



Initial Study - Environmental Checklist

Project Title & No. Bianchi Winery Project ED23-28 / N-DRC2021-00012

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.

Table with 3 columns of environmental factors and checkboxes. Checked items include Air Quality, Biological Resources, and Mandatory Findings of Significance.

DETERMINATION: (To be completed by the Lead Agency)

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

- List of five determination options with checkboxes. The second option is checked: '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.'

Jeff Oliveira, Principal
Oliveira Environmental
Consulting LLC

Handwritten signature of Jeff Oliveira

2/7/23

Prepared by (Print)

Signature

Date

Holly Phipps

Handwritten signature of Holly Phipps

Eric Hughs, Principal
Environmental Specialist

2/7/2023

Reviewed by (Print)

Signature

Date

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Project Environmental Analysis

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

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

A. Project

DESCRIPTION:

A request by **Beau Bianchi (Bianchi Winery)** for a Conditional Use Permit (N-DRC2021-00012) to allow phased expansion and remodel of an approximate 14,000-square foot winery facility and a 2,123-square-foot tasting room that will include at buildout: a 445-square-foot distillery and 295 square-foot second tasting room for distilled spirit tasting within the existing winery building, as well as a 1,647-square-foot limited food serving facility (restaurant) located within the existing hospitality building, consisting of a 426 square-foot kitchen, and an existing 63-square-foot storage area, a 384-square-foot indoor seating area and a 774-square-foot outdoor seating area. The project includes the construction of a new 2,800-square-foot eight-modular unit Bed & Breakfast Inn with 832-square-feet of individual decks plus a 900-square-foot Innkeeper Unit with a 322-square-foot deck. Finally, the construction of a 9,280 square-foot winery production building previously approved under DRC2005-00180 (that was never built) for future storage. The applicant is a modification to the Section 22.30.070.D.2.h.(3) standard that limits a winery to one tasting room to allow for second tasting room for distilled spirits, a modification to Section 22.30.070.D.2.d.1 standard to allow a 200-foot tasting room setback from each property line to allow a setback of 164 feet from the western property line, a modification to Section 22.30.570.E standard that limits a restaurant to utilize 800-square-feet to allow a 1,647-square-foot restaurant, a modification to section 22.30.260.A.1.a. that requires Bed and Breakfast Inn buildings to be within 100 feet of an existing visitor use to allow 377 feet, a modification that requires bed and breakfast buildings to be established in one single structure to allow 9 detached, modular structures. County Code, Section 22.30.020.D allows standards to be modified through a Conditional Use Permit if it can be proven to be unnecessary and the project meets all other development standards. The project will result in approximately 0.83 acres of site disturbance on a 42.17-acre parcel, including 850 cubic yards of cut and 300 cubic yards of fill. The proposed project located is within the Agriculture land use category, located at 3380 Branch Road, approximately 0.5 miles south of Highway 46 and approximately 2.3 miles from the city limits of Paso Robles. The project site is in the El Pomar-Estrella Sub Area of the North County planning Area.

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Expanded Project Description

The proposed project would be phased as follows:

Phase 1: Convert existing areas within Winery Production Building (Bldg. 1) to incorporate a 445 square-foot distillery, 295 square-foot second tasting room for distilled spirit tasting, and 536 square feet of proposed office space within the existing building.

Phase 2: Development within the existing Hospitality Building (Bldg. 2) to incorporate a 1,647 square-foot Limited Food Serving Facility (restaurant). The proposed restaurant kitchen would be 426 square-foot, the space formerly utilized as a previous break room, office and circulation area. The existing 63 square-foot storage space will remain to serve the expanded needs of the kitchen. This phase of the project would utilize the 384 square-foot of existing indoor seating and 774-square-foot existing outdoor seating. The limited food serving facility will serve the existing tasting room as well as the proposed Bed and Breakfast guests.

Phase 3: Consists of the construction of a new 2,800-square-foot eight-modular unit Bed & Breakfast Inn (Bldg. 3) with 832 square feet of individual decks plus a 900 square-foot Innkeeper Unit with a 322-square-foot deck. Proposed site improvements include upgrading an existing internal road to extend the driveway to the proposed Bed and Breakfast Inn and native landscaping.

The total area of site disturbance is 0.83 acres (36,050 square feet) with 850 cubic yards (CY) cut and 300 CY fill.

Phase 4: The final phase would consist of the construction of the previously approved 9,280 square-foot addition to Winery Production Building (Bldg. 1) under DRC2005-00180 for future storage at full build out.

Proposed Development Details

Distillery, Tasting Room and Offices (Winery Production Building, Bldg. 1)

The application includes a request to allow portions of the existing winery production building to be used for spirit production with a separate small tasting room.

The proposed use would include the distillation of grapes to make spirits. The distilling of grapes falls under the definition of AG processing in the County Land Use Element, so long as the distilled product is grown on the site or on adjacent parcels. The proposed distilling operations will be incidental to wine production, where tasting and sales of the finished product may occur in addition to the current wine tasting program occurring on the property. Distilled products may include vodka, brandy, grappa and gin from the on-site vineyard.

The proposed distillery would consist of converting a 445-square-foot portion of the existing barrel room to distillery production, converting the existing 295-square-foot break room to a distillery tasting room and would utilize the existing 895-square-foot patio adjacent to the proposed tasting room. No walls will be removed or added to accommodate the distillery or distillery tasting uses, and construction is limited to a minor remodel to the distillery tasting room. The annual case production limit of 50,000 cases per year approved in original Minor Use Permit would continue to be the limits for the combined production of the wine and distilled spirits.

The project includes a request to allow a portion of the existing winery production building to be converted to additional office space to support ongoing and new operations. A portion of the existing barrel room would be converted to four 134-square-foot offices for a total of 536 square feet of office space. Walls will

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be added to enclose the offices, with access provided through doors located on the exterior of the existing building.

The proposed new distillery, tasting room and offices would be developed within the existing winery production building and patio footprint.

Access, Circulation and Parking: Primary access to the site would continue to be from Branch Road, a County maintained road. The existing driveway serves as the access to the existing winery facilities and residences. The introduction of a visitor serving use in the winery production building requires an additional two parking spaces which would be accommodated within the existing 28 spaces shared between the winery production building and hospitality building. All parking spaces are screened by existing vineyards and existing landscaping.

Due to the Alcohol and Beverage Control restriction for actual delineation between the licensed premises between a wine and distillery tasting room, the proposed project includes a request for a second tasting room. This tasting room is proposed within the same structure where the distilling is proposed.

Modification Request for Second Tasting Room: The proposed project includes a request to allow the addition of a second tasting room for distilled spirit tasting. Section 22.30.070H.3 of the County Land Use Ordinance (LUO) limits the number of tasting rooms permitted with a winery. A winery is limited to one tasting room per winery. Section 22.30.020.d of the LUO contains a provision that allows modification to the special use standards set forth in Article 4 of Title 22. This provision allows a standard to be waived if it can be proven to be unnecessary or ineffective and the project meets all other development standards contained in the LUO. The applicant proposes that the open concept configuration and operation of the existing winery tasting room is not suitable for a physical separation for separate tasting areas as required by Alcohol and Beverage Control. The distilled spirit tasting room would be within the production building and based on its small scale may be considered incidental and an accessory use to the production of wine and spirits, the primary use of the site.

Modification Request to 200-foot Setback Standard for Public Tasting: The project includes a request to allow the distillery tasting room to be located 164 feet from the western property line. The project as proposed meets and exceeds the 200 foot setback to the other three property lines as well as exceeds the 400 foot setback to outside residences.

Section 22.30.070.D.2.d.1 of the LUO requires all winery structures with tasting to be no closer than 200 feet from each property line. In order for a setback modification to be approved, the request must satisfy any of the following findings: (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); (2) the property fronts an arterial or collector street; (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use. The proposed project is designed to meet the findings under numbers 1 and 2 listed above.

Limited Food Serving Facility (Within Hospitality Building, Bldg. 2)

The proposed project includes the conversion of an existing break room, offices and circulation spaces within the hospitality building into 489 square feet of kitchen with existing storage space, 384 square-feet of indoor seating and 774 square feet of outdoor seating, utilizing a total of 1,647 square feet of existing use areas.

The proposed limited food serving facility would be located within the same structure as the existing tasting

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room and will be incidental to the primary use on site, which consists of the existing 13,036 square foot production winery. The limited food serving facility would allow offerings without requiring them to pair food with wine. The tasting room area will remain limited to food and wine pairing.

The use areas associated with the limited food serving facility are located within the existing Hospitality Building and the existing patio seated areas off the tasting room and existing views from Branch Road are not expected to change.

Access, Circulation and Parking: Primary access to the site would continue to be from Branch Road, a County maintained road. The introduction of the limited food serving facility will serve existing guests and is expected to be accommodated by the existing 28 parking spaces shared between the winery production building and hospitality building. All parking spaces are screened by existing vineyards and existing landscaping.

Modification Request for Size Increase: The application includes a request for a modification to the size of the limited food serving facility to allow the total square footage of the kitchen area, indoor seating area, and proposed outdoor seating area to be utilized for the limited food serving facility. The proposed limited food facility in total would utilize 1,647 square feet of existing use areas: 489 square-foot commercial kitchen and storage, 384 square feet for indoor seating, and 774 square feet for outdoor seating.

The modification to the floor area limitation would be allowed through approval of the proposed Conditional Use Permit. The modification would occur within the existing tasting room use areas that are currently used for the winery's food and wine pairing program and utilize existing interior and exterior seating areas for containment of this use to a contiguous area.

Bed and Breakfast Inn (Bldg. 3)

The project includes a proposal to construct an eight-unit Bed and Breakfast (B&B) Inn to provide overnight accommodations to winery visitors. The detached modular guest units each would have 350 square feet of interior space including a sleeping area, sitting area, wet bar, bathroom and an attached 104-square foot exterior deck. Each unit would be pre-fabricated and detached from one another. Boardwalks are proposed to be constructed on-site for connectivity between units and common landscaped areas. The proposed B&B also includes a 900 square-foot detached caretaker's unit.

