-site, which would reduce the number of annual winemaking operational trips (e.g., grape deliveries, bottling, shipping barrel deliveries, etc.) to and from the site from 512 to 196. The ongoing development of increasingly efficient automobile engines would result in increased energy efficiency and energy conservation in future years. As a result, operational vehicle trips associated with the proposed project would not result in unnecessary, wasteful, or inefficient energy use during operation..

Proposed building design would be required to adhere to Title 24 of the California Energy Code (CEC) and CBC 2022 Building Energy Efficiency Standards to further reduce operational energy use through implementation of green building and energy efficient building design features. Based on the use of clean energy sources and required compliance with the CEC and CBC, operation of the proposed project is not anticipated to result in potentially significant environmental impacts due to wasteful or otherwise inefficient use of energy resources during operation. Therefore, the proposed project would not result in unnecessary, wasteful, or inefficient energy use during construction or operation, and impacts would be *less than significant.*

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

As previously evaluated, proposed construction activities would require the use of energy in the form of diesel fuel and gasoline for worker and construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources, which would be consistent with applicable renewable energy plans.

In order to be compliant with the County COSE and County EWP, the proposed project would be required to reduce GHG emissions, where feasible in energy consumption. The proposed project would be provided electricity by PG&E, which sources energy from clean energy resources, including 50% from renewable energy sources and 43% from other GHG-free energy sources (PG&E 2021). By utilizing PG&E for electricity, 93% of the proposed project's electricity demand would be sourced from renewable energy or GHG-free energy sources, which is consistent with the County COSE and County EWP. Further, the proposed project would be required to comply with Title 24 of the CEC and CBC 2022 Building Energy Efficiency Standards to ensure compliance with energy efficient building design to reduce operational energy use.

The project site is located within the Renewable Energy Overlay (RE) combining designation. The proposed project does not include the construction of SEFs or other renewable energy facilities that would be applicable to permit streamlining or development standards included in County LUO Section 22.14.100. The RE combining designation does not include development standards that would limit development within this designation to only renewable energy facilities but rather identifies areas within the county where renewable energy production may be favorable. There is an

existing residential-based photovoltaic system located on the project site, which would remain in place.

Based on required compliance with the CEC and CBC and the use of electricity and natural gas from clean energy sources, the proposed project would comply with applicable energy efficiency plans and impacts would be *less than significant*.

Conclusion

The proposed project would be provided energy from GHG-free sources and would be subject to Title 24 of the CEC and CBC 2022 Building Energy Efficiency Standards for energy efficient building design. The proposed project would not result in excessive energy use during construction or operation and would be consistent with applicable energy efficiency plans. Therefore, impacts would be less than significant, and mitigation is not necessary.

Mitigation

Mitigation is not necessary.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
(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.	☐	☐	☐	☒
(ii) Strong seismic ground shaking?	☐	☐	☒	☐
(iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
(iv) Landslides?	☐	☐	☒	☐
(b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

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 *County of San Luis Obispo General Plan Safety Element* 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, which is mapped off the San Luis Obispo County coast, and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at 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 project site is located in excess of 15 miles from mapped Alquist-Priolo Act fault zones within the county (DOC 2015).

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the county. The project site is located approximately 3.6 miles west of an unnamed quaternary fault associated with the Rinconada fault zone and approximately 9.5 miles east of the Oceanic Fault (DOC 2015).

Ground shaking refers to the motion that occurs in response to local and regional earthquakes. Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Ground shaking can endanger life and safety due to damage or

collapse of structures or lifeline facilities. The CBC includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

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. The project site is not located within the County LUO GSA combining designation. 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. Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground shaking during an earthquake. According to the County Safety Element Maps, the project site is located in an area with low to high landslide potential and low liquefaction potential.

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. Typically, soils that are comprised of clay or clay materials are considered expansive soils. The project site is underlain by Gazos shaly clay loam, 9 to 30 percent slopes; Gazos shaly clay loam, 30 to 50 percent slopes; and Lockwood shaly loam, 2 to 9 percent slopes (NRCS 2022). These soils contain clay or clay materials and would be considered to have high shrink/swell potential.

The County Local Agency Management Program (LAMP) develops minimum standards for the treatment and disposal of sewage through on-site wastewater treatment systems. The LAMP is the culmination of the actions required by AB 885 and the SWRCB to develop regulations and standards for on-site wastewater treatment systems. The County of San Luis Obispo LAMP is designed to protect surface water and groundwater from contamination while providing flexibility in design criteria in consideration of local conditions.

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.

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.*

The project site is not located greater than 15 miles from mapped Alquist-Priolo Act fault zones within the county (DOC 2015); therefore, the project would not result in risk of loss, injury, or death related to rupture of a known Alquist-Priolo Act fault zone and *no impacts* would occur.

(a-ii) Strong seismic ground shaking?

The Central Coast is a seismically active region and there is always potential for seismic ground shaking to occur. The project site is located approximately 3.6 miles west of an unnamed quaternary fault associated with the Rinconada fault zone and approximately 9.5 miles east of the Oceanic Fault (DOC 2015). Occupiable buildings would be required to be constructed in accordance with seismic design standards included in Section 1613 of the 2022 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including seismic ground shaking. Adherence to the 2022 CBC and other applicable engineering standards would minimize the risk of loss, injury, or death associated with seismic ground shaking; therefore, impacts would be *less than significant.*

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

According to the County Safety Element Maps, the project site is located in an area with low potential for liquefaction. Typically, sandy, silty, or gravelly soils are most susceptible to liquefaction. Soils at the project site consist of clay loam and loam; therefore, soils at the site would have a low susceptibility to liquefaction. Proposed construction of occupiable buildings would be required to comply with seismic design standards included in Section 1613 of the 2022 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including liquefaction. Adherence to the 2022 CBC and other applicable engineering standards would minimize the risk of loss, injury, and death associated with liquefaction; therefore, impacts would be *less than significant.*

(a-iv) Landslides?

The project site and surrounding area is characterized by gently to steeply sloping topography. The proposed project would be developed in a low-lying portion of the site with upward slopes directly north, south, and east. According to the County Safety Element Maps, the southeastern steeply sloping portion of the project site is identified as an area with high landslide risk. Other portions of the site have a low to moderate risk for landslide. The proposed project would require approximately 14,900 cubic yards of cut and 12,200 cubic yards of fill and would have a maximum excavation depth of 16.5 feet for construction of the underground wine cave system, which may further increase the risk for landslide to occur. The underground cave system would be located approximately 250 feet from the recognized landslide area at the southeast corner of the project site. Further, the proposed project would be required to comply with the most recent CBC and applicable engineering standards and practices to adequately withstand and minimize risk associated with landslides during construction and operation of the proposed project. The proposed project would include development of retaining walls for the main cave portal which would be constructed in accordance with Section 18 of the CBC to ensure stability against landslides and other ground failures in the project area. Based on required compliance with the CBC and other applicable engineering standards and practices, new development would not result in the risk of loss, injury, or death associated with landslides; therefore, impacts would be *less than significant.*

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

The proposed project would require approximately 2.6 acres of ground disturbance, including 14,900 cubic yards of cut and 12,200 cubic yards of fill to be balanced on-site. Proposed ground disturbance has the potential to increase erosion and loss of topsoil at the project site that could run

off into the on-site blue-line creek and surrounding areas. In addition, proposed driveway improvements would require extension of the existing culvert, which could increase erosion within the mapped blue-line creek. Mitigation Measure BIO-2 has been included to ensure compliance with CDFW and RWQCB permitting requirements. Additionally, Mitigation Measure BIO-3 identifies BMPs to be implemented during construction to reduce erosion and other pollutants that could run off from the site and enter the blue-line creek or surrounding areas. Per County LUO Section 22.52.120, an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential short- and long-term impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation prevention. In addition, the proposed project would disturb more than 1 acre of soils and would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a SWPPP with BMPs to reduce erosive runoff during project construction. Following construction, the project site would be developed with hardscapes and other developed areas, which would reduce the potential for long-term erosion on-site. The driveway would be finished with gravel to avoid direct vehicle use on soils at the site. The proposed project would not include expansion of additional cropland or other activities that could increase the potential for long-term loss of topsoil at the project site. Based on implementation of Mitigation Measures BIO-2 and BIO-3 and required compliance with the RWQCB and County LUO Section 22.52.120, potential impacts related to soil erosion and loss of topsoil would be *less than significant with mitigation.*

(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?

As previously described, the project site is located in an area with low to high potential for landslides and low potential for liquefaction to occur. The project site is not located in an area with known land subsidence (U.S. Geological Survey [USGS] 2022). The proposed project would be constructed in accordance with the most recent CBC and applicable engineering standards and practices to adequately withstand and minimize risk associated with potential ground-failure events; therefore, potential impacts related to ground failure 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?

Soils at the project site contain clay and clay components and would be considered to have potential for soil expansion to occur. The proposed project would be required to comply with Section 18 of the CBC, which requires geotechnical investigations to be conducted by a qualified engineer prior to development to determine soil conditions at the site and provide design recommendations to be implemented in final design and construction plans. Based on required compliance with the CBC, new development would not result in risk to life or property as a result of development on expansive soils; therefore, impacts would be *less than significant.*

(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?

Existing on-site wastewater infrastructure is limited to the existing winery and residence. The proposed project includes the installation of an on-site septic system, including the construction of a septic leach field southeast of the existing winery and residence, and installation of two septic tanks

along the proposed driveway extension to collect, transport, and treat wastewater generated by the proposed project. The septic leach field would be located 100 feet southeast of the existing well and would be required to be designed in accordance with the County's LAMP, which develops minimum standards for the treatment and disposal of sewage through on-site wastewater treatment systems.

The existing winery currently treats wastewater in accordance with the RWQCB General WDR Order No. R3-2017-0020 for winery waste discharge. The proposed project would install a new winery wastewater processing system. Wastewater generated by wine production would be treated and stored on-site and would be used for vineyard irrigation and dust control. The proposed project would increase on-site wine production capacity to 10,000 cases and would be required to comply with the conditions of the General WDR Order No. R3-2017-0020 and SWRCB Order WQ 2021-0002-DWQ.

Final design of the proposed septic leach field and winery wastewater processing system would be subject to County approval to ensure compliance with the Central Coast Basin criteria. Based on required compliance with the County's LAMP and the RWQCB and SWRCB orders, the proposed on-site septic system and the winery wastewater process system would be designed in a manner that is consistent with soil conditions at the site; therefore, impacts would be *less than significant*.

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

The project site is underlain by the Monterey Formation (Tml), which consists of Miocene-age shale and is known to yield marine fossils (USGS 2006). The Monterey Formation has a high paleontological sensitivity based on the large number of marine mammal fossils that have been recovered from this geologic unit (SWCA Environmental Consultants [SWCA] 2003). The proposed project would result in approximately 2.6 acres of ground disturbance, including 14,900 cubic yards of cut and 12,200 cubic yards of fill. The proposed project would require approximately 16.5 feet of excavation for construction of the underground wine cave system. Based on the high paleontological sensitivity of the project area and large amount of required grading and excavation, implementation of the proposed project would have the potential to disturb paleontological resources if present within the proposed area of disturbance. Mitigation Measures GEO-1 through GEO-3 have been identified to require paleontological monitoring during ground disturbance and identifies the proper protocol to be implemented in the event a paleontological resource is uncovered during project activities. Therefore, impacts would be *less than significant with mitigation*.

Conclusion

Based on required compliance with the most recent CBC and other engineering standards, the proposed project would not result in risk of loss, injury, or death associated with seismic activity, ground failure, or development on expansive soils. Based on implementation of Mitigation Measures BIO-2 and BIO-3 and required compliance with County LUO Section 22.52.120, impacts related to a short-term increase in erosion would be less than significant. The proposed septic leach field would be required to be designed in accordance with the County's LAMP and the final design would be subject to County approval. The proposed project would comply with SWRCB and RWQCB waste discharge requirements, and the proposed wastewater processing system would be required to comply with the conditions of WDR Order No. R3-2017-0020 and Order No. WQ 2021-0002-DWQ. Mitigation Measures GEO-1 through GEO-3 have been included to reduce the potential to disturb paleontological resources. Therefore, upon implementation of the identified mitigation, potential impacts related to geology and soils would be less than significant.

