Initial Study – Environmental Checklist

Patrimony Winery
Conditional Use Permit and Variance: ED23-091; N-DRC2022-00032

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

SWCA Environmental Consultants	Brandi Cummings		June 26, 2023
Prepared by (Print)	Signature		Date
Eric Hughes		Principal Environmental Specialist	August 1, 2023
Reviewed by (Print)	Signature		Date

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: A hearing to consider a request by Daou Brothers LLC for a Conditional Use Permit and Variance (N-DRC2022-00032) to allow the phased development of a wine production facility totaling 39,815 square feet. At buildout, the winery and hospitality facility would total 14,866 square feet with 3,870 square feet of wine processing, a 1,499 square foot tasting area that would include two private tasting rooms, a 2,796 square foot limited food serving facility (restaurant), 1,947 square feet of storage, 1,160 square feet of staff area and 3,594 square feet of circulation, mechanical and restrooms and 14,273 square feet of outdoor use areas which includes a 6,644 square foot covered crush pad. The applicant also proposes 12,527 square feet of wine caves for barrel storage. An additional 6,925 square foot barrel storage and administration building is proposed that includes 2,528 square feet of barrel storage, 997 square feet maintenance area and 3,400 square feet of administrative space with conference rooms, restrooms, and circulation. The applicant is proposing a 7,196 square foot bed and breakfast inn that would include eight total detached modular units including attached patio. Additionally, a 151 square foot gatehouse and 172 square foot valet stand to support operations. At buildout the winery facility would have a maximum production of 15,000 cases per year. The applicant is requesting a Variance to allow for the grading on slopes greater than 30 percent for access improvements and to allow a small section for a private tasting patio from the cave. Grading on slopes greater than 30 percent would total 0.40 acres. The applicant is also requesting two modifications of the County's Title 22 Land Use Ordinance: 1) modification to Section 22.30.260 that limits a restaurant to 800 square feet in size to allow up to 1,717 square feet of commercial kitchen with 1,079 square feet of indoor seating for a total of 2,796 square feet, and 2) modification to Section 22.30.570 that requires bed and breakfast buildings to be established in one single structure to allow eight 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 would result in 10.91 acres of site disturbance on the 200-acre parcel, including 33,000 cubic yards of cut and 33,000 cubic yards of fill. The proposed project is located within the Agriculture land use category, located at 4270 Adelaida Road, approximately 5 miles west of the City of Paso Robles in the Adelaida sub-area of the North County Planning Area.

Phase 1

Phase 1 of the project would include the construction of four buildings, including:

- Building A, a 151 square-foot gatehouse consisting of an office and restroom, attached to the entry gate. The gatehouse would have a maximum height of 15'-6".
- Building B, a 14,886-square-foot winery and hospitality building. This building would include winery production focused areas including a 3,870 square-foot fermentation room, 1,219 square-feet of case storage, 647 square-feet of offices with lab, 513 square-feet of staff area, 974 square-feet of restrooms and 1,711 square-feet of mechanical, equipment rooms, general storage, and circulation. Hospitality focused areas include a 1,717 square foot kitchen, 1,079 square foot dining room with 134 square foot bussing stations, 1,094 square feet foyer, 1,499 square feet tasting including two private group tasting rooms, 409 square feet flex rooms used for storage, meeting or overflow private tasting. There are 14,273 square-feet of outdoor use areas within and surrounding the building footprint and specifically 6,644 square feet of covered areas such as crush pad and two trellises. Uncovered outdoor areas total 7,629 square feet including delivery, work area, circulation, patio, kitchen garden, portions of the courtyard. The winery and hospitality building would have a maximum height of 32'-11", though a majority of the building would have a maximum height of 15'-4".
- Building C, a 12,527 square-feet of subterranean wine caves, including a 548 square foot exterior patio for private tastings. The caves would be accessed primarily from the winery and hospitality building (Building B). The western wing/portal of the caves (Vista Portal) would terminate above ground at the exterior patio for private tastings. The northern wing/portal (Cave Portal) would terminate above ground near the barrel storage building (Building D).
- Building F, a 128 square-foot valet office with 44 square feet of covered doorways.