Structure Siting: The proposed Bed and Breakfast Inn facilities would be sited in a previously disturbed area within the area of an existing mobile home that would be removed from the property. The project will not result in the removal of any vineyards. The nearest off-site neighboring residences are located on adjacent parcels 873 feet to the north and 521 feet east of the project. The B&B facilities would be located 377 feet from the existing hospitality building. There is a large oak tree located in the middle of the vineyard that will be impacted by the B&B structures.

The proposed low-profile Bed and Breakfast Inn units will be located towards the interior of the property, set back 856 feet from the western property line and Branch Road. The Bed and Breakfast structures are agrarian/residential in style, consistent with the existing winery buildings on the property and the surrounding residential and agricultural structures on neighboring properties. The Bed and Breakfast structures are situated within the established vineyard and would be screened by existing development, trees and proposed landscaping.

Access, Circulation and Parking: The B&B would utilize the existing primary access from Branch Road and would include improving an interior residential/ag road to CDF standards to provide access to the proposed Bed and Breakfast Inn units. A new proposed dedicated parking area located east of the B&B units would

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provide eleven spaces, including two handicap parking spaces. New stairs and an ADA ramp are proposed to allow direct access from the parking lot up onto the boardwalk that connects the units.

Modification Request for Distance to the Existing Visitor Serving Use: The project includes a request to allow the Bed and Breakfast Inn to be located 377 feet from the existing wine tasting room. According to the LUO, a Bed and Breakfast Inn can be located farther than 100 feet from the existing conforming visitor serving use when the Review Authority can make the following findings: (1) the site of the proposed use does not contain Class I, II or III soils; and (2) on-site access, visual concerns and grading or other environmental issues can be better addressed through a larger distance. The proposed project is designed to meet the findings under numbers 1 and 2 listed above.

Modification to the Single Structure Requirement for Bed and Breakfast Inns: The project includes a modification request to allow the Bed and Breakfast Inn to be composed of 9 detached, modular structures instead of a single structure. The proposed structures are clustered within a single area in close proximity to one another. The eight guest units are proposed to be connected by a boardwalk and arranged side-by-side as a cohesive unit. Due to the modular nature of the structures, the Bed and Breakfast units could be removed in the event that the use is no longer needed and the proposed innkeeper unit could remain as it complies with the Accessory Dwelling Unit (ADU's) standards.

Project Development Summary

As proposed under this project, the primary use of the site currently is and will remain AG processing in the form of winery production with a total area of 27,149 square feet. The visitor serving uses on the site would total 8,139 square feet, refer to the table below for a summary of uses for the project at full build out.

Table 1. Project Buildout Summary*

Interior Uses Per Building	Ag Processing Use (SF)	Visitor Serving Use (SF)
Hospitality Building Includes Limited Food Serving Facility	342 (office, support & utility rooms)	2,216
Winery Production Building	12,700	295 (distillery tasting)
Winery Production Building Addition (Case Storage)	9,280	-
Bed & Breakfast Inn Units (8 total)	-	2,800
Bed & Breakfast Innkeeper Unit	-	900
Subtotal:	22,322	6,211

Exterior Uses Per Building	Ag Processing Use (SF)	Visitor Serving Use (SF)
Hospitality Building		774
Winery Production Building	4,827	-
Bed & Breakfast Inn Units (8 total)	-	832
Bed & Breakfast Innkeeper Unit	-	322
Subtotal:	4,827	1,928
Total:	27,149	8,139

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**Existing, approved Special Events Program to remain per DRC2005-00180 (7 Events up to 100 people, 10 Events up to 150 people, 3 Events up to 200 people, and Industry Wide Events)*

Background

In 2001, Minor Use Permit D000490P was approved for the project site, authorizing the establishment of a new 14,023-square-foot winery production facility and new 2,123-square foot tasting room, including the remodel of an existing residence into a 1,500-square-foot Bed and Breakfast Inn with two guest rooms. The Minor Use Permit included a Special Events Program with 6 events per year with up to 80 attendees. The winery was approved with a maximum annual case production of 50,000 cases per year.

In 2008, Conditional Use Permit DRC2005-00180 was approved for the project site that resulted in expanding the existing Special Events Program to 7 events with up to 100 attendees and 10 events with up to 150 attendees per year, 3 events with up to 200 attendees, plus industry wide events and also authorized a 9,280 square feet addition to the existing winery for office and storage space. To date, the winery addition has not been constructed.

At the present, the parcel is developed with the winery production building, hospitality building, an agricultural storage building, an existing 1978 primary residence with detached garage currently used as a vacation rental (ZON2019-00599), a 1973 mobile home and two wastewater ponds. The property also contains approximately 29 acres of vineyards.

ASSESSOR PARCEL NUMBER(S): 015-031-036

Latitude: 35.65053 N **Longitude:** -120.57641 W **SUPERVISORIAL DISTRICT #** 1

Other Public Agencies Whose Approval is Required

Permit Type/Action	Agency
Grading and Construction permits required	Building Department
Community Water System Required, Health Permit Required	Environmental Health Department
All construction plans shall comply with Title 14	Cal Fire / County Fire Department

B. Existing Setting

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

Land Use Category: Agriculture

Combining Designation: None

Parcel Size: 40.72 acres

Topography: Gently sloping

Vegetation: Agriculture Vineyards Ornamental landscaping

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

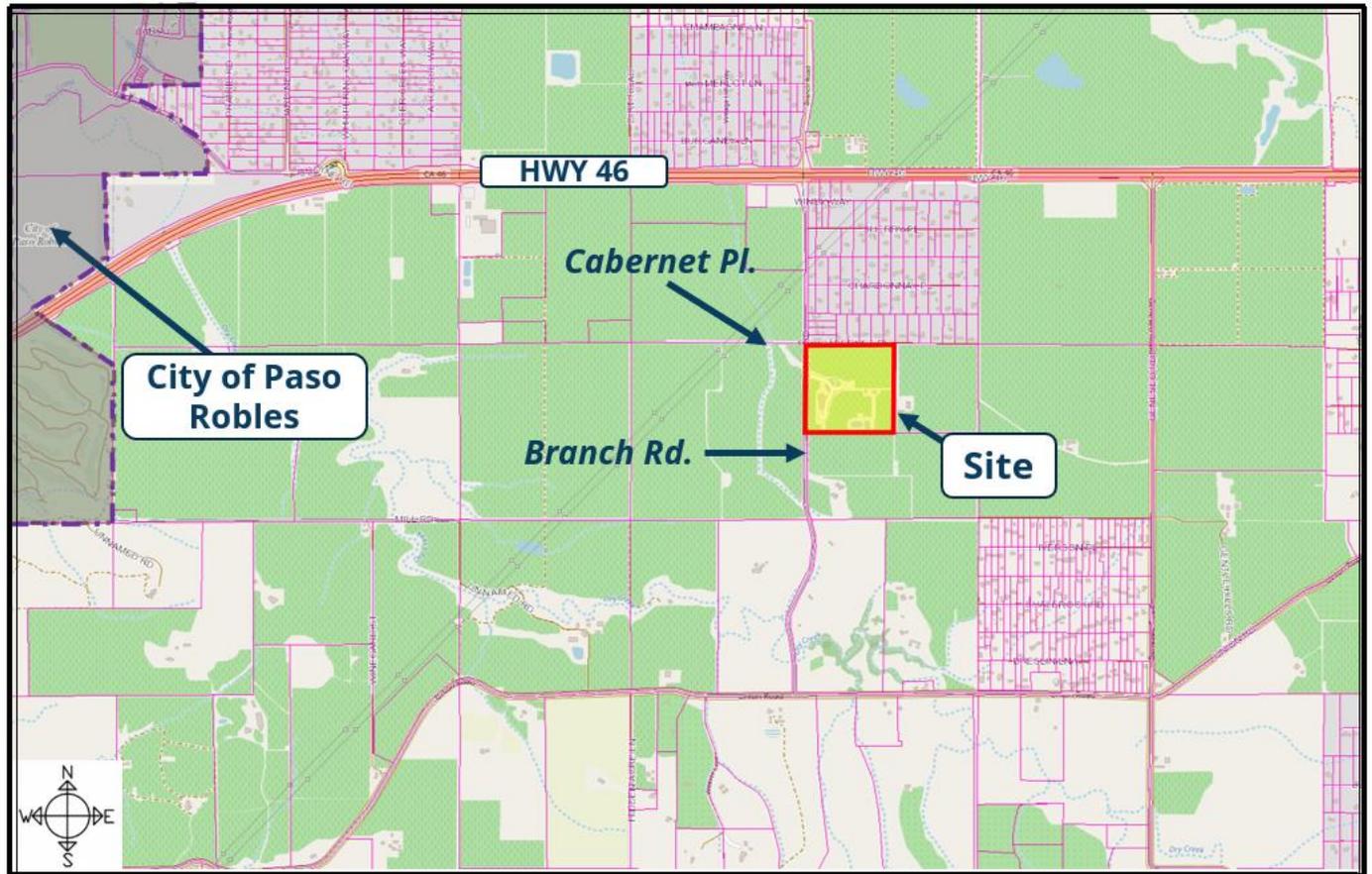
Surrounding Land Use Categories and Uses:

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

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

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Figure 1: Vicinity Map



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Figure 3: B&B Elevations



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C. Environmental Analysis

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

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I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

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

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

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

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

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

The approximately 40-acre subject property is within the County's Agricultural land use designation and has been an existing vineyard under the current ownership since 2000. The topography of the site is gently sloping with rolling hills. At the present, the parcel is developed with the winery production building, hospitality building, an agricultural storage building, an existing 1978 primary residence with detached garage currently used as a vacation rental (ZON2019-00599), a 1973 mobile home and two wastewater ponds. The property also contains approximately 29 acres of vineyards.