Mitigation

Implement Mitigation Measures BIO-2 and BIO-3.

GEO-1 **Paleontological Monitoring and Treatment Plan**. Prior to any ground-disturbing activities, the Applicant shall retain a County of San Luis Obispo-approved paleontologist to prepare a Paleontological Monitoring and Treatment Plan and submit the Paleontological Monitoring and Treatment Plan to the County of San Luis Obispo for review and approval. The Paleontological Monitoring and Treatment Plan shall be based on the Society of Vertebrate Paleontology guidelines and meet all regulatory requirements. The County of San Luis Obispo-approved paleontologist shall: a) have a master's or doctoral degree in paleontology, b) shall have knowledge of the local paleontology, and c) shall be familiar with paleontological procedures and techniques. The Paleontological Monitoring and Treatment Plan shall:

1. identify construction impact areas of moderate to high sensitivity for encountering potential paleontological resources and the shallowest depths at which those resources may be encountered;
2. detail the criteria to be used to determine whether an encountered resource is significant and if it should be avoided or recovered for its data potential;
3. detail methods of recovery, preparation and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting;
4. outline a coordination strategy to ensure that a County-approved paleontological monitor will conduct full-time monitoring of all grading activities in the "deeper" sediments determined to have a moderate to high sensitivity. For sediments of low or undetermined sensitivity, the Plan shall determine what level of monitoring is necessary. Sediments with no sensitivity will not require paleontological monitoring.
5. define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring. These factors shall be defined by the project paleontological resource specialist, following examination of sufficient, representative excavations.

GEO-2 **Paleontology Construction Monitoring.** Prior to approval of tract improvement plans and any ground-disturbing activities, based on the Mitigation Measure GEO-1 (Paleontological Monitoring and Treatment Plan), the Applicant shall retain a County of San Luis Obispo-approved paleontological monitor to conduct monitoring as specified in the approved Paleontological Monitoring and Treatment Plan. This shall include monitoring during rough grading and trenching in areas determined to have moderate to high paleontological sensitivity and areas which have the potential to be shallow enough to be adversely affected by such earthwork. Sediments of low, marginal undetermined sensitivity shall be monitored by a County of San Luis Obispo-approved paleontological monitor on a part-time basis as determined in the Paleontological Monitoring and Treatment Plan.

The qualified monitor shall verify they have a bachelor's degree in Geology or Paleontology and a minimum of 1 year of paleontological monitoring experience in local or similar sediments. Construction activities shall be diverted when data recovery of significant fossils is warranted, as determined in the Paleontological Monitoring and Treatment Plan.

Compliance/monitoring shall adhere to and be consistent with the Paleontological Monitoring and Treatment Plan.

GEO-3 **Resource Discovery.** During ground-disturbing activities, if any paleontological resources are encountered, activities in the immediate area of the find shall be halted and the discovery assessed in accordance with the approved Paleontological Monitoring and Treatment Plan. A qualified paleontologist shall be retained to evaluate the discovery and recommend appropriate treatment options pursuant to guidelines developed by the Society of Vertebrate Paleontology. A paleontological resource impact mitigation program for treatment of the resources shall be developed and implemented if paleontological resources are encountered. If deemed significant, the paleontological resource(s) shall be salvaged and deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.

VIII. GREENHOUSE GAS EMISSIONS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

GHGs are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), NO_x, 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). CO_2 is the most abundant GHG and is estimated to represent approximately 80% to 90% of the principal GHGs that are currently affecting the earth's climate. According to the CARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published the *Climate Change Proposed Scoping Plan*, which is the state's plan to achieve GHG reductions in California required by AB 32. The Scoping Plan included CARB-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 LCFS program, implementation of 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 the CARB to regulate sources of GHGs to meet the following goals:

- Reduce GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40% below 1990 levels by 2030; and
- Reduce GHG emissions to 80% below 1990 levels by 2050.

The initial Scoping Plan was first approved by the CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The CARB released the 2017 Climate Change Scoping Plan 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 CARB's most recent update is the Draft 2022 Scoping Plan Update, dated May 10, 2022, which identifies a plan to reach carbon neutrality by 2045 or earlier. The Draft 2022 Scoping Plan is the first plan that adds carbon neutrality as a science-based guide beyond established emission reduction targets. It identifies a feasible path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Climate Change Scoping Plan. Specifically, this plan:

- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40% below 1990 emissions by 2030.
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier.
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California's most impacted communities as a driving principle throughout the document.
- Incorporates the contribution of natural and working lands to the state's GHG emissions, as well as its role in achieving carbon neutrality.
- Relies on the most up to date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration as well a direct air capture.
- Evaluates multiple options for achieving our GHG and carbon neutrality targets, as well as the public health benefits and economic impacts associated with each.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts 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. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their *CEQA Air Quality Handbook*. The handbook recommended

applying a 1,150 metric tons of CO_2 equivalent ($MTCO_2e$) per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a "gap analysis" and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB 32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- **No-net Increase:** The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "is an appropriate overall objective for new development" consistent with the Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., de minimus: too trivial or minor to merit consideration).
- **Carbon Neutrality:** The Draft 2022 Scoping Plan Update identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40% below 1990 emissions by 2030. Multiple legal tools are open to local jurisdictions to support this approach, including a climate action plan, sustainability plan, or inclusion of a plan for reduction of GHG emissions and climate actions within a jurisdiction's general plan. Any of these can help align zoning, permitting, and other local tools with climate action.
- **Lead Agency Adopted Defensible GHG CEQA Thresholds:** Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 below 1990 levels by the year 2030. According to the California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators published by the CARB, emissions of GHGs statewide in 2017 were 424 million $MTCO_2e$, which was 7 million $MTCO_2e$ below the 2020 GHG target of 431 million $MTCO_2e$ established by AB 32. Therefore, application of the 1,150 $MTCO_2e$ Bright Line Threshold in San Luis Obispo County, together with other statewide and local efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB 32 for the year 2020. It should be noted that the 1,150 $MTCO_2e$ per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 $MTCO_2e$ per year would result in impacts that are less than significant and less than cumulatively considerable impacts and would be consistent with state and local GHG reduction goals.

  Since SB 32 requires the state to reduce GHG levels by 40% below 1990 levels by the year 2030, the application of an interim "bright line" SB 32-based working threshold that is 40% below the 1,150 $MTCO_2e$ Bright Line threshold (1,150 x 0.6 = 690 $MTCO_2e$) would be expected to produce comparable GHG reductions "in the spirit of" the targets established by SB 32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, GHG emissions estimated to be less than 690 $MTCO_2e$ per year are considered *de minimis* (too trivial or minor to merit consideration) and would have a less-than-significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

Discussion

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

During construction, fossil fuels and natural gas would be used by construction equipment and worker vehicles, which would result in a short-term increase in GHG emissions. GHG emissions generated during construction would be temporary in nature and would be typical of other similar construction activities in the county. Construction contractors would be required to comply with state and local diesel idling limitations, including limiting idling to 5 minutes or less, which would reduce GHG-emissions associated with equipment and vehicle use during construction. Based on the CalEEMod analysis conducted for the proposed project (Attachment 1), construction of the proposed project would generate 387 $MTCO_2e$ per year. Although not required to reduce construction-related GHG-emissions, Mitigation Measure AQ-1 included in Section III, *Air Quality*, would require diesel idling restrictions and the use of alternative fuel as applicable. Since SLOAPCD has not established a threshold for GHG emissions generated during construction, amortized construction emissions are included in the quantification of operational emissions.

When amortized over the expected life of the project (minimum of 25 years), GHG emissions would total approximately 200.48 $MTCO_2e$ per year. The project would emit less than 690 $MTCO_2e$ per year, which is considered *de minimis*; therefore, impacts 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 result in the operation of a 27,248-square-foot winery facility within the AG land use category. Energy inefficiency contributes to higher GHG emissions which, in turn, may conflict with state and local plans for energy efficiency.

As discussed above, the County EWP, adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the County EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. The policy provisions are divided into community-wide measures and measures aimed at reducing GHG emissions associated with County operations. The GHG reduction measures contained in the County EWP are generally programmatic and intended to be implemented at the community level. Measure No. 7 encourages energy efficient new development and provides incentives for new development to exceed the California Green Building Standards Code (CALGreen) energy efficiency standards. The following is a summary of project consistency with the relevant supporting actions identified in Measure No. 7 for promoting energy efficiency in new development (Table 2).

Table 2. EnergyWise Plan Measure 7 Consistency Analysis.

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building	Proposed occupiable buildings would be required to be consistent with all 2022 CBC Energy Efficiency Standards, CEC, and the 2022 Green Building Code standards to ensure new development is energy

Table 2. EnergyWise Plan Measure 7 Consistency Analysis.

Supporting Action	Project Consistency
energy management systems.	efficient.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	The winery would be designed with neutral colors and would include design features and outdoor spaces that would allow for natural light penetration. In addition, the proposed project would be required to be constructed in accordance with all 2022 CBC Energy Efficiency Standards, the CEC, and the 2022 Green Building Code standards to ensure new development is energy efficient.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	
Minimize heat gain from surface parking lots.	The proposed parking lots would be constructed with gravel similar to the proposed driveway, would be limited to 19 spaces, and would not require a substantial amount of surface area on-site.
Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities and in some of the communities north of the Cuesta Grade.	The proposed driveway extension would be constructed with gravel. The final driveway design would be subject to review and approval by the County Public Works Department.

The 2023 Regional Transportation Plan (RTP), which was adopted by the San Luis Obispo Council of Governments (SLOCOG) Board in June 2023, includes the region's Sustainable Communities' Strategy (SCS) and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, and transit-oriented communities; preserving important habitat and agricultural areas; and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. The RTP/SCS provides guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommends strategies for community planning, such as encouraging mixed-use, infill development that would facilitate the use of modes of travel other than motor vehicles.

As discussed in Section III, *Air Quality*, the project site is located in a rural area and the proposed project does not include residential or commercial retail land uses that would generate substantial population growth or additional vehicle trips. Implementation of the proposed project would expand operations by approximately 30%, require four additional full-time employees, 45 new weekly visitors and generate approximately 12 new peak-hour vehicle trips. It would not result in substantial or unplanned population growth in the region.

Pursuant to AB 32, the CARB prepared and adopted the initial Scoping Plan to "identify and make recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives" in order to achieve the 2020 goal, and to achieve "the maximum technologically feasible and cost-effective GHG emissions reductions" by 2020 and maintain and continue reductions beyond 2020. AB 32 requires the CARB to update the Scoping Plan at least every 5 years.

The *2017 Climate Change Scoping Plan* recommends strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. These strategies include the following:

- Implement SB 350, which is aimed at Reduce GHG emissions in the electricity sector;
- 2030 LCFS: Transition to cleaner/less-polluting fuels that have a lower carbon footprint.
- 2030 Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario): Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of VMT.
- Implement SB 1383, which is aimed at reducing Short-Lived Climate Pollutants to reduce highly potent GHGs.
- Implement the 2030 California Sustainable Freight Action Plan, which is aimed at improving freight efficiency, transitioning to zero emission technologies, and increasing competitiveness of California's freight system.
- Implement the 2030 Post-2020 Cap-and-Trade Program, which is aimed at reducing GHGs across the largest GHG emissions sources.

The *Draft 2022 Climate Change Scoping Plan* identifies a feasible path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan. These strategies include the following:

- Rapidly moving to zero-emission transportation, electrifying the cars, buses, trains, and trucks that now constitute California's single largest source of planet-warming pollution.
- Phasing out the use of fossil gas used for heating our homes and buildings.
- Clamping down on chemicals and refrigerants that are thousands of times more powerful at trapping heat than CO_2.
- Providing our communities with sustainable options for walking, biking, and public transit so that people do not have to rely on a car.
- Continuing to build out the solar arrays, wind turbine capacity, and other resources that provide clean, renewable energy to displace fossil-fuel fired electrical generation.