Phase 1 site improvements will include construction of the wine wastewater system, upgrading the existing agricultural road to Cal Fire commercial standards, parking, utilities, and installation of the septic system and leach field and water tank(s). At buildout of Phase 1, the winery would have an annual case production of 10,000 cases.

Phase 2

Phase 2 of the project will include the construction of a two-story, partial subterranean 6,925 square-foot barrel storage and administration building located on the back (upper) half of the property. The 3,525 square-foot first floor of the building includes 2,528 square feet of barrel storage, and 997 square feet of facilities, maintenance room and circulation. The 3,400 square-foot second floor is dedicated to administration consisting individual offices, conference room, restrooms, and circulation. Exterior use areas include a 1,559 square feet of uncovered barrel work area. Phase 2 includes an increase in annual case production to 15,000 cases and site improvement connections to Phase 1 improvements and utilities.

Phase 3

Phase 3 of the project would include the construction of the bed and breakfast inn, which would include eight detached casitas-style buildings (Building E), six 616 square feet casitas and two 761 square feet casitas, and 1,978 square feet of outdoor patio areas. Site improvements during this phase would be limited to utility connections.

The project would impact up to 14 native oak trees and install approximately 41,407 square feet of native landscaping. Water would be supplied by one existing on-site well located south of the proposed winery and bed and breakfast inn, and outside the Paso Robles Groundwater Basin. The project would install a new on-site septic system to treat wastewater generated by the proposed project and a new winery wastewater processing system that allows for its reuse for irrigation and dust control. The wine production would qualify for a small winery discharge waiver through Regional Water Quality Control Board (RWQCB).

Industry-Wide and Marketing Events

The applicant is not proposing a Special Events Program; however, the winery intends to participate in Wine Industry Weekends and other marketing activities not defined as special events (e.g., non-advertised wine club activities and other non-wine club activities with under 50 attendees). The marketing activities will primarily occur within and around the Winery and Hospitality Building (Bldg. B). Overflow parking areas would be located along the access road from the Gatehouse (Bldg. A), along the vineyards, and up to barrel building on areas under 10% slopes.

Variance

The applicant is seeking a Variance in accordance with Land Use Ordinance Sections 22.52.060 and 22.62.070 to allow 0.40 acres of grading on slopes that exceed 30 percent. The majority of the grading on slopes greater than 30 percent would be to improve the existing agricultural road to meet County and CAL FIRE/County Fire standards for commercial roads. The 548 square-foot private tasting patio that is connected to the wine caves (Vista Portal) would daylight on slopes greater than 30 percent, but all remaining structures would be located on slopes less than 30 percent. Per the requirements of the Land Use Ordinance, the Variance would not reduce the minimum required parcel size or allow land uses that would otherwise not be allowed on the project site.

Modifications

The applicant is requesting two modifications to the standards in the County's Title 22 Land Use Ordinance:

1. A modification to Land Use Ordinance Section 22.30.570, which limits the size of limited food serving facilities to 800 square feet. The applicant is requesting a modification to allow a 1,717 square-foot kitchen with 1,079 square-feet of indoor dining area. The restaurant would serve both the winery and the bed and breakfast inn.
2. A modification to Land Use Ordinance Section 22.30.260, which requires bed and breakfast inns to be located in a single structure. The applicant is requesting a modification to allow the eight guest units (totaling 7,196 square feet) to be located in individual modular structures located adjacent to each other. The modular units would be self-contained with restrooms and would rely on the restaurant in the winery and hospitality building.

Baseline Conditions

The project site consists of one parcel and a portion of a second parcel[1] with a combined area of 200-acres (Assessor's Parcel Number [APN] 026-233-003 & portion of 026-223-006) and is characterized by gently

[1] A Lot Line Adjustment (N-SUB2022-00024) between APN 026-233-003 and the parcel to the southwest (026-233-006) was approved on January 20, 2023 and added 40 acres to the southern portion of the project site. Final Certificates of Compliance recording the Lot Line Adjustment have not yet been recorded. Upon recordation, the project site will total 200 acres.

sloping topography to the south, near Adelaida Road, to steeply sloping topography to the north. The steeply sloping portion of the property is identified as an area with high landslide risk situated north of the project components and is within the vicinity of three potentially capable fault lines. There are several unnamed blue-line creeks that cross the property, with two in the vicinity of the project area. The first drainage originates in the northern portion of the survey area and flows northeast to southwest, eventually connecting to San Marcos Creek approximately 0.72 mile north of the project site which eventually flows to the Salinas River. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road. The second drainage flows southwest and terminates at an existing barn structure. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road.