The project site is located in an area of existing vineyard development, surrounding the subject property to the west, south and east, with single family residential development located to the north. An existing drainage swale traverses the site just south of the location of the proposed Bed and Breakfast Inn, along the north side of the existing access driveway. The drainage swale will not be impacted by the proposed project. The site is primarily developed with the vineyard and winery facilities and does not include any oak woodland habitat.

The subject property is surrounded by parcels ranging in size from 30- to 120-acres, which are also in the Agricultural land use designation. The surrounding agricultural uses are primarily vineyards. The nearest off-

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site neighboring residences are located on adjacent parcels 873 feet to the north and 521 feet east of the project.

The proposed project visual and siting details are as follows:

- Proposed New Distillery, Tasting Room and Offices: The new distillery, tasting room and offices are proposed within the existing winery production building and the patio off of the proposed distillery tasting room is also existing. No change to the visual environment is expected;
- Proposed New Limited Food Serving Facility: The use areas associated with the proposed new limited food serving facility are located within the existing Hospitality Building and the existing patio seated areas off the tasting room therefore the existing views from Branch Road are not expected to change as a result of this development;
- Proposed New Bed and Breakfast Inn: This portion of the proposed project represents the only new structural development or development outside of an existing on-site structure. The proposed new Bed and Breakfast Inn facilities are sited in a previously disturbed area within the area of an existing mobile home that will be removed from the property. The development of the new Bed and Breakfast Inn will not result in the removal of any vineyards. The nearest off-site neighboring residences are located on adjacent parcels 873 feet to the north and 521 feet east of the project. The proposed Bed and Breakfast Inn facilities are located 377 feet from the existing hospitality building. There is a large oak tree located in the middle of the vineyard that would remain in place; however, the tree will be impacted by the new Bed and Breakfast Inn structures. As such, two new 15-gallon coast live oak trees are proposed to be planted on-site as part of the proposed landscape plan to mitigate the oak tree impacts.

The new Bed and Breakfast Inn units would be development with a low-profile and will be located towards the interior of the property, set back 856 feet from the western property line and Branch Road. The Bed and Breakfast structures would be developed in an agrarian/residential architectural style, consistent with the existing winery buildings on the property and the surrounding residential and agricultural structures on neighboring properties. The Bed and Breakfast structures and new parking area would not be visible from Branch Road, as they are situated within the established vineyard and screened by existing development, trees and proposed landscaping.

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. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project's potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

The project is not located within an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. The project would be located in the vicinity of Branch Road, the nearest public road; however, the proposed new distillery,

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tasting room, offices and food serving facilities would be located within existing buildings on the project site. The only new structure would be the proposed Bed and Breakfast Inn, which would be primarily shielded from views from Branch Road due to intervening topography, existing development and vegetation.

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

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

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.30.70.D.2.g(4)), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

The project is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. The project site is not located along or visible from a designated state scenic highway or eligible state scenic highway. The project will result in the new construction of the proposed Bed and Breakfast Inn; however, the remaining elements of the proposed project would be located within existing buildings on-site. Project consistency with the County's Inland Land Use Ordinance will ensure that impacts will be *less than significant*.

- (c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The proposed project is located in a rural; agricultural setting. The surrounding visual character consists of a mosaic of vineyards, wineries, and rural residences intermixed with natural grasslands, livestock grazing and oak woodland. Surrounding parcels consist of moderate to large agricultural and rural residential lots. The topography of the project site and surrounding area consists of gently to moderately sloping parcels set in rolling hills. The approximately 40-acre subject property is within the County's Agricultural land use designation and consists of an existing vineyard. The project site includes a drainage swale that would be avoided by the proposed project.

The site is currently developed with approximately 29-acres of vineyards. At the present, the parcel is developed with the winery production building, hospitality building, an agricultural storage building, an existing 1978 primary residence with detached garage currently used as a vacation rental, a 1973 mobile home and two wastewater ponds.

The proposed project new structural development is limited to the Bed and Breakfast Inn (the remaining project components would be located within existing on-site buildings), which would not be visible from Branch Road and will not silhouette against ridgelines. The project would be visually

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consistent with the type and extent of development in the surrounding area. No nearby roadways have been officially designed as scenic highways. Therefore, the project would not result in a noticeable change to public views of the area or result in the degradation of the existing visual character or quality of public views of the site and its surroundings, and impacts would be *less than significant*.

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

The proposed new structural development (i.e., the Bed and Breakfast Inn) would include wood siding and a metallic roof painted with a matte finish and would avoid reflection or glare. The project would generally be consistent with the level of existing development in the project vicinity. Outdoor lighting would include downward facing metallic sconces and overall development would not differ substantially from other proximate development or that could be viewed from public vantage points. The County Land Use Ordinance (LUO) Section 22.30.070.D.2.g.4. requires all lighting fixtures be shielded so that neither the lamp nor the related reflector interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed operated in a manner that would throw light, either reflected or directly, in an upward direction. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

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II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i></p>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

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

The project site is within the Agriculture land use category and is occupied by row crops (vineyard) and associated single family residence. The proposed project site is surrounded by a mix of winery facilities, vineyards/agricultural, rural ranches and single-family residential development. The primary use of the project site is agricultural processing in the form of winery production with a total area of 27,149 square feet. This will remain the primary use of the site upon project implementation.

The subject property includes existing vineyards and existing development which covers the majority of the project site. The proposed distillery production and tasting and limited food serving facility use areas are all proposed within existing buildings on-site. The new proposed Bed and Breakfast Inn structures are clustered within a single area in close proximity to one another, located on the portion of the parcel with no existing vineyard and in an existing residential developed area (existing manufactured home to be removed as part of the project).

The proposed project will not result in the removal of any vineyards. The primary groundwater use will remain for the existing irrigated vineyard on-site (+/-29 acres). The proposed project will result in a total water demand change of 0.34 AFY which will be offset through the County's Water Neutral Development Ordinance off-set requirements for a total offset of 0.49 AFY.

As mapped by the USDA Natural Resources Conservation Service (NRCS; Soil Conservation Service, 1977) the project site contains the soil type identified as the Nacimiento-Los Osos complex, 9 to 30% slopes. This soil is considered to have a very high stormwater runoff potential, with a land capability class of 4e (irrigated and non-irrigated). This soil type is defined as being well drained with slow permeability and commonly suited for rangeland use. The site does not support prime farmland and no Class I, II or III soils are located on the subject property.

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

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The subject property is not enrolled in the Williamson Act program.

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for

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management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

Discussion

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

The project site contains land classified as Unique Farmland pursuant to the FMMP, which stipulates that the project site soils are considered to be of lesser quality. In addition, the subject property does not contain any Class I, II or III soils, or soils classified as prime. The subject property includes existing vineyards and existing development which covers the majority of the project site. Please refer to the Buildout Summary table in the Project Description above for a detailed breakdown of the existing extent of agricultural use of the subject property.

The proposed distillery production and tasting and limited food serving facility use areas are all proposed within existing buildings on-site and would not result in the disturbance of on-site soils or current agricultural production. The new proposed Bed and Breakfast Inn structures are clustered within a single area in close proximity to one another, located on the portion of the parcel with no existing vineyard and in an existing residential developed area (existing manufactured home to be removed as part of the project). As such, the proposed project will not result in the removal of any vineyards and impacts are considered *less than significant*.

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

The project site is not located on property currently under a Williamson Act contract. As discussed above, the proposed project uses are compatible with the property's agriculture use. The project was referred to the Agricultural Department for review. Visitor uses appear to be incidental to onsite agricultural uses and the project has been designed in a manner to minimize potential impacts to offsite agricultural operations. (Ian Landreth, August 30, 2022). Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur*.

- (c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

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

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

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

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- (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?*

The project site contains land classified as Unique Farmland pursuant to the FMMP, which stipulates that the project site soils are considered to be of lesser quality. In addition, the subject property does not contain any Class I, II or III soils, or soils classified as prime. The proposed project would not result in the indirect conversion of existing farm or forestland to another use. Therefore, *less than significant impacts would occur.*

Conclusion

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

Mitigation

None necessary.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis

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Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), nitrogen dioxide (NO₂), sulfate, carbon monoxide (CO), sulfur dioxide (SO₂), visibility reducing particles, lead (Pb), hydrogen sulfide (H₂S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO₂, ozone, PM₁₀ and PM_{2.5}, and SO₂.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

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

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NO_x), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

The proposed project includes a total area of site disturbance of 0.83 acres (36,050 square feet) with 850 cubic yards (CY) cut and 300 CY fill for a net cut of 550 CY. No import or export of cut/fill material is proposed.

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

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

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Air Quality Monitoring

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

In the County of San Luis Obispo, ozone and fine particulates (particulate matter of 10 microns in diameter or smaller; PM₁₀) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

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

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

Sensitive Receptors

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

Rural residences occur on adjacent parcels to the south and east and single-family residences can be found north of the subject property. The nearest off-site neighboring residences are located on adjacent parcels 873 feet to the north and 521 feet east of the project.

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Discussion

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

The subject property includes existing vineyards and existing development which covers the majority of the project site. The proposed distillery production and tasting and limited food serving facility use areas are all proposed within existing buildings on-site. The new proposed Bed and Breakfast Inn structures are clustered within a single area in close proximity to one another, located on the portion of the parcel with no existing vineyard and in an existing residential developed area (existing manufactured home to be removed as part of the project) and would not result in a new or substantially different use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants upon implementation of the measures discussed below and would not conflict with or obstruct the implementation of the San Luis Obispo County Clean Air Plan or other applicable regional and local planning documents. Therefore, impacts would be *less than significant*.

(b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

The County is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_x) and fugitive dust emissions (PM₁₀).