Scaling up new options such as green hydrogen for hard to electrify end uses and renewable gas where needed. The strategies described in the 2017 and 2022 scoping plans are programmatic and intended to be implemented state-wide and industry-wide. They are, therefore, not applicable at the level of an individual project. However, as discussed in Section XVII, *Transportation*, the proposed project would not exceed existing VMT thresholds during construction or operation, which is consistent with Scoping Plan strategies for reducing VMT and transportation-related GHG emissions. Overall, the proposed project is consistent with adopted plans and policies aimed at reducing GHG emissions and impacts would be *less than significant*.

Conclusion

The proposed project would be consistent with GHG reduction standards during construction and operation through compliance with diesel idling restrictions, CEC and green building standards, and other applicable GHG-reduction strategies. Although not required to reduce GHG emissions during project construction, implementation of Mitigation Measure AQ-1 would require implementation of diesel idling restrictions.

Therefore, potential impacts related to GHG emissions would be less than significant, and no mitigation measures would be necessary.

Mitigation

Mitigation is not necessary.

IX. HAZARDS AND HAZARDOUS MATERIALS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(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?	☐	☐	☐	☒
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by state and local government 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 Environmental Protection Agency (CalEPA) to develop an updated Cortese List at least annually. 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 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 is available on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/.

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire-resistant 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 (FHSZ). According to the California Department of Forestry and Fire Protection (CAL FIRE) FHSZ viewer, the project site is located within an SRA and is designated as a high and very high FHSZ (CAL FIRE 2022). According to the County's Land Use View, the project site has an estimated response time of approximately 10 to 15 minutes. For more information about fire-related hazards and risk assessment, see Section XX, *Wildfire*.

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

Based on a query of the DTSC's EnviroStor database and the SWRCB's GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2022; SWRCB 2022). The project site is not located within an airport review area and the nearest airport is Oak Country Ranch Airport – 33CL, a private airport, located approximately 2 miles southeast of the project site. The nearest school is Vineyard Elementary School, located approximately 3.4 miles southeast of the project site.

Discussion

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

During construction, the proposed project is anticipated to require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc., which has the potential to result in an accidental spill or release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including 22 California Code of Regulations (CCR) Division 4.5 to minimize the potential for accidental spill or release. Although not required to reduce impacts, implementation of Mitigation Measure BIO-3 identifies construction BMPs which would further reduce the potential for construction-related spills to occur and run off into the on-site drainage and surrounding areas.

The proposed project would expand and relocate an established winery and would continue to include wine production activities, such as crushing, fermentation, pressing, barrel aging, and storage. Operation of the proposed project may require the use of hazardous substances such as paints, oils, cleaners, and fertilizers and would be required to comply with existing state and local regulations to minimize the risk of accidental release during transport, use, and disposal. Solid and liquid winery waste would be required to comply with County LUO Section 22.30.070D.2, which requires solid waste to be disposed of in accordance with state and local Health Department standards and liquid waste to be disposed of in accordance with RWQCB discharge requirements. The proposed project would comply with the conditions of the RWQCB WDR Order No. R3-2017-0020 and SWRCB Order No. WQ 2021-0002-DWQ for winery waste discharge. Winery wastewater generated by the proposed project would be treated in accordance with the SWRCB requirements and would be reused on-site for irrigation and dust control. Operation of the winery would also include public wine tastings, which would not be expected to require the routine transport, use, or disposal of hazardous substances. Based on required compliance with CCR, RWQCB, SWRCB, and state and local health department requirements to minimize risk associated with the temporary use of construction-related hazardous substances and to regulate long-term winery waste disposal, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, potential impacts would be *less than significant*.

(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 proposed project does not include the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. As previously evaluated, construction of the proposed project is anticipated to require use of limited quantities of hazardous substances and construction contractors would be required to comply with applicable state and local regulations, such as 22 CCR Division 4.5, to reduce the potential for accidental hazardous material release during construction. Although not required to reduce an identified hazard impact, implementation of Mitigation Measure BIO-3 includes construction BMPs that, when implemented, would further reduce the potential for construction-related spills to occur and run off into the on-site drainage and surrounding areas. Solid and liquid winery waste would be required to comply with County LUO Section 22.30.070D.2, which requires solid waste to be

disposed of in accordance with state and local Health Department standards and liquid waste to be disposed of in accordance with SWRCB and RWQCB discharge requirements. In addition, the use of hazardous substances during operation of the proposed project (e.g., paints, oils, cleaners, fertilizers, etc.) would be required to comply with state and local regulations to minimize the risk of accidental release.

Proposed road improvements would be limited to the on-site driveway and would not require ground disturbance within or adjacent to any existing major roadways that could contain aerially deposited lead (ADL). Additionally, the project site is not located in an area with potential for NOA to occur and the proposed project would not require demolition of any buildings, roadways, or other structures that could release ACM or lead-based paint (SLOAPCD 2022). The proposed project would not release hazardous air contaminants, including ADL, NOA, or ACM. Based on required compliance with 22 CCR Division 4.5 to minimize the risk associated with the use of hazardous substances and required compliance with RWQCB and state and local health department requirements to regulate winery waste disposal, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. 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 nearest school is Vineyard Elementary School, located approximately 3.4 miles southeast of the project site. Therefore, the proposed project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and *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 query of the DTSC's EnviroStor database and the SWRCB's GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2022; SWRCB 2022). A query of the SWRCB's GeoTracker indicated that the existing winery currently operates under RWQCB WDR Order No. R3-2017-0020 for small winery wastewater discharge and is fully compliant with conditions intended to regulate discharge (SWRCB 2015, 2022). Since there are no known hazardous materials sites located within or adjacent to the project site and the existing winery is compliant with the conditions of WDR Order No. R3-2017-0020, hazardous substances and other contaminants would not be expected to be present within soils at the site. Therefore, the proposed project would not create a significant hazard to the public or the environment related to disturbance of a hazardous materials site and impacts would be *less than significant*.

(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 review area and the nearest airport is a private airport located approximately 2 miles southeast of the project site. The proposed project would result in the on-site relocation and expansion of an established winery and would not result in new

land uses that could be adversely affected by existing airport uses. Therefore, implementation of the proposed project would not result in a safety hazard or excessive noise for people residing and working in the project area and no impacts would occur.

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

The proposed project is not anticipated to require any permanent road closures or traffic controls that could result in notable impacts to emergency response or evacuation efforts in the project area. The project site is currently accessed via an existing driveway from Niderer Road. The existing driveway would be widened and extended by approximately 1,150 feet to provide access to the proposed winery facility. Proposed driveway improvements would be required to comply with County Public Works Department and County Fire / CAL FIRE standards to ensure adequate emergency access and public ingress and egress at the site. Per County Fire / CAL FIRE recommendations, a 10-foot defensible space buffer would be implemented around the proposed driveway to ensure safe ingress and egress from the site in the event of a fire. Tree removal would be required to be conducted in accordance with County standards. The project will result in the removal of one non-native walnut tree and the relocation of seven non-native olive trees. Per the Terre Verde's Report (dated 06/22/21) no oak trees are proposed for removal. One mature oak tree is expected to be impacted by grading within the root zone. The proposed project would not result in a substantial number of new vehicle trips to the site (approximately 45 additional visitors per week and up to 12 additional daily peak-hour trips) that could otherwise impede emergency response or evacuation efforts in the area through a substantial increase in vehicle traffic. Additionally, the project site's existing entrance gate would be relocated 50 feet farther east from its currently location to provide a vehicle queuing area outside of the roadway and to comply with County Fire / CAL Fire standards, while also incorporating a hammerhead turn around at the project entrance at Niderer Road. Therefore, the proposed project would not interfere with an emergency response or evacuation plan and 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?

The proposed project would result in the construction of occupiable structures within a high and very high FHSZ in an SRA. Proposed occupiable buildings would be constructed in accordance with California Fire Code (CFC) and CBC requirements to reduce risk associated with fire ignition and exposure of people and structures in the project area to wildfire risk. The proposed driveway and utility infrastructure expansions would be required to comply with County Fire / CAL FIRE and County Public Works Department requirements to ensure adequate emergency access to the project site and proper utility installation to reduce risk associated with wildfire ignition. the project site's existing entrance gate would be relocated 50 feet farther east from its currently location to provide a vehicle queuing area outside of the roadway and to comply with County Fire / CAL Fire standards, while also incorporating a hammerhead turn around at the project entrance at Niderer Road. Per County Fire / CAL FIRE recommendations, a 100-foot defensible space buffer would be required around occupiable structures and a 10-foot defensible space buffer would be required around the proposed driveway to reduce wildfire risk near occupiable buildings and to ensure safe ingress and egress from the site. (Note: the 100-foot defensible space requirements applies to the 100 feet surrounding the structure on the same property; if less than 100 feet exists between the structure and the property line, the defensible space requirement applies from the structure to the property

line per Public Resources Code Section 4291). Based on required compliance with existing state and local regulations, the proposed project would not result in the risk of loss, injury, or death as a result of wildfire; therefore, impacts would be *less than significant.*

Conclusion

Based on required compliance with 22 CCR Division 4.5, RWQCB, and state and local health department requirements, the proposed project would not result in significant hazards related to the routine transport, use, or disposal of hazardous materials. Implementation of the construction BMPs identified in Mitigation Measure BIO-3 would further reduce the less-than-significant hazards impacts associated with routine transport, use, or disposal of hazardous materials. The project site is not located within 0.25 mile of a school or within or adjacent to a previously recorded hazardous materials site. Implementation of the proposed project would not result in airport-related hazards to people residing or working in the project area. Based on required compliance with CFC, CBC, County Fire / CAL FIRE, and County Public Works Department requirements, the proposed project would not impede emergency access or evacuation efforts and would not result in risk associated with wildfire. Therefore, potential impacts related to hazards and hazardous materials would be less than significant.

Mitigation

Mitigation is not necessary.

X. HYDROLOGY AND WATER QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(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;	☐	☒	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(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	☐	☒	☐	☐
(iv)	Impede or redirect flood flows?	☐	☐	☒	☐
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Setting

The RWQCB Water Quality Control Plan for the Central Coast Basin (Basin Plan; RWQCB 2019) 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 RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The RWQCB General WDR Order No. R3-2017-0020 regulates discharges of winery waste through the provision of conditions intended to reduce potential threats to water quality. Under this order, wineries that produce equal to or less than 10,000 cases or 26,000 gallons of pressed wine per year are considered small wineries. Typically, small wineries do not pose a significant threat to water quality when the depth to groundwater is greater than 50 feet, provided all conditions of the Order are met (RWQCB 2017). The proposed project would increase wine production from 5,000 cases per year to 10,000 cases per year.

On January 20, 2021, the SWRCB adopted Order No. WQ 2021-0002-DWQ for Waste Discharge Requirements for Winery Process Water. The requirements apply to wineries and other similar facilities with activities related to producing wine that generate winery waste and discharge it to land for reuse or disposal. The order is a set of requirements that protect water quality from the potential impacts of discharging winery waste to land. This requires wineries producing 10,000 gallons or more per year of

process waste that discharges to the land (surface or subsurface) to enroll in the new Statewide General Winery Discharge by January 20, 2024.

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%. 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 0.5 acre or more in geologically unstable areas, on slopes steeper than 30%, on highly erodible soils, and within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a 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 acre must implement all required elements within the site's erosion and sediment control plan as required by the County LUO.

For planning purposes, the 100-year flood event is most often used to delineate areas subject to flooding. 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. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C0600G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). In addition, the project site is not located in the County's Flood Hazard combining designation.

A dry, blue-line creek runs in a north–south direction through the project site and connects to Willow Creek approximately 0.3 mile south of the site. The creek is located along the western side of the existing winery and on-site residence and crosses under the existing driveway.

Discussion

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

During construction of the proposed project, construction equipment and vehicles have the potential to result in erosive or other polluted runoff to the on-site blue-line creek. The proposed project would require approximately 114,906 square feet (2.6 acres) of ground disturbance, including 14,900 cubic yards of cut and 12,200 cubic yards of fill to be balanced on-site. The proposed winery would be located approximately 760 feet east of the on-site blue-line creek and would not result in direct alteration to the creek. However, proposed driveway improvements would require extension of the existing culvert, which could increase erosion and other pollutants within the mapped blue-line creek. Mitigation Measure BIO-2 has been included to ensure compliance with CDFW and RWQCB permitting requirements. Additionally, Mitigation Measure BIO-3 identifies BMPs to be implemented during construction to reduce erosion and other pollutants that could run off

from the site and enter the drainage or surrounding areas. The proposed project would disturb more than 1 acre of soils and be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a SWPPP with BMPs. In addition, in accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects 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.