The project site was historically developed with approximately 4 acres of walnut trees, a single-family residence, two barns, and agricultural roads. The single-family residence and a pole barn have been removed and the remaining barn is anticipated to be removed following the completion of vineyard installation.

The project site is located in a rural area and surrounding areas primarily include agricultural land use (including vineyards, wineries, and bed and breakfast inns) and scattered rural residential development and accessory structures. There is one off-site residence located within 1,000 feet of the project site approximately 875 feet west of the western property line and approximately 2,200 feet southwest of the proposed winery location.

ASSESSOR PARCEL NUMBER: 026-233-003

Latitude: 35º 40' 10.704" N **Longitude:** 120º 46' 9.5874" W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

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

Land Use Category: Agriculture

Combining Designation: Renewable Energy Overlay

Parcel Size: 200 acres

Topography: Gently sloping to steeply sloping

Vegetation: Vineyards, agricultural land, annual grasslands, oak woodlands

Existing Uses: Agricultural uses, accessory structures

Surrounding Land Use Categories and Uses:

North: Rural Lands; undeveloped

East: Agriculture; undeveloped

South: Agriculture; scattered residences ; accessory structures; agricultural uses

West: Agriculture; agricultural uses ; scattered residences ; accessory structures;

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Figure 1. Project Location Map