Construction Impacts

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. The proposed project is not expected to generate construction emissions in excess of the quarterly thresholds approved by the APCD [Ozone Precursors (ROG + NO_x) = 137 lbs. /day or 2.5 tons for projects lasting up to one quarter; Diesel Particulate Matter (DPM) = 7 lbs. /day or 0.13 tons for projects lasting up to one quarter; Fugitive Particulate Matter (PM₁₀) = 2.5 tons for projects lasting up to one quarter]. However, the project has the potential to exceed the daily thresholds for construction emissions.

As proposed, the project includes a total area of site disturbance of 0.83 acres (36,050 square feet) with 850 cubic yards (CY) cut and 300 CY fill for a total combined volume of 1,150 CY of grading. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions.

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

Table 2. SLOAPCD Thresholds of Significance for Construction Activities

Pollutant	Threshold ⁽¹⁾		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons

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Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO _x)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM ₁₀), Dust ⁽²⁾		2.5 tons ⁽²⁾	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM₁₀ quarterly threshold.

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 2 lists the SLOAPCD’s screening emission rates that would be generated based on the amount of material to be moved. The APCD’s CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM₁₀ quarterly threshold listed above.

Table 3. Screening Emission Rates for Construction Activities

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

Based on estimated cut and fill estimates and the construction emission rates shown in Table 3, construction-related emissions that would result from the project were calculated and are shown in Table 4 below.

Table 4. Proposed Project Estimated Construction Emissions.

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Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Daily Threshold Exceeded?	Quarterly Threshold Exceeded?
		Daily	Quarterly (Tier 1)		
ROG + NO _x (combined)	1,150 c.y. x .0203 + 1,150 c.y. x .0935 = 130.87 lbs.	137 pounds	2.5 tons	No	No
Diesel Particulate Matter (DPM)	1,150 c.y. x .0049 = 5.635 lbs.	7 pounds	0.13 tons	No	No
Fugitive Particulate Matter (PM ₁₀)	0.83 acres x 0.75 = 0.6225 tons		2.5 tons	No	No

For projects involving construction and/or grading activities, the LUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The LUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The LUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

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

As shown above, the project would not exceed APCD's construction emissions thresholds for DPM, PM₁₀, and ROG + NO_x. However, the project's construction activities would result in daily short-term emissions from heavy equipment and motor vehicles, as well as fugitive dust (PM₁₀) emissions that could affect localized air quality within 1,000 feet of a sensitive receptor (i.e., nearby residences). As such, impacts related to construction emissions are considered *significant but mitigable*.

Operational Impacts

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

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

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

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

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

With respect to project operations, water and solids (e.g. mash, yeast) from distilleries could create objectionable odors. However, this use would be consistent with the winery use on the project site. Based on the project's location in a rural agricultural area with agricultural zoning, and the limited number of nearby receptors, the project would not create objectionable odors affecting a substantial number of people, and the impact would be *less than significant*.

Conclusion

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

Mitigation

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

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

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- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

- AQ-2.** The required mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:
- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
 - d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
 - e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
 - f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
 - g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
 - h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;

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- j. Electrify equipment when feasible;
- k. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- l. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Sensitive Resource Area Designations

The County of San Luis Obispo Land Use Ordinance (LUO) Sensitive Resource Area (SRA) combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection.

Federal and State Endangered Species Acts

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

Migratory Bird Treaty Act

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

Oak Woodland Ordinance

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

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separated from all Stands and Oak Woodlands by at least 500 feet. Minor Use Permit approval is required to remove any Heritage Oak.

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

Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria.

USACE jurisdiction regulates almost all work in, over, and under waters listed as “navigable waters of the U.S.” that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

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

Conservation and Open Space Element

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

The proposed project site is surrounded by a mix of winery facilities, vineyards and agricultural production, and rural ranch uses and is fully occupied by the existing vineyard and associated winery facility development. The project site has been in active vineyard cultivation going back to at least 20 years. The project site is occupied by an existing vineyard, winery and tasting room. This includes the winery production building, hospitality building, an agricultural storage building, an existing 1978 primary residence with detached garage, a 1973 mobile home and two wastewater ponds. The remainder of the project site (approximately 29 acres) consists of the existing vineyard. In addition to ornamental landscaping, the site includes several scattered oak trees within the vineyard rows and along the property perimeter. No oak trees will be disturbed by the proposed project. Tree removal is limited to one olive tree (part of the ornamental landscaping). A drainage channel is located on-site, along the north side of the access driveway, and will not be disturbed by the project implementation. Please refer to the setting discussion under Section II, Agriculture and Forestry Resources, for a detailed description of on-site soils.

Habitat Types and Plant Communities

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Developed / Ruderal

Developed / ruderal habitat is the primary community located on the subject parcel and is associated with the existing winery, agricultural processing and tasting room/hospitality facilities along with compacted roads and parking/storage areas lacking vegetation.

Vineyard

Approximately 29 acres of vineyard are located on the subject parcel, surrounding the developed winery facilities. This area is typical of vineyard operations in the region and includes a few oak trees that are scattered among the vineyard and along the property perimeter. This habitat designation also includes primary vineyard access roads and equipment areas.

Special Status Wildlife and Botanical Resources

Wildlife occurrences within urban/developed or agricultural areas would consist primarily of urban-adapted avian species such as house sparrow (*Passer domesticus*) and Eurasian collared dove (*Streptopelia decaocto*), and common animal species that are adapted to human presence such as raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), and striped skunk (*Mephitis mephitis*). A species list was prepared using the California Natural Diversity Database (including a full 9-quad query of the State and Federal rare, threatened, and endangered species list). The species listed include various birds, amphibians and flowering plants, including the San Joaquin kit fox (SJKF). With the exception of the SJKF, none of the activities involved in the project have the potential to affect species or critical habitat.

The special status plant species occurrences recorded in the CNDDDB are commonly associated with a specific soil type, native undisturbed habitat, moisture regime (e.g. wetland), and/or elevation range that dictates the range or microhabitat of the species. Additionally, the documented long-term cultivation and/or maintenance of the site significantly reduces the establishment of any native habitat to support the special status plant species recorded in the region.

San Joaquin Kit Fox

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

The project site falls within the agency established movement corridor linking the Camp Roberts subpopulation with the core population in the Carrizo Plains. The project site falls within the SJKF corridor between the Carrizo Plain and Camp Roberts. Most of the occurrences are on Camp Roberts where they have not been seen in many years. The Chandler Ranch observations south of Highway 46 is dated from the 1990's with no recent records of observations. There are 2014 observations of scat from a scent station study updating previous observations near Shandon.

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The California Department of Fish and Wildlife (CDFW) requires the completion of a SJKF habitat evaluation form to evaluate potential impacts on the SJKF resulting from discretionary projects. Typically, evaluation scores above 50 require compensatory mitigation for the loss of habitat resulting from project implementation with scores in the 70's equating to a 3:1 ratio. The Study Area is within a 3:1 mitigation ratio area designated by the San Luis Obispo County's map of Standard San Joaquin Kit Fox Mitigation Ratios. The proposed project includes a total of 0.83-acres of disturbance. No direct take (i.e. mortality, destruction of active dens, etc.) is allowed under the habitat mitigation fee program.

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

The project site includes a drainage ditch along the northern side of the access driveway, as well as two wastewater ponds and an ornamental pond at the tasting room. Based on the project site plans, no development is proposed that would impact the drainages or ponds. As such, there are no Section 404/401 permits required from the Army Corps of Engineers (Corps) or Regional Water Quality Control Board (RWQCB), and there is no Section 1600 Streambed Alteration Agreement (SAA) required from the CDFW.

Discussion

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

The proposed project would result in temporary and permanent impacts to approximately 0.83 acres of highly disturbed ruderal land in the location of the proposed Bed and Breakfast Inn building. The remainder of the project construction would be limited to improvements to existing buildings. The proposed disturbance areas do not support any native plant communities and provides minimal habitat for locally common wildlife accustomed to agricultural or mowed/disked grasslands. No impacts to the scattered oaks are proposed, and retention of the trees would continue to provide nesting, foraging, and roosting habitat for resident and migratory birds as well as other common wildlife species. Tree removal is limited to one landscaped olive tree. However, the applicant is proposing to include the planting of 2 new oak trees to replace the removed olive tree.

No special-status plant or wildlife species are expected to occur on the project site as there is no suitable habitat for any of these species.

However, the project is within the SJKF movement corridor between the Carrizo Plain core population and the Camp Roberts subpopulation. While there are abundant open lands through the area, the project could incrementally block or degrade potential SJKF movement through this corridor. The proposed project would permanently develop approximately 0.83 acres for the proposed Bed and Breakfast Inn site subject to County mitigation requirements. The remainder of the project site would still allow unobstructed movement for SJKF through the area. Per the County guidelines, this loss of 0.83 acres of habitat movement opportunity for the SJKF is considered a *potentially significant but mitigable impact* requiring a contribution to the long-term conservation of the movement corridor through the region as typical mitigation.

Vegetation removal (clearing and grubbing) during the nesting season for birds could result in the destruction of active bird's nests, including ground-nesting birds. Even unintended destruction of active nests is prohibited by the Fish and Game Code of California Sections 3503 and 3503.1 (raptors specifically). As such, this is considered a potentially significant impact requiring mitigation to avoid

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take or destruction of active nests in order to reduce this potentially significant impact to a less than significant level.

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

- (b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

No riparian vegetation or other sensitive natural communities within or immediately adjacent to the proposed areas of disturbance are located on-site. Therefore, the project would not result in impacts to riparian habitat or other sensitive natural communities and *less than significant impacts would occur*.

- (c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

There are no wetland habitats onsite. Therefore, it is not expected that the project would have any substantial adverse effect on state or federally protected wetlands.