The proposed project would comply with Order No. WQ 2021-0002-DWQ. Based on required compliance with these requirements, wastewater discharge from wine production activities would not violate any water quality standards or waste discharge requirements. Based on implementation of Mitigation Measures BIO-2 and BIO-3 and required compliance with waste discharge requirements and the County LUO, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; therefore, impacts would be *less than significant with mitigation*.

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

Two active wells are on the project site. Well #1 is used for the residence, winery, and tasting room and was drilled in 1985 at a depth of 250 feet. Well #2 was drilled in 2016 at a depth of 600 feet and is used to irrigate the 17 acres of vineyard. There is also a third well on-site (Well #3), which was drilled in 1992 at 100-foot-depth but has never been equipped or used (Cleath-Harris Geologists, Inc. 2023). The wells are underlain by fractured hard shale within the Monterey Formation with thin beds predominately of silty and clayey shales (Cleath-Harris Geologists, Inc. 2023). The project site is outside of the Paso Robles Groundwater Basin, including the Atascadero Area Subbasin. The Paso Robles Groundwater Basin is located approximately 25,000 feet (approximately 4.73 miles) from the project site and the Atascadero Area Subbasin is located approximately 12,000 feet (approximately 2.27 miles) from the project site. Groundwater has not been metered at the wells, however, recorded groundwater levels at Well #1between 1985 and 2003 have ranged from 23.1 feet to 66 feet and groundwater levels at Well #2 between 2016 and 2023 have ranged from 39.6 feet to 64 feet.

The winery facilities would be served by Well #2. To construct the winery facilities, approximately 2.25 acres of irrigated vineyard, served by Well #1, would be removed. Wallace Group prepared a *Water Use Evaluation for Clos Solene Winery Expansion* to evaluate the project's estimated water demand (2023). The evaluation determined that the winery would result in an increased water demand of between 0.57 AFY and 0.83 AFY, primarily due to new ornamental landscaping. Additionally, removal of the winery would result in a 1.35 AFY to 2.81 AFY reduction in irrigation from Well #1. Overall, the project would result in a net decrease water demand of 0.5 AFY to 0.8 AFY (Wallace Group 2023).

The proposed project includes construction of approximately 8,147 square feet of aboveground buildings and structures on the 26.69-acre property. The proposed driveway extension would be constructed with gravel and would not introduce a substantial amount of new impervious surface areas on-site. Therefore, a majority of the project site would remain pervious and allow for groundwater recharge at the site. The proposed project would also construct a new winery wastewater recycling system that would treat winery process wastewater in accordance with SWRCB requirements, allowing it to be used to provide on-site irrigation and dust control. Therefore,

implementation of the proposed project would not substantially decrease groundwater supply in a manner that could interfere with sustainable groundwater management. The proposed project would not substantially interfere with groundwater recharge or decrease groundwater supply; therefore, impacts 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?

Construction of the proposed project would result in approximately 2.6 acres of ground disturbance, including 14,900 cubic yards of cut and 12,200 cubic yards of fill to be balanced on-site. Proposed ground disturbance has the potential to increase erosion and siltation at the site which could run off into the mapped blue-line creek or surrounding areas. Proposed driveway improvements would require extension of the existing culvert, which could increase erosion within the mapped blue-line creek. Mitigation Measure BIO-2 has been included to ensure compliance with CDFW and RWQCB permitting requirements. Additionally, Mitigation Measure BIO-3 identifies BMPs to be implemented during construction to further reduce the potential for erosion and other pollutants that could run off from the site and enter the blue-line creek or surrounding areas. The proposed project would disturb more than 1 acre of soils and would be required to comply with RWQCB general construction permit requirements. In accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects 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. Operation of the project does not include any components or features that would generate long-term erosion or siltation at the project site. Based on implementation of Mitigation Measures BIO-2 and BIO-3 and required compliance with the County LUO, the project is not anticipated to result in substantial erosion or siltation on- or off-site; therefore, impacts would be *less than significant with mitigation*.

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

The project site is not located within a Municipal Separate Storm Sewer System (MS4) stormwater management area. Existing stormwater infrastructure is limited to the existing winery and residence. The project includes construction of approximately 8,147 square feet of aboveground buildings and structures on the 26.69-acre property. In addition, the existing driveway approach will be improved to comply with current County Department of Public Works standards as well as to incorporate a County Fire / CAL FIRE hammerhead turnaround which will add approximately 1,446 square feet of asphalt concrete paving. The existing driveway will be improved to 24 feet wide (20 feet of drive lanes and two 2-foot shoulders) and would be extended approximately 1,150 feet and be constructed with gravel, which would not introduce additional impervious surface areas. The project includes the construction of stormwater infrastructure on-site to contain runoff and other flows, which would further reduce the potential for the project to increase the rate of runoff flows. Proposed infrastructure would be subject to County review and approval prior to implementation. Based on implementation of County-approved stormwater control measures, implementation of the project is not anticipated to increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; therefore, impacts 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 site is not located within an MS4 stormwater management area and existing stormwater infrastructure is limited to the existing winery and residence. The project includes the construction of additional on-site stormwater infrastructure to contain runoff and other flows at the site. The project would be required to comply with RWQCB general construction permit requirements and County LUO Section 22.52.120 to reduce the potential for short- and long-term polluted runoff at the site. In addition, Mitigation Measure BIO-3 includes construction BMPs to reduce polluted runoff during project construction. With implementation of Mitigation Measure BIO-3 and required compliance with RWQCB and County requirements, implementation of the project would not exceed the capacity of existing or planned stormwater drainage systems or create substantial additional sources of polluted runoff; therefore, impacts would be *less than significant with mitigation*.

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

According to FEMA FIRM 06079C0600G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). The project site is not located in the County's Flood Hazard combining designation. There is a mapped blue-line creek located to the west of the project site; however, this portion of the creek is dry and would not be susceptible to flooding. (Per information from the Applicant, the creek did not flood during the extreme weather events of winter 2023). As a result, flood flows are not anticipated to occur within the project area. Additionally, the project includes the construction of stormwater infrastructure to contain flood and stormwater flows at the site, which would be subject to County review and approval prior to implementation. Therefore, the project would not impede or redirect flood flows, and impacts would be *less than significant*.

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

The project site is not located within a mapped flood hazard zone or within the County's flood Hazard combining designation (FEMA 2020). According to the DOC's San Luis Obispo County Tsunami Inundation Map, the project site is not within a tsunami inundation area. Seiches occur as a series of standing waves induced by seismic shaking or land sliding into an impounded body of water. The project site is not located near any impounded body of water that would be subject to seiche. The project site is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation; therefore, *no impacts* would occur.

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

The project site is located outside of the Paso Robles Groundwater Basin and other high priority basins and would not be required to comply with sustainable management requirements implemented by the Paso Robles Subbasin Groundwater Sustainability Agency or other agencies. As described above, the project would be served by an existing private well and would not substantially decrease groundwater supply or interfere with groundwater recharge in a manner that could interfere with sustainable groundwater management. The project site is under the jurisdiction of the Central Coast RWQCB and would be subject to the Basin Plan, which establishes water quality objectives and criteria to protect water quality in the Central Coast region (RWQCB 2019). The project would be subject to County LUO Section 22.52.120 to control short- and long-term erosive

runoff from the project site. Additionally, the proposed project would comply with Order No. WQ 2021-0002-DWQ from the SWRCB and would be required to comply with the conditions of the RWQCB WDR Order No. R3-2017-0020. The proposed project would construct a new on-site septic system, which would be located more than 100 feet southeast from the on-site well and more than 200 feet from any community/public wells. The proposed project would be required to comply with County LAMP requirements for the construction and design of septic systems and would be subject to County review and approval prior to building permit issuance to ensure compliance with the Central Coast Basin criteria. Based on required compliance with Order No. WQ 2021-0002-DWQ and County regulations, the proposed project would be consistent with water quality protection efforts included in the Central Coast RWQCB Basin Plan and impacts would be *less than significant*.

Conclusion

With implementation of Mitigation Measures BIO-2 and BIO-3 and required compliance with SWRCB, RWQCB and the County LUO, the proposed project would not result in adverse impacts related to water quality, groundwater quality, or stormwater runoff. The project site is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation. The proposed project would be served by an existing private well and would not substantially decrease groundwater supply or interfere with groundwater recharge in a manner that could interfere with sustainable groundwater management. The proposed project would be consistent with the RWQCB Basin Plan. Therefore, with implementation of the identified mitigation, impacts related to hydrology and water quality would be *less than significant*.

Mitigation

Implement Mitigation Measures BIO-2 and BIO-3.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Physically divide an established community?	☐	☐	☐	☒
(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?	☐	☐	☒	☐

Setting

The *County of San Luis Obispo General Plan 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 proactive 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 County 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 project site and surrounding area are primarily designated for Agriculture land uses.

Discussion

(a) Physically divide an established community?

The proposed project would result in the relocation and expansion of an established winery and associated activities to a new 27,248-square-foot winery within the project site. The proposed project would extend and widen the existing driveway to provide access to the new facility. The proposed project would not require the construction of off-site improvements or other components that could result in the removal or blockage of existing public roadways or other circulation routes. Further, the proposed project would be limited to an existing developed parcel and would not include any features that would physically divide an established 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 project site is located within the AG land use category in the Adelaida sub area of the North County planning area. As evaluated throughout this Initial Study, the proposed project would be consistent with the property's land use designation and the guidelines and policies for development within the North County Area Plan, County Inland LUO, and County COSE. Further, the proposed project was found to be consistent with standards and policies set forth in the *County of San Luis Obispo General Plan*, the 2001 CAP, and other land use policies for this area. The proposed project would also be required to be consistent with standards set forth by the County Fire Department, CAL FIRE, and the County Public Works Department. The proposed project would be required to implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-3, CR-1, and GEO-1 through GEO-3 to mitigate potential impacts associated with Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service Systems, which is consistent with the identified plans and policies intended to avoid or mitigate adverse environmental effects. Upon implementation of the identified mitigation measures, the proposed project would not conflict with other local policies or regulations adopted for the purpose of avoiding or mitigating environmental effects; therefore, impacts would be *less than significant with mitigation*.

Conclusion

Implementation of the proposed project would not physically divide an established community. Upon implementation of mitigation measures identified throughout this document, the project would be consistent with the County LUO, County COSE, County General Plan, North County Area Plan, 2001 CAP, and other applicable documents. Therefore, impacts would be *less than significant*.

Mitigation

No mitigation necessary.

XII. MINERAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZs) according to the known or inferred mineral potential of the land (PRC 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):

- **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 indicate 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 hinder resource extraction or energy production operations or land uses that would be adversely affected

by extraction or energy production. The project site is not located within the EX or EX1 combining designation.

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?

(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?

The project site is not located within the EX or EX1 combining designation and there are no known mineral resources in the project area. The proposed project would not be located on land that is zoned or designated for mineral extraction; therefore, the proposed project would not result in the loss of availability of a known mineral resource or result in the loss of availability of a locally important mineral resource recovery site, and *no impacts* would occur.

Conclusion

No impacts to mineral resources would occur as a result of the project, and no mitigation is necessary.

Mitigation

Mitigation is not necessary.

XIII. NOISE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
(a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
(b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
(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?	☐	☐	☒	☐

Setting

The *County of San Luis Obispo General Plan Noise Element* 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 polices 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, and 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;
- Bed and breakfast facilities;
- Outdoor sports and recreation; and
- Offices.

All sound levels referred to in the Noise Element are expressed in A-weighted decibels (dBA). A-weighting deemphasizes the very low and very high frequencies of sound in a manner similar to the human ear. There is an on-site residence located within the central portion of the project site and there are three off-site residences located within 1,000 feet of the project site. The nearest off-site residences are located approximately 325 feet west of proposed driveway improvements near Niderer Road and approximately 570 feet southeast of the proposed winery facility.