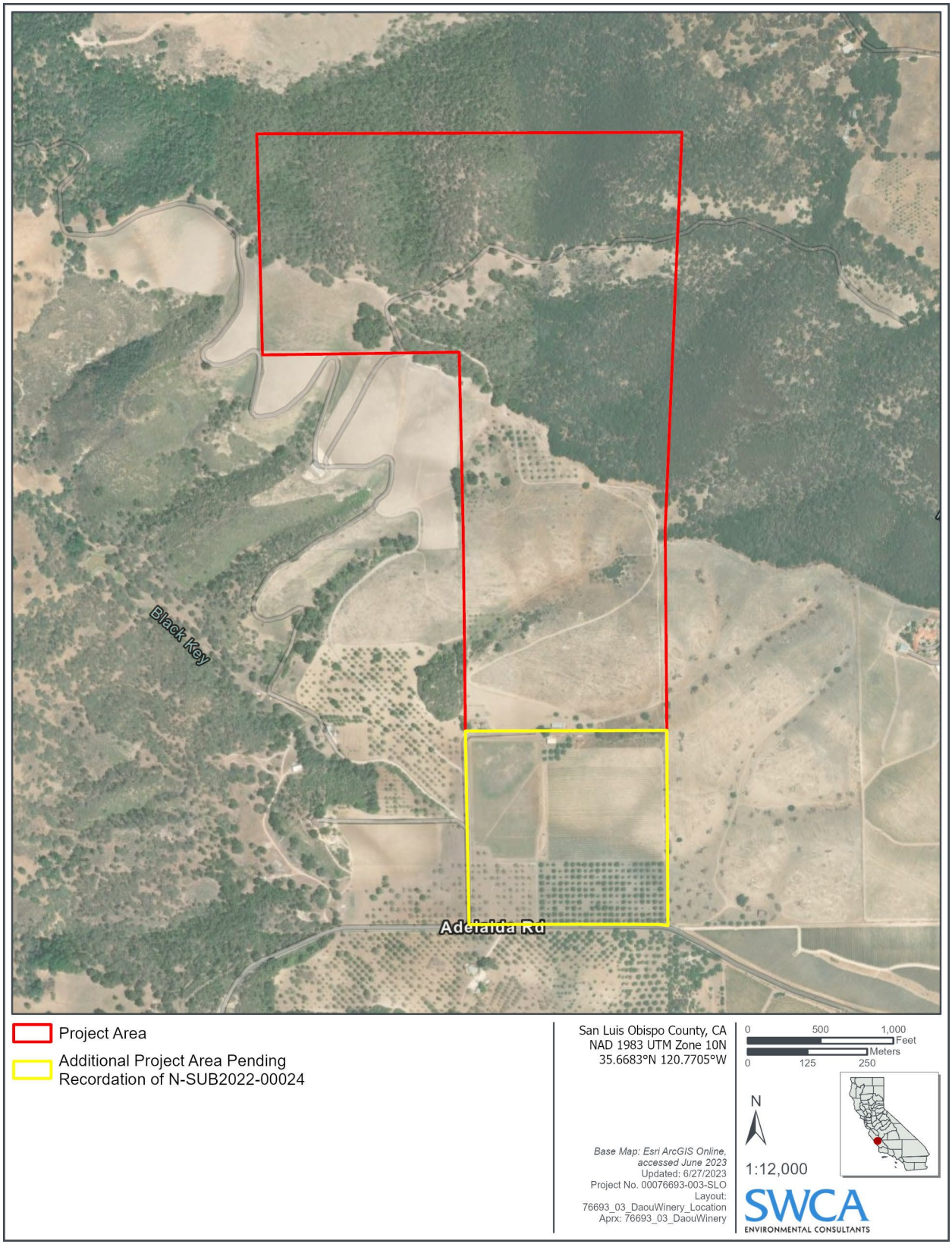

Figure 2. Site Plan Map

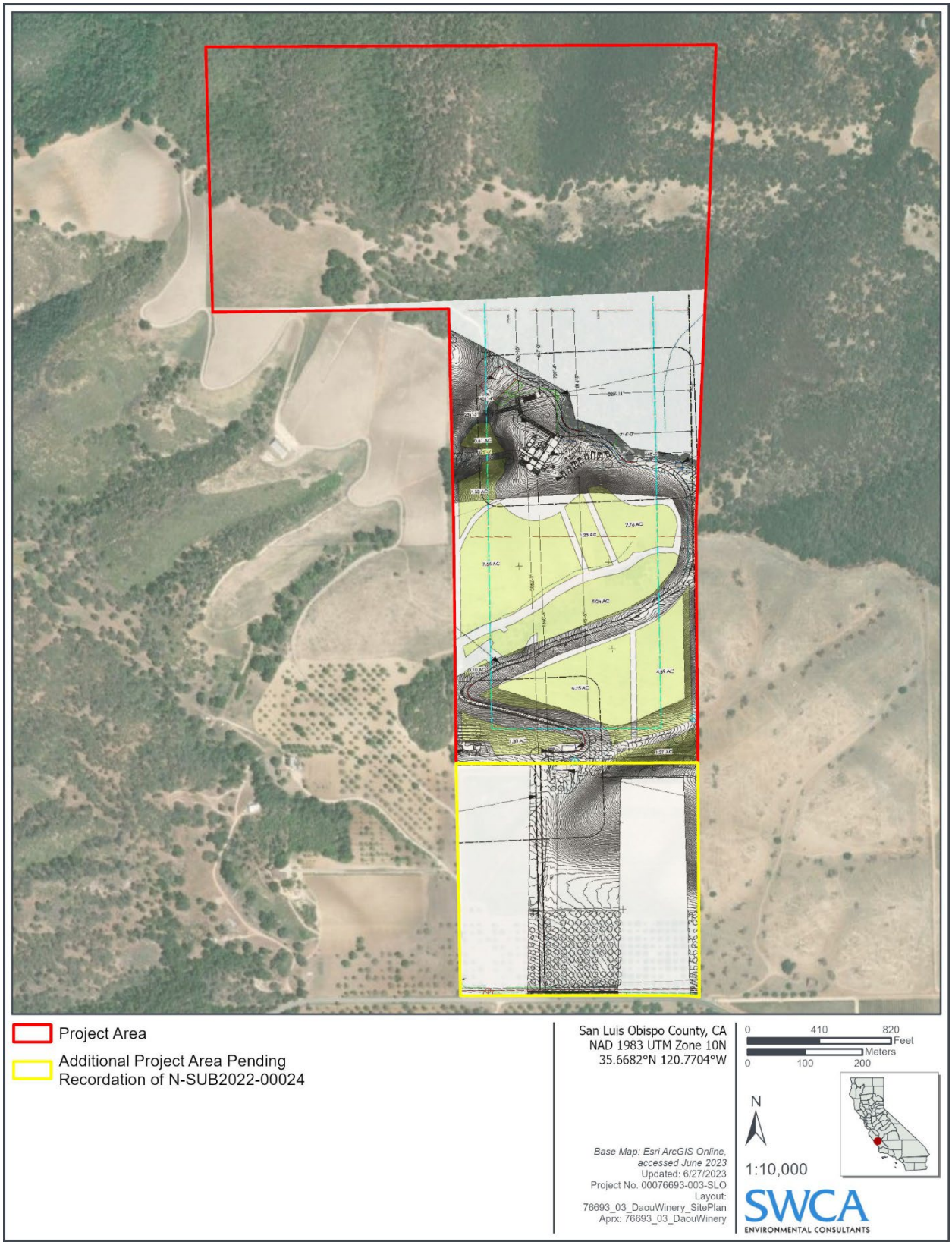

Figure 3. Enlarged 1 Site Plan

C. Environmental Analysis

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

I. AESTHETICS

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

Setting

California Scenic Highway Program

The California Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. A highway may be designated scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic highways within San Luis Obispo County include U.S. Highway 101 (US 101), State Route 46 (SR 46), portions of State Route 41 (SR 41), State Route 1 (SR 1), and Lake Nacimiento Drive.

County Conservation and Open Space Element

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

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

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

County of San Luis Obispo Land Use Ordinance

The County LUO establishes regulations for exterior lighting (LUO Section 22.10.060), height limitations for each land use category (LUO Section 22.10.090), setback requirements (LUO Section 22.10.140), and other visual resource protection policies. In addition, County LUO Section 22.30.070.D.2.g provides specific design requirements for wineries, including exterior design standards, screening requirements, height limitations, and exterior lighting requirements. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place, as set forth in the *County of San Luis Obispo General Plan Land Use and Circulation Element* (LUCE).

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

Existing Conditions

The project site consists of a single 200-acre parcel and is characterized by gently sloping to steeply sloping topography. There are several unnamed blue-line creeks that cross the property, with two in the vicinity of the project area. The first drainage originates in the northern portion of the survey area and flows northeast to southwest, eventually connecting to San Marcos Creek approximately 0.72 mile north of the project site which eventually flows to the Salinas River. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road. The second drainage flows southwest and terminates at an existing barn structure. This drainage lacks a well-defined bed and bank,