- (d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The CNDDDB includes occurrences for wide ranging resident and migratory bird species known from the region of the project site. The wide ranging locally nomadic and migrant raptors listed in the CNDDDB have the potential to use the site for occasional foraging habitat. This includes the golden eagle, ferruginous hawk (winter migrant), Swainson's hawk (breeding migrant), and prairie falcon. The project site supports potential limited foraging and/or nesting opportunities for these wide-ranging species, as well as other more common raptors such as red-tailed hawk, red-shouldered hawk, barn owl, and great-horned owl. Vegetation removal (clearing and grubbing) during the nesting season for birds could result in the destruction of active bird's nests, including ground-nesting birds. Even unintended destruction of active nests is prohibited by the Fish and Game Code of California Sections 3503 and 3503.1 (raptors specifically). As such, this is considered a *significant but mitigable* impact.

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

The project would not adversely affect sensitive habitats or resources identified in the COSE or native tree species protected under the County Oak Woodland Ordinance. However, the project is within the SJKF movement corridor between the Carrizo Plain core population and the Camp Roberts subpopulation. While there are abundant open lands through the area, the project could incrementally block or degrade potential SJKF movement through this corridor. The proposed project would permanently develop approximately 0.83 acres for the proposed Bed and Breakfast Inn site subject to County mitigation requirements. The remainder of the site would still allow unobstructed movement for SJKF through the area. Per the County guidelines, this loss of 0.83 acres of habitat movement opportunity for the SJKF is considered a potentially significant impact requiring a contribution to the long-term conservation of the movement corridor through the region as typical

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mitigation. As discussed under Item (a), above, impacts related to SJKF are considered *significant but mitigable*.

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

- (f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

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

Conclusion

Upon implementation of mitigation measures BR-1 through BR-3, impacts to biological resources would be less than significant.

Mitigation

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

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

BIO-2. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo that states that one or a combination of the following three San Joaquin kit fox compensatory mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.66 acres (0.22 acres of development multiplied by 3 as a result of an applied 3:1 mitigation ratio) of suitable habitat in the kit fox corridor area (e.g. either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife and the County. This mitigation alternative (a.) requires that all aspects of this program must be in place before County-permit issuance or initiation of any ground disturbing activities.

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- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy,” would total: \$6,225 (0.83 x 3 x \$2,500). This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; actual cost may increase depending on the timing of payment. This fee must be paid after the CDFW provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.
- c. Purchase credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, would total: \$6,225 (0.83 x 3 x \$2,500).

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

BIO-3. To avoid direct take of SJKF during construction in accordance with the San Luis Obispo County Guide to SJKF Mitigation Procedures Under CEQA, the project owner shall adopt the Standard Kit Fox CEQA Mitigation Measures and shall be included on development plans. The following measures shall be implemented:

- a. A maximum 25 mph speed limit shall be required at the project site during construction activities.
- b. All construction activities shall cease at dusk and not start before dawn.
- c. A qualified biologist shall be on-site immediately prior to initiation of project activities to inspect for any large burrows (e.g., known and potential dens) and to ensure no wildlife are injured during project activities. If dens are encountered, they should be avoided as discussed below.
- d. Exclusion zone boundaries shall be established around all known and potential kit fox dens.
- e. All excavations deeper than 2 feet shall be completely covered at the end of each working day.

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- f. All pipes, culverts, or similar structures shall be inspected for SJKF and other wildlife before burying, capping, or moving.
- g. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day.
- h. All food-related trash shall be removed from the site at the end of each workday.
- i. Project-related equipment shall be prohibited outside of designated work areas and access routes.
- j. No firearms shall be allowed in the project area.
- k. Disturbance to burrows shall be avoided to the greatest extent feasible.
- l. No rodenticides or herbicides should be applied in the project area.
- m. Permanent fences shall allow for SJKF passage through or underneath (i.e., an approximate 4-inch passage gap shall remain at ground level).
- n. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- o. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County.
- p. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.

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V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

As defined by CEQA, a historical resource includes:

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

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

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

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

The subject property is situated east of the town of Paso Robles on a series of gently southwest-northeast and north-south facing slopes. The project is not located in the vicinity of any natural water features (creek, wetland, river, etc.) with the exception of the drainage feature north of the access driveway (which will be avoided by the project earth disturbance activities). The project area is within an agricultural environment, with roads, infrastructure, vineyards, and development defining all margins of the study area boundaries.

The project site does not exhibit qualities typically associated with archaeological resources in the vicinity; including (but not limited to) features such as water resources (creeks, rivers, wetlands, etc.), tool making resources (e.g., rock outcrops), travel corridors (e.g., ridgelines), hunting and gathering resources (e.g., oak woodlands, vantage points for observing game), or proximity to known archaeological sites. In addition, the project site potential for cultural resource impacts were analyzed under previous CEQA determinations prepared for the project site (Minor Use Permit D000490P, Conditional Use Permit DRC2005-00180). The previous project analysis did not identify significant cultural resource issues for the site and previous archaeological studies in the vicinity found no evidence of archaeological material in the same environmental context as the subject property. Furthermore, the proposed project earth disturbance is limited to the Bed and Breakfast Inn, which would be located primarily within the footprint of an existing agricultural shed and storage area, and an existing agricultural road within disturbed soils. As such, the potential for intact archaeological deposits existing on the property is considered to be low and preparation of an archaeological surface survey (Phase I Survey) would not be required.

Many important cultural resources, such as Tribal Cultural Resources, do not necessarily leave an archaeological footprint or have physically identifiable manifestations. It is therefore vital to seek out the possibility of these important resources and their locations through consultation with Salinan and Chumash tribal members. Under the authority of AB 52, the County has contacted the Native American Heritage Commission (NAHC) to obtain a list of regional tribal representatives. The County sent out invitations to consult on the proposed project to the identified tribal representatives on August 4, 2022. As a result of the required tribal consultation invitations, a request for a Phase I Archeological Survey was requested. A Phase I Survey was completed November 2022. The records search did not identify any previously recorded cultural resources with the project site or within a 0.25-mile radius search. No cultural resources were identified within the Project site during the pedestrian survey. Proposed project impacts will not affect cultural resources and no further archeological study or monitoring is required.

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

Discussion

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

The project site does not contain any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project

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would not result in an adverse change in the significance of a historical resources and *no impacts would occur*.

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

The project site does not exhibit qualities typically associated with archaeological resources in the vicinity and is not located in proximity to known archaeological sites. In addition, the project site potential for cultural resource impacts were analyzed under previous CEQA determinations prepared for the project site (Minor Use Permit D000490P, Conditional Use Permit DRC2005-00180) which did not identify significant cultural resource issues for the site and previous archaeological studies in the vicinity found no evidence of archaeological material in the same environmental context as the subject property. A Phase I Archeological was completed on the project site. No significant cultural resources were found (Padres Associates, Inc. Nov. 2022).

Furthermore, the proposed project earth disturbance is limited to the Bed and Breakfast Inn, which would be located primarily within the footprint of an existing agricultural shed and storage area, and an existing agricultural road within disturbed soils. As such, the potential for intact archaeological deposits existing on the property is considered to be low and further archaeological studies would not be required.

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

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

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

Conclusion

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

Mitigation

None necessary.

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VI. ENERGY

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

Setting

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

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

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

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

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

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renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

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?*

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

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

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

Conclusion

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

Mitigation

None necessary.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Setting

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

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

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

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

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

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

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. As discussed above under Section II, Agriculture and Forestry Resources, project site contains the soil type identified as the Nacimiento-Los Osos complex, 9 to 30% slopes. This soil is considered to have a very high stormwater runoff potential. This soil exhibits moderate erodibility and moderate shrink-swell characteristics.

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

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

In the county, the Coastal Franciscan domain generally lies along the mountains and hills associated with the Santa Lucia Range. Fossils recorded from the Coastal Franciscan formation include trace fossils (preserved tracks or other signs of the behaviors of animals), mollusks, and marine reptiles. Non-marine or continental deposits are more likely to contain vertebrate fossil sites. Occasionally vertebrate marine fossils such as whale, porpoise, seal, or sea lion can be found in marine rock units such as the Miocene Monterey Formation and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California. Vertebrate fossils of continental material are usually rare, sporadic, and localized.

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

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significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources.

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

Discussion

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

(a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

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

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

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

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

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

(a-iv) *Landslides?*

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

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

The project is expected to disturb approximately 0.83 acres on an approximately 40-acre site and does not include substantial vegetation removal. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant*.

(c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

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

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

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

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

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

The existing winery is enrolled in the Regional Water Quality Control Board (RWQCB) Winery Waste Discharge Program. The process wastewater system will not be required to be modified as there is not increase proposed to annual case production. The domestic wastewater system will be required to be reviewed during the building permit process to determine if it is sized appropriately to accommodate the additional units.

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The proposed project includes use of the existing facility septic system. No expansion is proposed. The wastewater system will be required to be reviewed during the building permit process to determine it is sized appropriately to accommodate the additional buildings. Prior to building permit issuance, the standard septic systems will be evaluated in greater detail to ensure compliance with the Central Coast Basin and will not be approved if Basin Plan criteria cannot be met.

Based on compliance with existing regulations and requirements, potential wastewater impacts would be *less than significant*, and no mitigation measures are required.

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

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

Conclusion

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

Mitigation

Not necessary.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted

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into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

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

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bright Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO₂/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

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

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. This initial Scoping Plan contained the main strategies to be implemented in order to achieve the target emission levels identified in AB 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

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

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

- Encourage new development to exceed minimum Cal Green requirements;

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

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

Discussion

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

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

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

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

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion,

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

Conclusion

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

Mitigation

None necessary.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County

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Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The project is located within a high fire hazard severity zone, and, based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

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

Discussion

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

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

- (b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, potential impacts would be *less than significant*.

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

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

- (d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

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

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- (e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip. The property is located outside the Paso Robles Municipal Airport mapped flight paths, noise contours, and safety areas and is not located within the Airport Land Use Area. As such, impacts are considered to be *less than significant*.