The County LUO establishes acceptable standards for exterior and interior noise levels and describes 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 3).

Table 3. Maximum Allowable Exterior Noise Level Standards[1]

Sound Levels	Daytime 7 a.m. to 10 p.m.	Nighttime[2]
Hourly Equivalent Sound Level (L_{eq}, dB)	50	45
Maximum level (dB)	70	65

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

[2] Applies only to uses that operate or are occupied during nighttime hours.

To support the following discussion, 45dB Acoustics, LLC prepared an *Acoustical Noise Study for Clos Solene Winery* (2023) to analyze potential noise impacts associated with the project.

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 project site is located in a rural area and existing ambient noise in the area primarily consists of intermittent low vehicle noise along nearby roadways (45dB Acoustics, LLC 2023). During project construction, noise from construction activities may intermittently dominate the noise environment in the immediate project area. The proposed project would require the use of typical construction equipment (dozers, excavators, etc.) during construction activities. According to the Federal Highway Administration (FHWA), noise from standard construction equipment generally ranges from 80 dBA to 85 dBA at 50 feet from the source, as shown in Table 4.

Table 4. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 Feet from Source
Concrete Mixer, Dozer, Excavator, Jackhammer, Man Lift, Paver, Scraper	85
Heavy Truck	84
Crane, Mobile	83
Concrete Pump	82
Backhoe, Compactor	80

Source: FHWA 2018

There is an on-site residence located in the central portion of the project site and the nearest off-site residences are located approximately 325 feet west of proposed driveway improvements near Niderer Road and approximately 570 feet southeast of the proposed winery facility (45dB Acoustics, LLC 2023). Construction-related noise would be short-term, intermittent and would not result in a permanent increase in ambient noise within the project area. According to County LUO Section 22.10.120.A.4, construction noise is exempt from the County's noise standards between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends. Proposed construction activities would be limited to the hours specified in the County LUO and would not generate excessive noise in a manner that would be inconsistent with County standards (45dB Acoustics, LLC 2023).

45dB Acoustics, LLC modeled noise from the project site during a wine club activity that took place in existing facilities on March 31, 2023 and included amplified speech and used these calculations to model noise levels of the proposed project. Ambient noise during the daytime ranges from approximately 30 to 45 dBA in the vicinity of the project site (45dB Acoustics, LLC). 45dB Acoustics, LLC estimated that the project will improve noise conditions in the project vicinity from the existing baseline due to the relocation of tasting activities primarily indoors (2023). Winery club activities in

the wine cave are not expected to reach the levels at nearby property lines that the measured (tented) winery club activities currently reach (45dB Acoustics, LLC 2023). Table 5, below, shows the existing and proposed winery noise levels associated with tasting and wine club activities.

Table 5. Properly Line Daytime Hourly Sound Levels Existing and Proposed Tasting Activities

Receptor Location	Hourly Noise Level Due to Winery Activity at Current Pad Location	Hourly Noise Level due to Proposed Winery Activity at New Location (dBA)	Change in Noise Level Assuming Ambient Noise Level of 30dBA (dB) **
N1	48*	11*	(18)
N2	32*	23*	(3)
N3	28*	12*	(2)
NE1	22*	--*	(1)
NW1	16*	5*	--
S1	38	15*	(9)
S2	32	44	10
S3	15*	--*	--
SE1	12*	--*	--
SW1	13*	--*	--

* Assuming ambient noise levels for this rural area are generally 30-45dBA, site noise sources (e.g. from winery activities) below approximately 30 dBA will not substantially contribute to ambient sound levels.

** Values are not simply arithmetic differences (e.g., addition or subtraction) because decibels combine logarithmically and not arithmetically.

Source: 45 dB, LLC 2023

As shown above, the project is anticipated to improve noise conditions from the existing baseline at all but one property line by emitting significantly lower sound levels that than the existing wine tasting and wine club activity areas. At property line location S2, the ambient noise level would be increase by 10 dB to 44 dBA, which would still fall below the County's daytime and nighttime noise thresholds.

Table 6, below, shows the existing and proposed winery noise levels associated with wine production activities. The increase in production of cases of wine does not increase the sound levels emitted during grape processing. Rather, the increase in production means that grape processing will occur more frequently or for more hours of a day (45 dB, LLC 2023). It is anticipated that processing equipment operation will increase from approximately 4 to 5 hours per day during harvest to 8 to 10 hours per day during harvest.

Table 6. Properly Line daytime Hourly Sound Levels Existing and Proposed Wine Production

Receptor Location	Hourly Noise Level Due to Grape Processing at Current Pad Location**	Hourly Noise Level due to Grape Processing at New Location (dBA)	Change in Noise Level Assuming Ambient Noise Level of 30dBA (dB) ***
N1	66	41	(25)
N2	43	59	16
N3	39	48	8
NE1	35	31	(2)

NW1	42	65	(6)
S1	36	42	5
S2	43	48	5
S3	26	26*	--
SE1	23	21*	--
SW1	30	28*	(1)

* Assuming ambient noise levels for this rural area are generally 30-45dBA, site noise sources (e.g. from winery activities) below approximately 30 dBA will not substantially contribute to ambient sound levels.

** Wine grape processing levels are presented for reference only; agricultural-related noise is exempt from the County LUO.

*** Values are not simply arithmetic differences (e.g., addition or subtraction) because decibels combine logarithmically and not arithmetically.

Source: 45 dB, LLC 2023

As shown above, the project is anticipated to improve noise conditions from the existing baseline at four property line locations by emitting significantly lower sound levels than the existing wine production operation areas. At property line locations N2, N3, NW1, and S2, the ambient noise level would increase and exceed the County's nighttime noise thresholds (N2 and NW1 would also exceed the County's daytime noise thresholds). While these thresholds do not apply to agricultural processing activities, Mitigation Measure N-1 would require noise-reduction techniques that would reduce noise levels at the property line; therefore, potential impacts would be *less than significant*.

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

According to County LUO Section 22.10.170, construction-related vibration is exempt from the County's vibration standards between the hours of 7:00 a.m. and 9:00 p.m. The proposed project would require a substantial amount of cut and fill activity for construction of the proposed wine cave system; however, the proposed project would not include pile driving or other high-impact activities that could generate substantial groundborne noise or groundborne vibration during construction. Any groundborne noise or vibration generated by short-term construction activities would be intermittent and limited to the immediate work area and is not anticipated to disturb nearby residential land uses. Operation of the proposed project would not include new on-site features that could generate substantial groundborne noise. According to 45 dB, LLC (2023), groundborne vibration was not detected from winery equipment. 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 not located within an airport review area and the nearest airport is a private airport located approximately 2 miles southeast of the project site. The proposed project would result in the expansion and relocation of an established winery and would not expose people residing or working in the project area to excessive noise levels and impacts would be *less than significant*.

Conclusion

The proposed project would not generate construction-related, operational, or groundborne noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other

agencies, and would not adversely affect nearby sensitive receptors. The project site is not located in an area that could expose people residing or working in the area to excessive airport-related noise. Therefore, potential impacts related to noise would be less than significant.

Mitigation

N-1 **Wine Production Noise Reduction Measures.** To reduce sound levels at property line location at N2, N3, NW1, and S2, as identified in the Acoustical Noise Study prepared by 45 dB, LLC, one or more of the following measures shall be implemented during wine production activities:

- Noise screens at least 6 feet in height shall be placed around the crush pad if the processing equipment is operated outside (approximately 6 dB noise reduction)
- For at least 60% of the days in which the processing equipment is operating, restrict operation to the interior of the wine cave with the doors closed (approximately 10 to 20 dB noise reduction)
- Replace the destemmer with a quieter model selected by the applicant/owner (approximately 1 dB noise reduction)
- When the equipment is operated inside the wine caves, add acoustically absorptive panels to the cave walls (approximately 1 dB noise reduction)

XIV. POPULATION AND HOUSING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

The *County of San Luis Obispo General Plan 2020-2028 Housing Element* is intended to facilitate the provision of needed housing in the context of the *County of San Luis Obispo General Plan Land Use and Circulation Element* (LUCE) and the related County LUO. It is also intended to meet the requirements of state law. It contains relevant goals, objectives, policies, and implementation programs to ensure the County meets its housing needs while remaining consistent with state law.

County LUO Section 22.12.080 contains policies and procedures related to inclusionary housing that is a requirement of development projects. New single-family dwellings over 2,200 square feet in size, residential subdivisions, commercial/industrial uses with a cumulative floor area of 5,000 square feet or more, mixed-use development, and subdivisions are subject to these requirements. Projects subject to the inclusionary housing provisions are required to make 8% of the project's base density affordable. This 8% inclusionary housing mix is broken down by 2% increments between workforce, moderate-income, low-income, and very-low-income households. The ordinance gives applicants a variety of options for meeting this requirement, including on-site or off-site construction of affordable housing. Applicants may also opt to pay an in-lieu fee per the Affordable Housing Fund, Title 29 of the County Code. As noted in County LUO Section 22.12.080.G.2, the County provides for a reduction in required inclusionary housing by 25% for those units constructed on-site.

Requirements for inclusionary housing for residential dwelling units are based upon the base density of a project. Base density is the maximum number of residential units that may be allowed, not including any density bonuses. Commercial and industrial development of 5,000 square feet or more of floor area for commercial or industrial use also requires the payment of a housing impact fee or construction of inclusionary housing units. There is an existing, occupied on-site single-family residence located adjacent to the existing winery facility.

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 proposed project does not include the construction of new residential land uses that could result in direct population growth within the county. The proposed project would relocate and expand an established winery to a new 27,248-square-foot facility on the project site. Operation of the proposed project would require four additional full-time employees which are expected to be filled by the local workforce. The proposed project would not result in a substantial number of new employment opportunities that could facilitate indirect growth in the project area. The proposed project would include road and utility improvements at the project site, which would be limited to use by the employees, visitors, and existing residents and would not result in expanded infrastructure that could otherwise facilitate additional or unplanned growth in the project area. Construction of the proposed project has the potential to increase temporary construction-related employment opportunities; however, temporary employment opportunities are also anticipated to be filled by the local workforce and would not result in a substantial population increase within the county. Implementation of the proposed project would result in a marginal increase in long-term employment opportunities and would not result in substantial or unplanned growth in the county; therefore, impacts would be *less than significant*.

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

There is an existing, occupied single-family residential dwelling located adjacent to the existing winery within the project site; however, the proposed project would not demolish the residence or displace residents. Therefore, the proposed project would not result in the removal or displacement of existing structures or people, and *no impacts* would occur.

Conclusion

The proposed project would not result in substantial or unplanned population growth and would not displace existing housing or necessitate the construction of replacement housing elsewhere. Therefore, potential impacts related to population and housing would be less than significant and mitigation is not necessary.

Mitigation

Mitigation is not necessary.

XV. PUBLIC SERVICES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☒	☐
	Police protection?	☐	☐	☒	☐
	Schools?	☐	☐	☐	☒
	Parks?	☐	☐	☒	☐
	Other public facilities?	☐	☐	☒	☐

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County 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 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 and the nearest station to the project site is CAL FIRE / San Luis Obispo County Fire Station 30, located approximately 4.15

miles southeast of the project site. According to the County's Land Use View, emergency response times to the project range from 10 to 15 minutes.

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: Coast Station in Los Osos, North Station in Templeton, and South Station in Oceano. The project would be served by the North Station in Templeton, located approximately 4 miles southeast 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 site is located within the Templeton Unified School District (TUSD).

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 methods the County currently employs to fund 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 (California Government Code Section 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 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 does not include the development of new residential land uses that could facilitate direct population growth and substantially increase demand on existing fire protection services. The project would relocate and expand an established winery to a new 27,248-square-foot winery within the same property and would require four additional full-time employees, which would result in a marginal increase in demand on existing fire protection services. Based on the limited increase in demand on fire protection services, the project would not require or otherwise facilitate the need for additional or expanded fire protection services and impacts would be *less than significant*.

Police protection?