has no evidence of flows, and has historically been used as an agricultural access road. The property supports vineyards, annual grassland, and oak woodland (Terra Verde Environmental Consulting, LLC [Terra Verde] 2022).

The project site is located in a rural area and surrounding areas primarily include agricultural land use (including vineyards, wineries, and bed and breakfast inns) and scattered rural residential development and accessory structures. There is one off-site residence located within 1,000 feet of the project site, approximately 875 feet west of the western property line and approximately 2,200 feet southwest of the proposed winery location.

Discussion

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

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints and may be officially or informally designated by public agencies or other organizations. Vistas are inherently expansive views, usually from an open area or an elevated point. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas.

The project site is not designated as an SRA by the County LUO. The project site and surrounding area are characterized by gently to steeply sloping topography and scattered low-density residential and agricultural land uses, including other vineyards, wineries, and bed and breakfast inns. The project site is not located within an identified scenic vista, a visually sensitive area, a scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. Therefore, the project would not have a substantial adverse effect on a scenic vista and *no impacts would occur.*

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

The project site is located approximately 6.47 miles northwest of SR 46 and approximately 4 miles west of US 101, which, at these locations, are considered eligible for designation as scenic highways (California Department of Transportation [Caltrans] 2018). However, the project site is not visible from SR 46 or US 101 due to distance as well as intervening topography, vegetation, and existing development. Nacimiento Lake Drive is located approximately 0.88 mile north of the project site, but due to intervening topography and dense oak woodlands, the project site is not visible from the roadway. Therefore, the proposed project would not damage resources within a designated state scenic highway, and *no impacts* would occur.