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

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

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

Based on the County Safety Element, the project is not located within a high fire hazard severity zone and is listed as having a response time of less than 5 minutes. The project will be conditioned to implement building and site improvements in accordance with the Fire Code, including, but not limited to implementation of a fire safety plan. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

Conclusion

The construction and use of the proposed project will not require the use or generation of any hazardous materials. Additionally, the project is not located on a site known to contain, use, or generate any hazardous materials. The project is outside of the Paso Robles Municipal Airport Review Area and it is unlikely that the project result in any safety hazard or excessive noise exposure. The project is not expected to interfere with any adopted emergency response or evacuation plan. The project is not located within a High Fire Hazard Severity Zone. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

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

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

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

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

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

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

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The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. The project site includes two wastewater ponds and a pond adjacent to the hospitality building, as well as a drainage feature along the north side of the access driveway.

There is one existing well serving the winery facilities and agricultural operations on the subject property located east of the existing winery facility and residence, which will continue to serve the existing and proposed facilities. The subject parcel is located in the Paso Robles Ground Water Basin (PRGWB) within the Area of Severe Decline and is subject to the County's Water Neutral Development Ordinance off-set requirements.

In order to determine the project water demand and to provide an analysis of water use offsets, a study was prepared by the Wallace Group, Inc. (August 12, 2021). As discussed in the water analysis, Total case production capacity will not exceed the original Minor Use Permit approval (50,000 cases per year), therefore it is not expected that water use will increase as a result of wine and spirits making. The winery also has an existing Special Events Program consisting of 7 events with up to 100 attendees, 10 events with up to 150 attendees and 3 events with up to 200 attendees in addition to Wine Industry Weekends and other marketing activities (under 50 attendees each). No changes are proposed to the existing Special Events Program.

According to the water analysis, the project will result in an additional 0.34 acre feet of water use per year (AFY). New water demands includes those produced primarily by the proposed Bed and Breakfast Inn, additional employees and landscaping. An anticipated total water offset of 0.49 acre feet a year is required

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for the project which takes into account the Bed and Breakfast Inn (non-ag processing use). This use is subject to a 2:1 offset and the new landscaping will require a 1:1 offset per LUO 22.94.025 - Paso Robles Groundwater Basin.

The project anticipates 6 new full-time employees and 3 new part-time employees, for a total increase of 8 full-time employee equivalents. Since the total case production capacity will not exceed the original Minor Use Permit approval, the anticipated water use will not increase as a result of wine and spirits making. The proposed limited food serving facility will not increase the water demand because it will serve existing tasting room patrons. Additionally, there is ‘built-in offset’ which comes from the recharge provided by the septic system flows. Septic system flows are assumed to be equal to 80% of the new water demand from the Bed & Breakfast Inn facilities (0.50 AFY) and the new water demand from the increase in employees (0.10 AFY).

The proposed project includes the following water conservation measures:

- Low-flush fixtures, showers;
- Use of permeable decomposed granite (DG) paving, walkways and landscaping to prevent storm water runoff; and
- Landscape irrigation will comply with State and County Water Efficiency Landscape Ordinance and all landscape planting will be drought tolerant.

The tables below shows the new non-agricultural water demand for the proposed project (i.e., Bed and Breakfast Inn) and the new agricultural water demand (landscape) estimated for the project.

Table 5. New Non-Ag Water Demand

Bed and Breakfast Inn					
Facility Description	Units	Occupants per Unit	Gallons of Water per Occupant (gal/day/occ)	Average Number of Days Occupied Annually (days)	Annual Water Use (AFY)
B&B's	8	2	40	256	0.50
Innkeeper	1	2	60	365	0.13
Percentage of flow discharged to leachfield and recharged					80%
Total B&B/Innkeeper demand (not including flow to leachfield)					0.13
Facility Conversions - Increased Employee Demand					
Employee Type	Quantity	Gallons of Water per day Per Employee (gal/day/emp)		Number of Working Days Annually	Annual Water Use (AFY)
Full time	8	2		261	0.12
Percentage of employee flow discharged to leachfield and recharged					80%
Total net employee demand (not including flow to leachfield)					0.02
Total New Non-ag Demand				0.15	AFY

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	Required Offset	2:1	
	Required Offset Volume	0.30	AFY

Table 6. New Ag Water Demand

Landscape					
Plant Description	Area (SF)	Irrigation rate (gal/sf/day)	Irrigation Days Per Year (days)	Gallons of water per year (gal)	Annual Water Use (AFY)
Water Wise Planting	3486	0.089	200	61752	0.19
				Total New Ag Demand	0.19 AFY
				Required Offset	1:1
				Required Offset Volume	0.19 AFY
				Total Proposed Project Offset Volume	0.49 AFY

As shown above, the project will be required to offset the increased water demand of 0.49 AFY. . Based on the requirements of LUO 22.94.025, the project water offset can be accomplished through options including (but not limited to) removing irrigated ornamental landscape, implementing water management practices, implementing winery process water and wastewater management practices, implementation of the applicant-proposed measures discussed above, and payment of in-lieu fees prior to construction permit issuance.

Discussion

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

The proposed project includes a total of 0.83 acres of disturbance, and a total of 850 CY of cut and 300 CY of fill. The project site supports highly erodible soils, but on-site slopes are gentle to moderate. The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use. Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Adherence to the County’s LUO for sedimentation and erosion control (Sec. 22.52.120) will adequately address these impacts. Additionally, disturbed areas will be permanently stabilized with impermeable surfaces and landscaping and stockpiles will be properly managed during construction to avoid material loss due to erosion.

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

The project is subject to the County’s Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the “Water Quality Control Plan, Central Coast Basin” for its domestic

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wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant.

The proposed project improvements are not expected to impact the drainage that runs along the north side of the project site access driveway.

There are no Section 404/401 permits required from the Army Corps of Engineers (Corps) or Regional Water Quality Control Board (RWQCB), and there is no Section 1600 Streambed Alteration Agreement (SAA) required from the CDFW.

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

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

The net water demand for the project is expected to be 0.34 AFY. The project is located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA). The existing water source at the project consist of one well. As part of the Paso Robles Groundwater Basin requirements, the well will include a water meter and monthly inspections will be conducted with records kept by the owner. The project proposes the utilization of the existing septic system and leach fields to support the project implementation.

No increase to the existing wine production is proposed as part of the project.

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. It is not anticipated that the project would deplete groundwater supplies, or interfere substantially with groundwater recharge upon implementation of the required water use off-sets per LUO 22.94.025 (i.e., 0.49 AFY offset); therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant*.

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

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

The project will result in approximately 0.83 acres of site disturbance, including a total cut volume of 850 cubic yards and a total fill volume of 300 cubic yards. A sedimentation and erosion control plan is required to minimize the potential for soil erosion, which would be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120 to minimize potential impacts related to erosion, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation.

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to

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capture and treat runoff before it leaves the site. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant*.

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

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

The project includes ground disturbance of less than 1.0 acre and will not be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP. However, projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County LUO. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant*.

- (c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

The project includes ground disturbance of less than 1.0 acre and will not be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP. However, projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County LUO. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in exceedance of the capacity of existing or planned drainage systems or provide substantial additional sources of polluted runoff would be *less than significant*.

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

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

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

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

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

As discussed above, the proposed project site is in the Paso Robles Groundwater Basin and subject to the County's water off-set ordinances. Therefore, impacts relating to implementation of a water

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quality control plan or sustainable groundwater management plan are considered *less than significant*.

Conclusion

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

Mitigation

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

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

The inland LUE also contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation,

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public facilities, services, and resources that apply “areawide”, in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County’s unincorporated inland urban and village areas. The project is located within the North County Planning Area and El Pomar/Estrella Sub Area.

The proposed project is located in an area designated Agricultural by the County of San Luis Obispo. The project site is surrounded by large agricultural parcels and rural residences. Surrounding uses are identified on Page 2 of this Initial Study and the proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, Environmental Health, Public Works, Agricultural Department, and Native American Tribes etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

In addition, the project was determined to be consistent with the Agricultural Element, including policies AGP6 (Visitor Serving and Retail Commercial Use and Facilities), AGP11 (Agricultural Water Supplies) and County Land Use Ordinance Section 22.30.070(D) which includes requirements for winery uses. The applicant’s proposal also includes a request to allow a second tasting room for the proposed distillery tasting and a modification to the 200-foot setback requirement for wineries with tasting, a modification to allow the limited food serving facility to be greater than 800 square feet and a modification to allow the Bed and Breakfast Inn greater than 100 feet from the existing tasting room and to allow detached units. The proposed modifications are discussed in detail above under the Project Description.

Discussion

(a) *Physically divide an established community?*

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

(b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The proposed project includes a request to modify Sections 22.30.070(H)(3) and 22.30.070(D)(2)(d)(1) in order to allow a second tasting room for the proposed distillery tasting and a modification to the 200-foot setback requirement for wineries with tasting. Section 22.30.020.d of the LUO contains a provision that allows modification to the special use standards set forth in Article 4 of Title 22. This provision allows a standard to be waived if it can be proven to be unnecessary or ineffective and the project meets all other development standards contained in the LUO. In order for a setback modification to be approved, the request must satisfy any of the following findings: (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); (2) the property fronts an arterial or collector street; (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be

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clearly demonstrated that the structure was intended for a legitimate agricultural or residential use. The required findings of approval for the property line setback modification includes the following:

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);
 - The parcel is constrained by established vineyards, mapped drainages, and developed with existing winery facilities. The project was designed to minimize impacts to agricultural lands by converting existing use areas within the winery production building to keep production and visitor serving tasting uses clustered based on operational necessities and common facilities shared with the hospitality building.
2. The property fronts an arterial or collector street;
 - The property fronts Branch Road, a collector road, from which the established winery is accessed. The winery production building in which the distillery tasting is proposed is 164 feet from the western property line, parallel to Branch Road.