The project does not include the development of new residential land uses that could facilitate direct population growth within the area. Additionally, the project would generate four additional full-time employment opportunities, which would be expected to be filled by the local workforce. Therefore, implementation of the project would not facilitate population growth in a manner that could increase demand on police protection services. The proposed project would not require or

otherwise facilitate the need for additional or expanded police protection services; therefore, impacts would be *less than significant*.

Schools?

The project does not include the construction of new residential or other land uses that could increase the number of school-aged children in the project area. The project would require four new full-time employees, which would primarily be filled by the local workforce. Therefore, the project would not facilitate an increase in school-aged children in the project area, and *no impacts* would occur.

Parks?

The project does not include the construction of new residential land uses or other components that could facilitate a substantial increase in permanent population growth in the project area. The project would be limited to the operation of an expanded winery, which would require four additional employees. Employees are anticipated to be sourced from the local workforce and would not result in a significant number of new permanent residents that could increase demand on existing public parks. Therefore, the project would not facilitate the need for new or expanded recreational facilities, and impacts would be *less than significant*.

Other public facilities?

The proposed project would result in a limited number of additional employment opportunities, which are expected to be filled by the existing local workforce. Therefore, the project would not facilitate the need for additional or expanded public services, and potential impacts would be *less than significant*.

Conclusion

The project would result in limited, if any, population growth and would not result in a substantial increase in demand on public services and facilities. Therefore, potential impacts related to public services would be less than significant and mitigation would not be required.

Mitigation

Mitigation is not necessary.

XVI. RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☐	☒

Setting

The *County of San Luis Obispo General Plan Parks and Recreation Element* establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities 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. 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 methods the County currently employs to fund public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreational 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 Parks and 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 toward 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. The project site is located in a rural area and the nearest bicycle facilities are located approximately 4 miles east in the city of Paso Robles.

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 does not include the construction of new residential or other land uses that could facilitate substantial population growth. The project would require four additional full-time employees, which are anticipated to be drawn from the local workforce. The project would not facilitate substantial population growth that could increase the use of existing recreational facilities in a manner that could result in physical deterioration; therefore, potential impacts would be *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 does not include the development of new or expanded recreational facilities; therefore, *no impacts* related to adverse physical effects on the environment as a result of construction or expansion of recreational facilities would occur.

Conclusion

The project would not increase the use of existing recreational facilities in a manner that would result in physical deterioration and does not include the construction of new or expanded recreational facilities that could result in adverse environmental impacts. Therefore, potential impacts related to recreation would be less than significant and mitigation would not be necessary.

Mitigation

Mitigation is not necessary.

XVII. TRANSPORTATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
(b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
(c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
(d)	Result in inadequate emergency access?	☐	☐	☒	☐

Setting

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; preparing an RTP; programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2023 RTP, adopted June 7, 2023, 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 as well as the cities within the county in facilitating the development of the RTP.

In 2013 SB 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 California Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within the framework of the 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 SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). The County has developed a VMT Program that provides interim operating thresholds and includes a screening tool for evaluating VMT impacts (Transportation Impact Analysis Guidelines; Rincon Consultants, October 2020 & VMT Thresholds Study; GHD, March 2021).

The County's Framework for Planning (Inland) includes the County LUCE. 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.

The County Public Works Department 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 studies include the South County, Los Osos, Templeton, San Miguel, Avila, and North Coast Circulation Studies. Caltrans maintains annual traffic data on state highways and interchanges within the county.

The existing winery and tasting room have approximately six full-time employees and attracts approximately 145 visitors per week. The winery currently generates approximately 512 annual wine production operational for production and delivery activities. The project site is accessed via a private driveway off of Niderer Road from the west. Niderer Road is a County-maintained roadway within the Templeton Road Improvement Fee Area B. The existing traffic volume along the portion of Niderer Road north of Las Tablas Willow Creek Road is 298 vehicles per day (Orosz Engineering Group 2023).

Discussion

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

The project site is accessed via a private driveway off of Niderer Road, which is a County-maintained roadway. The closest major road is SR 46 West approximately 2.5 miles west. Surrounding roadways primarily consist of privately maintained roads and the nearest bicycle and transit facilities are located approximately 4 miles east of the project site in the city of Paso Robles. Based on the rural nature of the project area, mixed-land use development and pedestrian and bicycle accessibility standards included in the 2023 RTP, County Bikeways Plan, and County Circulation Element would not be applicable to the proposed project.

The proposed project would result in a net increase of one general public peak-hour trip and 11 employee peak-hour trips (Orosz Engineering Group 2023). The proposed project would reduce the number of annual wine production operational trips to and from the site by 316 (from 512 to 196) by consolidating wine production activities that are currently conducted off-site. The proposed

project would not include a dedicated Special Event Program that could generate a significant number of vehicle trips to and from the site. However, the project would expand the winery's non-advertised wine club activities. Based upon information provided by the Applicant, the project will increase its existing non-advertised wine club activities to include one additional two-hour wine club release session two days per year with up to 60 guests at each session. The winery's normal tasting room operations are closed during the wine club activities. These two additional wine club release sessions would generate 0.1 annual average weekday peak-hour trips (Orosz Engineering Group 2023, Table 7 below).

Table 7. Summary of Non-Advertised Winemaker Activities

Activity	***Existing Operations***		***Forecasted Operations at New Facility***	
	Specific Location	Guest Count	Specific Location	Guest Count
Winemaker Dinner – Fall	Crush pad	80	Inside Cave	80
Special Membership – Fall Release	Crush pad	80	Inside Cave	80
Winemaker Dinner - Spring	Crush pad	80	Crush pad / Tasting Room / Cave	80
Special Membership – Spring Release	Crush pad	80	Crush pad / Tasting Room / Cave	80
Fall Release Day 1 - Saturday (Tasting Room Closed)				
Wine Club Release – Fall – Session A	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Fall – Session B	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Fall – Session C	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Fall Release Day 2 - Friday (Tasting Room Closed)				
Wine Club Release – Fall – Session D	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Fall – Session E	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Fall – Session F **NEW**	NA		Crush pad / Tasting Room / Cave	60
Spring Release Day 1 - Saturday (Tasting Room Closed)				
Wine Club Release – Spring – Session A	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Spring – Session B	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Spring – Session C	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Spring Release Day 2 - Friday (Tasting Room Closed)				
Wine Club Release – Spring – Session D	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Spring – Session E	Crush pad / Tasting Room	60	Crush pad / Tasting Room / Cave	60
Wine Club Release – Spring – Session F **NEW**	NA		Crush pad / Tasting Room / Cave	60

Therefore, the proposed project would result in a limited number of additional vehicle trips and would reduce the number of wine production operational trips compared to existing conditions, which would be accommodated by existing roadways. In addition, the project site is within Templeton Road Improvement Fee Area B and would be subject to the payment of standard road impact fees with the project building permits for maintenance of roadways within this road fee area. Therefore, the proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, and impacts would be *less than significant*.

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

The County has developed a VMT Program that provides interim operating thresholds and includes a screening tool for evaluating VMT impacts (Transportation Impact Analysis Guidelines; Rincon Consultants, October 2020 & VMT Thresholds Study; GHD, March 2021). If a project meets the screening criteria identified in the VMT Thresholds Study, a detailed CEQA transportation analysis is not required to determine or evaluate the project VMT. If any of the screening criteria are met, a project's level of impact related to VMT would be considered less than significant.

Per the VMT Thresholds Study, retail projects that are less than 50,000 square feet shall be presumed to have a less than a significant VMT impact if the retail is serving locally (e.g., winery). The proposed winery is located in close proximity to other wineries, which enhances retail destination proximity. This is because visitors to wineries usually visit multiple wineries in an area, resulting in improved retail destination proximity and reducing the need for longer trips, thereby reducing VMT. Therefore, the proposed project would fall below the suggested screening threshold of 50,000 square-feet identified in the County's guidance, and potential impacts would be *less than significant*.

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

The proposed project includes improvements to the existing private driveway to provide adequate access to the new winery. Proposed improvements would result in the relocation of the entry gate to provide a 50-foot sight distance from edge of Niderer Road, widen the existing driveway, and extend the driveway by 1,150 feet into eastern part of project site, resulting in a 20-foot-wide roadway with 2-foot shoulders on each side and emergency vehicle turnouts. Road shoulders would not be constructed along the portion of the existing driveway that crosses over the on-site blue-line creek. The proposed driveway improvements would be required to comply with County Public Works Department roadway design standards and would be subject to County review and approval to minimize the risk associated with hazardous roadway design. A road safety audit (RSA) was conducted for the proposed project to evaluate potential roadway hazards as a result of increased traffic generated by the proposed project. According to the RSA, no significant traffic safety issues were identified at the project access driveway (Orosz Engineering Group 2023). The proposed project does not include off-site improvements that could result in new hazards along Niderer Road. Additionally, the proposed winery expansion would result in a limited increase in vehicle trips and would not be expected to increase hazards due to vehicle congestion. Therefore, the proposed project would not increase roadway hazards due to hazardous roadway design or an increase in vehicle traffic, and impacts would be *less than significant*.

(d) Result in inadequate emergency access?

Existing site access is from a private driveway located off of Niderer Road. Niderer Road is a county-maintained roadway that varies in width from 13-18 feet with graded shoulders, and dead-ends approximately 1.0 miles into the road. The County indicates that the daily traffic along Niderer Road, northerly of Las Tablas Willow Creek Road is 298 vehicles per day (Orosz Engineering Group 2023). The proposed project would widen and extend the existing driveway to provide access to the new winery facility. The proposed driveway improvements would result in a 20-foot-wide roadway with 2-foot-wide shoulders on each side of the driveway, with the exception of the portion of the driveway that crosses over the on-site blue-line creek. Proposed improvements would also include three emergency vehicle turnouts. The proposed driveway extension and associated improvements would

be required to comply with County Public Works Department and CAL FIRE standards for access and would be subject to County review and approval prior to issuance of permits. Orosz Engineering Group determined that in the event of an emergency, during a non-advertised wine club event, there would be approximately 40 cars on the project site and it would take approximately 4 to 5 minutes for project traffic to reach and clear the Las Tablas Willow Creek Road intersection, at which point vehicles would travel east or west to SR 46 (2023). Given the low existing background traffic volumes and low event traffic volumes (less than the largest potential event on the project site), there would be adequate roadway capacity to allow project guests and other vicinity property owners to evacuate in the event of an emergency. Further, given the time to respond from the closest Cal-Fire station is 6.5 miles away (about 10 minutes), a good portion of any exiting traffic from properties along Niderer Road, including the winery, would likely be past the intersection of Las Tablas Willow Creek Road by the time first responders arrive (Orosz Engineering Group 2023). Based on required compliance with County and CAL FIRE standards, the project would provide adequate emergency access; therefore, impacts would be *less than significant*.

Conclusion

The proposed project would be consistent with the 2023 RTP, County Bikeways Plan, and County Circulation Element, and would not generate vehicle trips that would result in an exceedance of existing VMT thresholds. In addition, the proposed project would be consistent with CAL FIRE and County Public Works standards for site access and driveway design; therefore, impacts related to transportation would be less than significant and mitigation is not required.

Mitigation

Mitigation is not necessary.

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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:				

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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	☐	☒	☐	☐
(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 I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

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 CRHR; or
    b. Included in a local register of historical resources as defined in PRC Section 5020.1(k).
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 PRC 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.

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.

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)?

(a-ii) by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Pursuant to AB 52, the County provided notice to local California native tribes with geographic and/or cultural ties to the project region. Referral letters were sent to tribal representatives on March 2, 2021. One response was received from the Northern Chumash Tribal Council (NCTC) on March 10, 2021, requesting review of the records search and any archaeological surveys conducted for the proposed project. The County responded to this request by providing previous records searches to the NCTC. Further consultation has not been requested as of the date of this Initial Study.