The application also includes a request for a modification to the size of the limited food serving facility to allow the total square footage of the kitchen area, indoor seating area, and proposed outdoor seating area to be utilized for the limited food serving facility. The proposed limited food facility in total will utilize 1,647 square feet of existing use areas: 489 square-foot commercial kitchen and storage, 384 square feet for indoor seating, and 774 square feet for outdoor seating. The modification to the floor area limitation is allowed through approval of a Conditional Use Permit. The modification is requested because the use will occur within the existing tasting room use areas that are currently used for the winery's food and wine pairing program and utilize existing interior and exterior seating areas for containment of this use to a contiguous area.

The project also includes a request to allow the Bed and Breakfast Inn to be located 377 feet from the existing wine tasting room. A Bed and Breakfast Inn can be located farther than 100 feet from the existing conforming visitor serving use when the Review Authority can make the following findings:

1. The site of the proposed use does not contain Class I, II or III soils; and
 - The property does not contain prime farmland and does not contain any Class I, II or III soils. Soils on-site are Class IV, irrigated and non-irrigated.
2. On-site access, visual concerns and grading or other environmental issues can be better addressed through a larger distance
 - The property is constrained by existing vineyards and existing development which covers the majority of the project site. Siting the Bed and Breakfast Inn greater than 100 feet from the existing tasting room allows the structures to be located in a previously disturbed area and avoids impacts to the existing vineyards. The Bed and Breakfast Inn units are located behind the existing structures, vineyards, trees and proposed landscaping on-site, avoiding potential visual concerns from Branch Road.

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The project also includes a modification request to allow the Bed and Breakfast Inn to be composed of 9 detached, modular structures instead of a single structure. The proposed structures are clustered within a single area in close proximity to one another. The eight proposed guest units are connected by a boardwalk and arranged side-by-side as a cohesive unit. Due to the modular nature of the structures, the Bed and Breakfast units could be easily removed in the event that the use is no longer needed and the innkeeper unit could remain as it complies with the Accessory Dwelling Unit (ADU's) standards.

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

Conclusion

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

Mitigation

None necessary.

XII. MINERAL RESOURCES

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

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Setting

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

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

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

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

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

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Discussion

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

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

- (b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

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

Conclusion

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

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Mitigation

None necessary.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

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

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- Public assembly and entertainment
- Libraries and museums
- Hotels and motels
- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

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

The proposed project includes a distillery use with a dedicated tasting room for the distillery and office space within the existing winery production building, construction of an 8- unit, detached, modular Bed and Breakfast Inn with an additional caretaker’s unit, and conversion of a portion of the existing hospitality building into a limited food serving facility to serve the tasting room and Bed and Breakfast Inn guests. The project anticipates 6 new full-time employees and 3 new part-time employees, for a total increase of 8 full-time employee equivalents.

In addition, the proposed project does not include any changes to the existing approved dedicated special event program.

As discussed above under Section III, Air Quality, rural residences occur on adjacent parcels to the south and east and single-family residences can be found north of the subject property. The nearest off-site neighboring residences are located on adjacent parcels 873 feet to the north and 521 feet east of the subject property.

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

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

Discussion

- (a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

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

Table 7. 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

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Maximum level, dB	70	65
<p>(1) When the receiving noise-sensitive land use is outdoor sports and recreation, the noise level standards are increased by 10 db.</p> <p>(2) Applies only to uses that operate or are occupied during nighttime hours</p>		

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

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

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

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

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

(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is located outside of the Paso Robles Municipal Airport Land Use Plan Noise Contours as mapped in the Airport Land Use Plan. The project does not include residential use or the development of human habitation and would not expose people living or working in the project area to excessive noise levels; therefore, *no impact would occur*.

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a

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result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XIV. POPULATION AND HOUSING

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

Setting

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

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

Section 22.12.080.B.2.e. does not require Inclusionary Housing fees if the commercial structures cumulatively do not exceed 5,000 square feet. New structural development under the proposed project would be limited to the Bed and Breakfast Inn, which would consist of 3,700 square feet of interior use, and 1,154 square feet of exterior use space, for a total of 4,854 square feet. As such, inclusionary Housing fees will not be required.

As discussed above under Section III, Air Quality, rural residences occur on adjacent parcels to the south and east and single-family residences can be found north of the subject property. The nearest off-site

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neighboring residences are located on adjacent parcels 873 feet to the north and 521 feet east of the subject property.

Discussion

- (a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

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

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

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

Conclusion

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

Mitigation

None necessary.

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:				

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

Setting

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

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff’s Office. The Sheriff’s Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The proposed project area is served by County Sheriff and the nearest station is the North Station in Templeton, 356 North Main Street in the Community of Templeton, located approximately 9.8 vehicular miles south of the project site.

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

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

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). The

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

In addition, the proposed project was reviewed by CalFire for fire safety. In their response (October 4, 2021) CalFire provided a list of requirements for project implementation. Please see the attached CalFire letter for a list of project conditions. With the incorporation of the CalFire requirements, impacts would be *less than significant*.

Police protection?

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

Schools?

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

Parks?

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

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Other public facilities?

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

Conclusion

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

Mitigation

None necessary.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

Discussion

- (a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project proposes a distillery use with a dedicated tasting room for the distillery and office space within the existing winery production building, construction of an 8- unit, detached, modular Bed and Breakfast Inn with caretaker's unit, and conversion of a portion of the existing hospitality building into a limited food serving facility to serve the tasting room and Bed and Breakfast Inn guests. The project anticipates 6 new full-time employees and 3 new part-time employees, for a total increase of 8 full-time employee equivalents. Workers would likely be sourced from the local labor pool and would not result in increased demand on existing or planned recreational facilities in the county. The project is not proposed in a location that would affect any existing trail, park, recreational facility, coastal access, and/or natural area. The project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional parks or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant*.

- (b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The proposed project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *less than significant impacts would occur*.

Conclusion

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

Mitigation

None necessary.

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XVII. TRANSPORTATION

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

Setting

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

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

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

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

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

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

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

In order to determine the project transportation and traffic impacts, a trip generation study and roadway safety audit (RSA) was prepared for the proposed project (Oroz Engineering Group, Inc., August 11, 2021). As discussed in the project transportation analysis, the audit determined the project is expected to generate no additional general public weekday PM peak hour trips and a total of four (4) peak hour trips. The project does not include any changes to the existing special events program so no additional special event traffic is expected.

Discussion

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

The County released draft guidelines in 2021 for evaluating transportation impacts using VMT consistent with recently mandated changes to CEQA. Small projects consistent with the General Plan and generating fewer than 110 daily trips are presumed to have a less-than-significant impact.

The County of San Luis Obispo Public Works Department reviews discretionary projects that will generate public traffic based on an adopted policy by the Board of Supervisors (Resolution 2008-152). The Road Safety Analysis (RSA) was prepared in accordance with this policy. The County RSA policy requires an RSA to include a safety analysis and roadway improvements for projects with 10 or fewer typical general public peak hour trips or less than 100 special event trips.

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Trip Generation

As discussed in the project transportation analysis, the bed & breakfast trip generation was estimated using the 10th edition of the Institute of Transportation Engineers (ITE) Trip Generation Reference. Land Use Code 312, Business Hotel, was a best fit description for the proposed project. A business hotel is like a hotel (Land Use 310) in that it provides sleeping accommodations, but also provides breakfast food bar and afternoon beverages. The caretaker unit for the bed & breakfast was assumed to conservatively generate the same traffic as one of the rental units.

The change in the winery production area (break room) to distillery tasting room trip generation was developed using County approved winery trip generation rates. The conversion of winery production area (barrel room) to distillery production area; winery barrel room area to office uses would not result in a change of trip generation.

The project trip generation is summarized in Table 8 below. As seen in this table, the project is expected to generate a total of four trips during the PM peak hour with no general public trips and no special event trips. Trip generation is expected to result in *less than significant impacts*.

**Table 8. Bianchi Winery Bed & Breakfast / Distillery Tasting Room
Project Trip Generation Summary**

	Size	Peak Hour Trip Rate	Peak Hour Trips	Public Tasting Trips
Winery Uses				
Production/Storage/Offices	-0.295 KSF	0.57 PHT/1,000 SF	0	
Tasting Room Uses				
Distillery Tasting Room	0.295 KSF	0.76 PHT/1,000 SF		0
Bed & Breakfast				
	9 units	0.45 PHT/unit	4	
Project Total				
	Public Tasting Peak Hour Trips			0
	Other Peak Hour Trips		0	
	Special Event Peak Hour Trips		0	

Roadway Safety Audit (RSA)

The County of San Luis Obispo policy 2008-152 defines the information required to complete a RSA based on the number of peak hour trips developed by a project. The proposed project will result in no peak hour special event trips and no (0) general public weekday PM peak hour trips. The County RSA policy notes that for projects with less than 10 typical general public peak hour trips or less than 100 special event trips, the RSA requirements include:

Safety Analysis

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Standard: Evaluate the collision rate for the primary access roadways within one-half (0.5) mile of the primary site entrance. Identify improvements to reduce the potential for the collision patterns that are identified.

Analysis: The California Highway Patrol (CHP) has indicated that there have been no collisions within the vicinity (0.5 mile each way of the site access) over the past three years. The collision history by year associated with the 1.0-mile segment near the project access locations are summarized in Table 9 below.

Table 9. Crash History – 3380 Branch Road, Paso Robles Area

		Total Segment Crashes	Crashes at Primary Access
2018	12 Months	0	0
2019	12 Months	0	0
2020	12 Months	0	0

Based on the data provided by the CHP, no significant traffic safety issues or significant patterns were identified at the project access driveway or RSA Study Segment. No improvements are recommended or required.

Roadway Improvements

Standard: Evaluate and identify roadway improvements for a distance of 0.25 miles from the entrance toward the nearest intersection, if project has less than 10 general public peak hour trips or less than 100 special event trips.

Analysis: As the project is expected to generate no special event peak hour trips and no (0) General Public weekday PM PHT with the proposed project, roadway improvements should only be identified by the RSA policy. The RSA does require that the analysis be conducted to identify any improvements that may be needed to meet the roadway standard.