As identified in Section V, *Cultural Resources*, Mitigation Measure CR-1 requires preparation of a Cultural Resource Monitoring Plan by a County-approved archaeologist to reduce the potential to adversely affect previously unidentified cultural resources if present within the proposed disturbance area. The Cultural Resource Monitoring Plan identifies requirements to be implemented prior to and during project construction including, but not limited to, cultural resource monitoring within culturally sensitive areas and implementation of protocol in the event an unknown resource is encountered. The proposed project would be required to comply with County LUO Section 22.10.040 in the event of inadvertent discovery of a cultural resource. Per LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. In addition, the proposed project would be required to comply with Health and Safety Code Section 7050.5, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and contact with the NAHC if the remains are identified to be of Native American descent. Based on implementation of Mitigation Measure CR-1 and required compliance with the County LUO and Health and Safety Code Section 7050.5, the proposed project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant with mitigation.*

Conclusion

Based on implementation of Mitigation Measure CR-1 and compliance with the County LUO and Health and Safety Code Section 7050.5, impacts related to tribal cultural resources would be reduced to a less-than-significant level.

Mitigation

Implement Mitigation Measure CR-1.

XIX. UTILITIES AND SERVICE SYSTEMS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(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?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

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 County Public Works Department currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo Country 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

on-site 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 County Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit.

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 site is currently serviced by Mid-State Solid Waste and Recycling and the Paso Robles Landfill.

There is an existing well located west of the existing winery facility that provides water for existing on-site uses. Existing utility infrastructure is limited to the on-site winery and residence. Electricity is currently provided by PG&E.

Discussion

(a) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The proposed project would require the construction of expanded water, drainage, and electrical infrastructure and installation of an on-site septic leach field. Proposed utility infrastructure would be constructed and installed within the footprint of the project site. As evaluated throughout this Initial Study/Mitigated Negative Declaration, the proposed project has the potential to result in adverse impacts related to Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-3, CR-1, GEO-1 through GEO-3, and N-1 have been included to avoid and/or minimize adverse impacts to less-than-significant levels. Therefore, upon implementation of the identified mitigation measures, installation of utility infrastructure is not anticipated to result in adverse impacts to the environment; therefore, potential impacts would be *less than significant with mitigation*.

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

The proposed project would draw water from an existing on-site well that currently provides for existing on-site uses, including a single-family residence, a winery with a tasting room, and approximately 17 acres of vineyards. The proposed project would result in an expanded winery facility which would increase the demand on potable water for employees and visitors and the non-potable water used for wine production and landscape irrigation. The proposed project would install five 10,000 to 15,000-gallon water tanks to provide emergency and fire protection water. According to the *Water Use Evaluation for Clos Solene Winery Expansion* prepared for the project by Wallace Group (2023), the new winery and associated activities would result in an additional water demand of between 0.57 and 0.83 AFY. However, the proposed project would remove approximately 2.25 acres of existing on-site vineyards for construction of the proposed winery facilities. The loss of approximately 2.25 acres of vineyards would reduce the existing water demand by approximately 1.35 and 2.81 AFY, resulting in a net reduction of 0.5 and 0.8 AFY (Wallace Group 2023). Further, the proposed project includes the construction of a new winery wastewater recycling system that would

treat winery wastewater in accordance with RWQCB requirements, which would be used to provide on-site irrigation. Based on the reduction of water used for irrigation of on-site vineyards, implementation of the project would result in an overall reduction of water use at the project site; therefore, given the groundwater resources underlying the project site, the on-site well would have adequate supply to serve the project and impacts 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 proposed project would construct an on-site septic leach field and septic tanks to accommodate the wastewater discharge from existing and future on-site uses and would not require connection to a wastewater treatment provider; therefore, *no impacts* would occur.

(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?

The proposed project would require 14,900 cubic yards of cut and 12,200 cubic yards of fill for construction of the underground wine cave system; however, excavated soils would be balanced on-site and would not generate a substantial amount of construction-related spoils for offsite hauling and disposal (note that cut and fill quantities account for 15% soil shrinkage). Further, according to the County's Integrated Waste Management Authority (IWMA), construction waste would be subject to CALGreen Sections 4.408 and 5.408, which requires diversion of at least 75% of construction waste (San Luis Obispo County Integrated Waste Management Authority [IWMA] 2022). Based on required compliance with CALGreen regulations, construction of the proposed project would not generate solid waste in excess of local infrastructure capacity.

Implementation of the proposed project would result in an expanded winery facility which has the potential to increase solid waste generated at the project site. Green waste generated by wine production activities would be used as fertilizer in accordance with County Health Department Standards and would not require off-site disposal. Other solid waste generated by the proposed project would be collected by Mid-State Solid Waste and Recycling and disposed of at the Paso Robles Landfill, which are fully compliant with state and local requirements for solid waste disposal. Paso Robles Landfill would have adequate available capacity to accommodate the increase of solid waste; therefore, impacts would be *less than significant*.

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

The proposed project would continue to be serviced by Mid-State Solid Waste and Recycling and the Paso Robles Landfill, which are fully compliant with existing state and local regulations related to disposal of solid waste. As evaluated above, based on required compliance with CALGreen regulations, construction of the proposed project is not expected to generate solid waste in excess of state or county regulations. In addition, the proposed project would reuse green waste generated by wine production activities as fertilizer on-site and would be required to comply with County Health Department standards. Therefore, the proposed project is not anticipated to generate a substantial amount of solid waste during construction or operations, which would be consistent with federal, state, and local solid waste reduction goals. Project impacts would be *less than significant*.

Conclusion

The proposed project would require the expansion and installation of utility infrastructure to support proposed development. Implementation of Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-3, CR-1, GEO-1 through GEO-3, and N-1 would reduce potential adverse environmental impacts to less-than-significant levels. Water would be provided by an existing on-site well which would have adequate supply to provide water for the proposed project. The proposed project would not require connection to a wastewater provider. The proposed project would not generate solid waste in exceedance of state or county regulations. Therefore, upon implementation of the identified mitigation measures, potential impacts would be less than significant.

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-3, CR-1, GEO-1 through GEO-3, and N-1.

XX. WILDFIRE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐

Setting

On-Site Conditions and Surrounding Land Uses

The project area is characterized by rural land with slightly to steeply sloping topography. The project site consists of a 26.69-acre parcel with an existing single-family residence, an existing winery facility, approximately 17 acres of vineyard, annual grassland, and native and non-native trees and shrubs. Surrounding land uses include rural areas that support scattered single-family residences and agricultural uses.

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.

CAL FIRE Hazard Severity Zones

FHSZs are defined by CAL FIRE 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. 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, from Monterey County in the north to Santa Barbara County in the south. A lack of 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 moderate, high, or very high FHSZs. According to the CAL FIRE FHSZ viewer, the project site is located within an SRA within a high and very high FHSZ (CAL FIRE 2022).

County Emergency Operations Plan

The County has prepared an 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. The EOP includes the following components:

- 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 on 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.

County Safety Element

The County 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.

California Fire Code

The CFC 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.

Discussion

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

The project site and surrounding area is located within a high and very high FHSZ (CAL FIRE 2022). Implementation of the proposed project is not anticipated to require any permanent road closures or traffic controls that could result in notable impacts to emergency response or evacuation efforts in the project area. The project site is currently accessed via an existing driveway from Niderer Road. The driveway approach would be improved to current County Department of Public Works standards and would be improved to accommodate a hammerhead turnaround per County Fire / CAL FIRE standards. The existing roadway would be widened with 2-foot-wide shoulders on both sides and would be extended approximately 1,150 feet to provide access to the proposed winery facility. However, no shoulders are proposed along the portion of the existing driveway that crosses over the on-site blue-line creek. Proposed driveway improvements would be required to comply with County Public Works Department and CAL FIRE standards to ensure adequate emergency access and public ingress and egress at the site. In addition, per CAL FIRE recommendations, a 10-foot defensible space buffer would be implemented around the proposed driveway to ensure safe ingress and egress from the site in the event of a fire. Any tree removal would be conducted in accordance with County LUO Section 22.58. The project will result in the removal of one non-native walnut tree and the relocation of seven non-native olive trees. Per the Terre Verde's Report (dated 06/22/21) no oak trees are proposed for removal. One mature oak tree is expected to be impacted by grading within the root zone. In addition, the proposed project would not result in a substantial number of new vehicle trips to the site that could otherwise impede emergency response or evacuation efforts in the area (Orosz Engineering Group 2023). Orosz Engineering Group determined that in the event of an emergency, during a non-advertised wine club event, there would be approximately 40 cars on the project site and it would take approximately 4 to 5 minutes for project traffic to reach and clear the Las Tablas Willow Creek Road intersection, at which point vehicles would travel east or west to SR 46 (2023). Given the low existing background traffic volumes and low event traffic volumes (less than the largest potential event on the project site), there would be adequate roadway capacity to allow project guests and other vicinity property owners to evacuate in the event of an emergency. Further, given the time to respond from the closest Cal-Fire station is 6.5 miles away (about 10 minutes), a good portion of any exiting traffic from properties

along Niderer Road, including the winery, would likely be past the intersection of Las Tablas Willow Creek Road by the time first responders arrive (Orosz Engineering Group 2023). Therefore, the proposed project is not anticipated to interfere with an emergency response or evacuation plan and impacts would be *less than significant*.

(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 and surrounding area is characterized by gently to steeply sloping topography within a high and very high FHSZ (CAL FIRE 2022). Implementation of the proposed project would result in a relocated and expanded winery facility within a low-lying portion of the site, with upward slopes to the north, south, and east. Proposed occupiable buildings would be required to comply with CFC and CBC requirements to reduce risk associated with wildfire ignition and exposure of project occupants to wildfire risk. The proposed wine cave system would be subject to design standards identified in CBC Section 446 to reduce risk associated with fire. In addition, the proposed project would be required to comply with design requirements identified by CAL FIRE to ensure adequate ability to provide fire protection services to the project site, including, but not limited to, water storage tanks, fire hydrants, and emergency access requirements. The proposed project would install five 10,000 to 15,000-gallon water storage tanks, two fire hydrants, and construct driveway improvements in accordance with CAL FIRE requirements. The proposed project would also be required to establish 100 feet of defensible space around all structures and 10 feet of defensible space around the proposed driveway extension in accordance with CAL FIRE and PRC Section 4291. Based on required compliance with CFC, CBC, PRC, and CAL FIRE requirements, the proposed project is not anticipated to significantly exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; therefore, 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 proposed project would result in the construction of a hammerhead turnaround at the access approach, driveway improvements to widen and extend the driveway and to relocate the gate to allow for vehicle queuing outside the roadway, and expansion of utility infrastructure within a high and very high FHSZ (CAL FIRE 2022). In accordance with CAL FIRE recommendations, the proposed project would be required to implement a 10-foot defensible space buffer around the access driveway to reduce risk of wildfire to travelers along the roadway. Proposed utility expansions would be constructed in accordance with applicable CFC and CBC to reduce wildfire risk associated with installation of utility infrastructure. In addition, proposed utility infrastructure would primarily be installed underground, which would further reduce the risk of accidental wildfire ignition at the project site. Based on required compliance with applicable CFC, CBC, and CAL FIRE requirements, implementation of utility and roadway extensions at the site is not anticipated to exacerbate wildfire risk; 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?

As previously described, the project site and surrounding area consists of gently to steeply sloping topography within a high and very high FHSZ, and the southeastern portion of the project site is identified as an area with high potential for landslide to occur. As such, there is potential for post-fire ground-failure events to occur in the event of wildfire at the site. The proposed project would be required to comply with applicable CBC, CFC, and CAL FIRE requirements to reduce the potential to exacerbate the risk of wildfire occurrence at the site. In addition, proposed occupiable buildings would be required to comply with the most recent CBC and other applicable engineering standards to reduce the risk associated with potential landslides. The proposed project would not be sited in an area that would expose people or structures to significant risk associated with flooding. Based on required compliance with CBC, CFC, and CAL FIRE requirements for development, the proposed project is not anticipated to expose people or structures to significant risks associated with post-fire ground-failure events; therefore, impacts would *be less than significant*.

Conclusion

The project site is located within a high and very high FHSZ within an SRA. Based on required compliance with CFC, CBC, PRC, CAL FIRE, and County Public Works Department development requirements for the construction of occupiable buildings and structures and associated site improvements, the proposed project and associated activities would not result in significant adverse impacts related to wildfire; therefore, mitigation is not necessary.

Mitigation

Mitigation is not necessary.

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?	☐	☒	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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)?	☐	☒	☐	☐
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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?

Based on the analysis provided in individual resource sections above, the project has the potential to disturb sensitive biological resources and unknown cultural and/or tribal cultural resources. Mitigation Measures BIO-1 through BIO-3 have been identified and would reduce potential impacts related to sensitive biological resources to less than significant. Additionally, implementation of Mitigation Measure CR-1 and adherence to County LUO Section 22.10.040 and Health and Safety Code Section 7050.5 would reduce impacts to unknown cultural and/or tribal cultural resources, including human remains, if present within the project area. Therefore, potential impacts would be *less than significant with mitigation*.

(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)?

Based on the nature of proposed development and the analysis provided in resource sections above, the proposed project would have the potential to result in environmental impacts associated with Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service Systems that could have a cumulative effect with other development projects in the project region. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-3, CR-1, GEO-1 through GEO-3, and N-1 have been identified to reduce potential environmental impacts associated with the project to a less-than-significant level. Other past and

future development projects requiring a discretionary permit in the project region would also be subject to applicable mitigation measures to reduce potential impacts associated with these impact issue areas. Therefore, based on the implementation of project-level mitigation measures and discretionary review and CEQA review of other projects within the project area, potential impacts would be *less than cumulatively considerable with mitigation*.

(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 proposed development and the analysis provided in individual resource sections above, the proposed project has the potential to have environmental effects that could result in substantial adverse effects on human beings. Potential impacts associated with Air Quality and Hazards and Hazardous Materials would be reduced to less-than-significant levels with the implementation of Mitigation Measures AQ-1 and AQ-2 and BIO-3. Therefore, potential impacts associated with environmental effects that would cause substantial adverse effects on human beings would be *less than significant with mitigation*.

Conclusion

Potential impacts associated with mandatory findings of significance would be less than significant with mitigation.

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-3, CR-1, GEO-1 through GEO-3, and N-1.

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
☒	County Public Works Department	**Attached**
☒	County Environmental Health Services	**Attached**
☒	County Agricultural Commissioner's Office	**Attached**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**None**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☒	CA Department of Fish and Wildlife	**None**
☒	CA Department of Forestry (Cal Fire)	**Attached**
☒	CA Department of Transportation	**None**
☐	Community Services District	**Not Applicable**
☐	Other	**Not Applicable**
☐	Other	**Not Applicable**

** "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.

- ☒ Project File for the Subject Application

County Documents

- ☐ Coastal Plan Policies
- ☒ Framework for Planning (Coastal/Inland)
- ☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  - ☒ Agriculture Element
  - ☒ Conservation & Open Space Element
  - ☐ Economic Element
  - ☐ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element/Project List
  - ☒ Safety Element
- ☒ Land Use Ordinance (Inland/Coastal)
- ☒ Building and Construction Ordinance
- ☒ Public Facilities Fee Ordinance
- ☒ Real Property Division Ordinance
- ☐ Affordable Housing Fund
- ☒ SLO Airport Land Use Plan
- ☒ Energy Wise Plan
- ☒ North County Planning Area
- ☐ Design Plan
- ☐ Specific Plan
- ☒ Annual Resource Summary Report
- ☒ SLOCOG Circulation Study

Other Documents

- ☒ Clean Air Plan/APCD Handbook
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Special Biological Importance Map
- ☒ CA Natural Species Diversity Database
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

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Cleath-Harris Geologists, Inc. 2023. *Hydrogeology and Groundwater Information.* March 21.

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Exhibit B – Mitigation Summary

The applicant has agreed to incorporate the following measures into the proposed 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.

Air Quality

AQ-1 **Diesel Idling Restrictions.** During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
    b. Diesel idling when equipment is not in use shall not be permitted;
    c. Use of alternative fueled equipment shall be used whenever possible; and
    d. Signs that specify the no-idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 California Code of Regulations 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine when vehicle is not in use, except as noted in Subsection (d) of the regulation; and
    b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the no-idling requirement. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 **Fugitive Dust Control Measures.** During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

1. Reduce the amount of disturbed area where possible.
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind

speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible.

3. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers, as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.
5. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast-germinating, non-invasive, grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District.
7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. "Track out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code (CWC) Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked-out soils, the track-out prevention device may need to be modified.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
12. All required PM_{10} mitigation measures should be shown on grading and building plans.
13. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the Mitigation Measures as necessary to minimize dust complaints and reduce visible emissions below the San Luis Obispo County Air

Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork, or demolition.

Biological Resources

BIO-1 **Nesting Bird Surveys.** Prior to initiation of any site preparation/construction activities, if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

1. A 50-foot exclusion zone shall be established around non-listed, passerine species, and a 250-foot exclusion zone shall be established for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if Phase 1 improvements are completed, exclusion zones may be removed until initiation of site preparation for Phase 2 begins), or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young.
2. If special-status avian species are identified and nesting within the work area, no work shall begin until an appropriate exclusion zone is determined in consultation with the County of San Luis Obispo and any relevant resource agencies.

The results of the survey shall be provided to the County of San Luis Obispo Planning and Building Department prior to commencement of initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated, and a separate survey report shall be prepared and submitted to the County of San Luis Obispo Planning and Building Department.

BIO-2 **Agency Permits.** Prior to project initiation, all applicable agency permits with jurisdiction over the project area (e.g., California Department of Fish and Wildlife Lake and Streambed Alteration Agreement and Regional Water Quality Control Board Section 401) shall be obtained, as necessary. Any additional measures required by these agencies shall be

implemented as necessary throughout the project. As part of these permitting processes, the Applicant shall be required to demonstrate that the proposed project has been designed and measures will be implemented in a manner that avoids and minimizes impacts on aquatic resources and meets the permitting agencies' expectations. Permits and/or authorizations shall be submitted to the County prior to any construction activities that occur within and near the mapped blue-line creek.

BIO-3 **Best Management Practices.** The following Best Management Practices shall be installed prior to the start of construction to protect the blue-line creek and project boundaries (i.e., areas above steep cliffs) from water quality, runoff, and erosion/sedimentation concerns during project implementation: straw wattles, exclusion fencing, gravel bags, and silt fencing. Additionally, all equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials and a designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. The staging area shall be located a minimum of 50 feet from the blue-line creek, and all fueling and maintenance activities shall take place in the staging area. Erosion and sediment controls shall be installed properly and shall be maintained regularly throughout construction to increase effectiveness. Other Best Management Practices shall also be implemented as necessary and/or as required by project permits, such as avoiding washing, refueling, and maintenance of equipment within 50 feet (unless otherwise noted in project-specific permits) from the blue-line creek, regardless if water is present or absent in the channel.

Cultural Resources

CR-1 **Cultural Resources Monitoring Plan** Prior to issuance of grading permits, the Applicant shall retain a County of San Luis Obispo-approved archaeologist to prepare a Cultural Resource Monitoring Plan, which requires monitoring of all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved Plan. The Applicant shall retain a County of San Luis Obispo-approved archaeologist monitor to conduct monitoring as specified in the Cultural Resource Monitoring Plan. The Cultural Resource Monitoring Plan shall include the following at a minimum:

3. List of personnel involved in the monitoring activities
4. Inclusion of involvement of the Native American community
5. Description of how the monitoring and reporting shall occur, including the frequency of monitoring (e.g., full-time, part time, spot checking) and define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring.
6. Description of what resources may be expected to be encountered (and identifying areas of moderate to high potential for buried resources)
7. For construction work identified to occur in moderate to high sensitivity areas, define preconstruction testing or monitoring to be done and the process that will be followed should buried resources be encountered (the following priority should be included in process: try first to avoid resource, then minimize impact to resource, and lastly mitigate the impacted resource). This process shall identify triggers or

thresholds for when work would stop and a Phase III (data recovery) program is needed before work proceeds.

8. Description of circumstances for halting work on-site and procedures to be followed for such events. This shall include County of San Luis Obispo and applicant responsibilities and how remedial work is expected to be handled.
9. Inclusion of a construction worker crew education component. At a minimum, this component will address the following:
    a. Establish a worker protocol to address unanticipated finds.
    b. Provide cultural resources awareness training to all field crews and field supervisors to include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites.
    c. If not clearly shown on all applicable construction drawings (and marked in the field), generate a "field supervisor" graphic that shows those areas sensitive to potential buried resources.

Geology and Soils

GEO-1 **Paleontological Monitoring and Treatment Plan**. Prior to any ground-disturbing activities, the Applicant shall retain a County of San Luis Obispo-approved paleontologist to prepare a Paleontological Monitoring and Treatment Plan and submit the Paleontological Monitoring and Treatment Plan to the County of San Luis Obispo for review and approval. The Paleontological Monitoring and Treatment Plan shall be based on the Society of Vertebrate Paleontology guidelines and meet all regulatory requirements. The County of San Luis Obispo-approved paleontologist shall: a) have a master's or doctoral degree in paleontology, b) shall have knowledge of the local paleontology, and c) shall be familiar with paleontological procedures and techniques. The Paleontological Monitoring and Treatment Plan shall:

1. identify construction impact areas of moderate to high sensitivity for encountering potential paleontological resources and the shallowest depths at which those resources may be encountered;
2. detail the criteria to be used to determine whether an encountered resource is significant and if it should be avoided or recovered for its data potential;
3. detail methods of recovery, preparation and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting;
4. outline a coordination strategy to ensure that a County-approved paleontological monitor will conduct full-time monitoring of all grading activities in the "deeper" sediments determined to have a moderate to high sensitivity. For sediments of low or undetermined sensitivity, the Plan shall determine what level of monitoring is necessary. Sediments with no sensitivity will not require paleontological monitoring.

5. define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring. These factors shall be defined by the project paleontological resource specialist, following examination of sufficient, representative excavations.

GEO-2 **Paleontology Construction Monitoring.** Prior to approval of tract improvement plans and any ground-disturbing activities, based on the Mitigation Measure GEO-1 (Paleontological Monitoring and Treatment Plan), the Applicant shall retain a County of San Luis Obispo-approved paleontological monitor to conduct monitoring as specified in the approved Paleontological Monitoring and Treatment Plan. This shall include monitoring during rough grading and trenching in areas determined to have moderate to high paleontological sensitivity and areas which have the potential to be shallow enough to be adversely affected by such earthwork. Sediments of low, marginal undetermined sensitivity shall be monitored by a County of San Luis Obispo-approved paleontological monitor on a part-time basis as determined in the Paleontological Monitoring and Treatment Plan.

The qualified monitor shall verify they have a bachelor's degree in Geology or Paleontology and a minimum of 1 year of paleontological monitoring experience in local or similar sediments. Construction activities shall be diverted when data recovery of significant fossils is warranted, as determined in the Paleontological Monitoring and Treatment Plan. Compliance/monitoring shall adhere to and be consistent with the Paleontological Monitoring and Treatment Plan.

GEO-3 **Resource Discovery.** During ground-disturbing activities, if any paleontological resources are encountered, activities in the immediate area of the find shall be halted and the discovery assessed in accordance with the approved Paleontological Monitoring and Treatment Plan. A qualified paleontologist shall be retained to evaluate the discovery and recommend appropriate treatment options pursuant to guidelines developed by the Society of Vertebrate Paleontology. A paleontological resource impact mitigation program for treatment of the resources shall be developed and implemented if paleontological resources are encountered. If deemed significant, the paleontological resource(s) shall be salvaged and deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.

Noise

N-1 **Wine Production Noise Reduction Measures.** To reduce sound levels at property line location at N2, N3, NW1, and S2, as identified in the Acoustical Noise Study prepared by 45 dB, LLC, one or more of the following measures shall be implemented during wine production activities:

- Noise screens at least 6 feet in height shall be placed around the crush pad if the processing equipment is operated outside (approximately 6 dB noise reduction)
- For at least 60% of the days in which the processing equipment is operating, restrict operation to the interior of the wine cave with the doors closed (approximately 10 to 20 dB noise reduction)
- Replace the destemmer with a quieter model selected by the applicant/owner (approximately 1 dB noise reduction)

- When the equipment is operated inside the wine caves, add acoustically absorptive panels to the cave walls (approximately 1 dB noise reduction)