The latest traffic counts provided by the County show this portion of Branch Road1 carry an average of 666 ADT with 73 PM peak hour trips. Friday is the peak day with 776 ADT.

This portion of Branch Road has 20-21 feet of pavement with one travel lane in each direction separated by a double yellow painted stripe. Graded shoulders exist on either side of the roadway. County Standard A-1c would be the most appropriate road section (400-1,000 ADT rural roadway) with 11-foot travel lanes and six-foot graded shoulders.

Based on the existing roadway geometry of Branch Road within the 0.25 miles of the primary project access, and no crash history, improvements to Branch Road to the north toward State Route 46 East are not required.

No improvements would be required to be constructed by the project as no improvements are required based on the RSA policy and that no safety problem has been identified. As such, impacts are considered *less than significant*.

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

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

As shown above, the project would generate significantly less than the 27,610 annual trip threshold. Therefore, the impacts related to VMT are considered *less than significant*, and no mitigations are required or recommended.

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

As discussed in detail under item (a) above, a Roadway Safety Audit was conducted for Branch Road in the vicinity of the project site per County Resolution 2008-152. Based on the criteria outlined in the RSA requirements, the project is not expected to create a need for roadway improvements. Impacts related to roadway safety are considered *less than significant*.

(d) *Result in inadequate emergency access?*

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

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts related to conflicts with a program, plan, ordinance or policy, conflicts or inconsistency with CEQA Guidelines section 15064.3, subdivision (b), and emergency access would be reduced to less than significant. No mitigation is required.

Mitigation

No mitigation is required.

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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:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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- 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

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.

On August 4, 2022, in accordance with AB 52 Cultural Resources requirements outreach to four Native American tribes was conducted: Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey Counties, Xolon Salinan Tribe, and yak tityu tityu yak tihini. A Phase I Archeological report was requested and was completed in November 2022. No significant cultural resources were found (Padres Associates, Inc. Nov. 2022).

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

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

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

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

Conclusion

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

Mitigation

None necessary.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

Per the County’s Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB’s Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. Existing on-site utility infrastructure is limited to the existing residence and vineyard operation. Please refer to Section X, Hydrology and Water Quality, for a detail discussion of existing water infrastructure on the project site.

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

Discussion

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

The project site contains one existing well (domestic and Ag). The existing winery is enrolled in the Regional Water Quality Control Board (RWQCB) Winery Waste Discharge Program. The processed wastewater system will not be required to be modified as a result of the proposed project since annual case production would remain unchanged. The domestic wastewater system will be required to be reviewed during the building permit process to determine if it is sized appropriately to

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accommodate the additional units. Energy needs will be provided through proposed connection to existing infrastructure. The project would not require the expansion of existing community facilities. Therefore, impacts would be less than significant.

Prior to building permit issuance, the domestic septic systems will be evaluated in greater detail to ensure compliance with the Central Coast Basin and will not be approved if Basin Plan criteria cannot be met. Based on compliance with existing regulations and requirements, potential wastewater impacts would be *less than significant*.

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

There is one existing well serving the on-site winery facilities and agricultural operations located east of the existing winery facility and residence, which will continue to serve the existing and the proposed project. The project parcel is located in the Paso Robles Ground Water Basin (PRGWB) within the Area of Severe Decline and is subject to the Water Neutral Development Ordinance off-set requirements. The project will result in an additional 0.34 acre feet of water use per year (AFY). New water demands includes those produced primarily by the Bed and Breakfast Inn, additional employees and landscaping. An anticipated total water offset of 0.49 acre feet a year is required for the project which takes into account the Bed and Breakfast Inn (non-ag processing use) and is subject to a 2:1 offset and the new landscaping will require a 1:1 offset per LUO 22.94.025 - Paso Robles Groundwater Basin.

The project anticipates 6 new full-time employees and 3 new part-time employees, for a total increase of 8 full-time employee equivalents. Total case production capacity will not change as a result of the proposed project. The proposed limited food serving facility will not increase the water demand since it is anticipated that it will serve existing tasting room patrons. Additionally, there is 'built-in offset' which comes from the recharge provided by the septic system flows. Septic system flows are assumed to be equal to 80% of the new water demand from the Bed & Breakfast Inn facilities (0.50 AFY) and the new water demand from the increase in employees (0.10 AFY).

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

- (c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

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

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- (d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

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

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

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

Conclusion

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

Mitigation

None necessary.

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

The County Emergency Operations Plan (EOP) addresses several overall policy and coordination functions 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 upon to alert, notify, recall, and dispatch emergency response personnel, alert the public, protect residents and property, and request aid/support from other jurisdictions and/or the federal government;
- Identifies key continuity of government operations; and
- Describes the overall logistical support process for planned operations.

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

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger.

Implementation strategies for this policy include identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

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

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

In addition, the proposed project was reviewed by CalFire for fire safety. In their response (October 4, 2021) CalFire provided a list of requirements for project implementation. Please see the attached CalFire letter for a list of project conditions.

Discussion

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

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

(b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The project site is gently to moderately sloping, is regularly mowed for vegetation/weed management. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. With implementation of the CalFire project conditions potential impacts would be *less than significant*.

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- (c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

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

- (d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

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

Conclusion

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

Mitigation

None necessary.

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Refer to setting information provided above.

Discussion

- (a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

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

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- (b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

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

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

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

Conclusion

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

Mitigation

None necessary.

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Exhibit A - Initial Study References and Agency Contacts

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

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

** "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.

- | | |
|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Project File for the Subject Application | <input type="checkbox"/> Design Plan |
| <input checked="" type="checkbox"/> County Documents | <input type="checkbox"/> Specific Plan |
| <input type="checkbox"/> Coastal Plan Policies | <input type="checkbox"/> Annual Resource Summary Report |
| <input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland) | <input type="checkbox"/> Circulation Study |
| <input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements: | <input checked="" type="checkbox"/> Other Documents |
| <input checked="" type="checkbox"/> Agriculture Element | <input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook |
| <input checked="" type="checkbox"/> Conservation & Open Space Element | <input checked="" type="checkbox"/> Regional Transportation Plan |
| <input type="checkbox"/> Economic Element | <input checked="" type="checkbox"/> Uniform Fire Code |
| <input checked="" type="checkbox"/> Housing Element | <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) |
| <input checked="" type="checkbox"/> Noise Element | <input checked="" type="checkbox"/> Archaeological Resources Map |
| <input checked="" type="checkbox"/> Parks & Recreation Element/Project List | <input type="checkbox"/> Area of Critical Concerns Map |
| <input checked="" type="checkbox"/> Safety Element | <input type="checkbox"/> Special Biological Importance Map |
| <input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal) | <input type="checkbox"/> CA Natural Species Diversity Database |
| <input type="checkbox"/> Building and Construction Ordinance | <input checked="" type="checkbox"/> Fire Hazard Severity Map |
| <input checked="" type="checkbox"/> Public Facilities Fee Ordinance | <input checked="" type="checkbox"/> Flood Hazard Maps |
| <input type="checkbox"/> Real Property Division Ordinance | <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County |
| <input type="checkbox"/> Affordable Housing Fund | <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) |
| <input checked="" type="checkbox"/> Paso Robles Airport Land Use Plan | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Energy Wise Plan | |
| <input checked="" type="checkbox"/> North County Planning Area | |

Initial Study – Environmental Checklist

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

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

CAL FIRE. 2007. "Draft Fire Hazard Severity Zones in Local Responsibility Areas." Available at <http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf>

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

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

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

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

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

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

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

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

_____. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016.

_____. 2016. Emergency Operation Plan. December 2016.

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

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Exhibit B - Mitigation Summary

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

AIR QUALITY

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

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The

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name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

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

BIOLOGICAL RESOURCES

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

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

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- BIO-2.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo that states that one or a combination of the following three San Joaquin kit fox compensatory mitigation measures has been implemented:
- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.66 acres (0.22 acres of development multiplied by 3 as a result of an applied 3:1 mitigation ratio) of suitable habitat in the kit fox corridor area (e.g. either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife and the County. This mitigation alternative (a.) requires that all aspects of this program must be in place before County-permit issuance or initiation of any ground disturbing activities.
 - b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy,” would total: \$6,225 (0.83 x 3 x \$2,500). This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; actual cost may increase depending on the timing of payment. This fee must be paid after the CDFW provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.
 - c. Purchase credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, would total: \$6,225 (0.83 x 3 x \$2,500).

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

- BIO-3.** To avoid direct take of SJKF during construction in accordance with the San Luis Obispo County Guide to SJKF Mitigation Procedures Under CEQA, the project owner shall adopt the Standard Kit

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Fox CEQA Mitigation Measures and shall be included on development plans. The following measures shall be implemented:

- a. A maximum 25 mph speed limit shall be required at the project site during construction activities.
- b. All construction activities shall cease at dusk and not start before dawn.
- c. A qualified biologist shall be on-site immediately prior to initiation of project activities to inspect for any large burrows (e.g., known and potential dens) and to ensure no wildlife are injured during project activities. If dens are encountered, they should be avoided as discussed below.
- d. Exclusion zone boundaries shall be established around all known and potential kit fox dens.
- e. All excavations deeper than 2 feet shall be completely covered at the end of each working day.
- f. All pipes, culverts, or similar structures shall be inspected for SJKF and other wildlife before burying, capping, or moving.
- g. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day.
- h. All food-related trash shall be removed from the site at the end of each workday.
- i. Project-related equipment shall be prohibited outside of designated work areas and access routes.
- j. No firearms shall be allowed in the project area.
- k. Disturbance to burrows shall be avoided to the greatest extent feasible.
- l. No rodenticides or herbicides should be applied in the project area.
- m. Permanent fences shall allow for SJKF passage through or underneath (i.e., an approximate 4-inch passage gap shall remain at ground level).
- n. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- o. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County.

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- p. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.

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