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

The project site is located in a rural area approximately 5 miles west of the incorporated city of Paso Robles. Surrounding parcels consist of moderate to large agricultural and rural residential lots. The surrounding visual character consists of vineyards, wineries, and rural residences intermixed with natural grasslands and oak woodland. The topography of the project site and surrounding area is characterized by gently to steeply sloping topography and consists of vineyards, oak woodland, and grassland habitat.

The project site is accessed from Adelaida Road to the south, which is a County-maintained public roadway. Portions of the project would have varying degrees of visibility from Adelaida Road.

The gatehouse (Building A) would be located closest to the roadway and would be constructed with dark wood and a live (green) roof, which would help blend into the vineyard landscape behind.

Building B, the winery and hospitality building, sits on a knoll approximately 2,965 feet from Adelaida Road, and would be intermittently visible to vehicles traveling on Adelaida Road. A majority of building would have a maximum height of 15'-4", while the roof over the fermentation room would have a maximum height of 32'-11". The building incorporates varying rooflines, colors, and articulation to break up the apparent massing of the structure. The building would use earth-toned colors and natural materials, such as wood and live (green) roofs, to aid in blending with the oak woodland backdrop. Landscaping is proposed that would aid in blending the building with the oak woodland canopy.

The wine caves (Building C) would be primarily subterranean and not visible to the public. The caves would have two portals (wings) that would terminate above ground; the Vistal Portal would terminate west of the winery and hospitality building onto a small (548 square-feet) private tasting patio. The patio is tucked between two existing large oak trees and would not be noticeably visible from the roadway given the size, distance, and vegetation. The northern wing/portal (Cave Portal) would terminate above ground near the barrel storage building (Building D) and would be hidden from public views by the winery and hospitality building (Building B).

The barrel storage building (Building D) would be partially subterranean and would be located behind the ridge of the hill and behind the winery and hospitality building. The building would be 31'-8" in height and would not be visible from the public view.

The bed and breakfast inn casitas (Building E) would be visible from Adelaida Road. To add a visual buffer, mature olive trees would be planted along the entire driveway to soften views from the public road. The low-profile design, flat rooflines, and earthy color/materials pallet as well as proposed screening methods including new vineyard and a thorough landscaping plan have been proposed to mitigate silhouetting and provide a visual extension of the established woodland to blend the development into the natural environment. Proposed landscaping incorporates various types of trees, shrubs, and grasses to be planted east and north sides of the building as well extending beyond to disguise other components of the project. The exterior materials and colors of the casitas match that of the winery and hospitality building with natural walnut wood reclaimed from other area Daou properties, concrete, sheet flat sheet metal, bronze wall panels, corten steel accents and natural live sod green roof. The maximum height of the hospitality building would be 13'4".

The proposed project would retain natural vegetation on-site to the maximum extent feasible and install native vegetation to further screen the proposed aboveground structures from surrounding areas. In addition, the proposed project would be required to comply with County LUO Section 22.30.070.D.2.g, which establishes winery design standards to ensure visual consistency with surrounding areas through design, architecture, height, and lighting requirements. Based on required compliance with the County LUO, the distance from Adelaida Road, intervening vegetation and topography, and installation of native vegetation, the aboveground project features would be primarily blocked from public views and would not degrade the scenic landscape as viewed from public roads or other public areas; therefore, impacts would be *less than significant*.

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

The project site is located in a rural area and existing sources of exterior lighting in the area are limited and primarily consist of lighting from rural residences and intermittent vehicle headlights along nearby roadways. Implementation of the proposed project would establish a winery and bed and breakfast inn, which would both have lighting components. The proposed project would be required to comply with County LUO Section 22.30.070.D.2.g(4), which establishes exterior lighting requirements for wineries. This section of the County LUO requires all exterior lighting fixtures to be shielded so that light and glare is not visible from any off-site location; requires that all lighting poles, fixtures, and hoods are dark colored; and requires that exterior lighting be shielded downward, which would avoid creating a substantial new source of light or glare within the project area. Based on required compliance with the County LUO, potential impacts would be *less than significant*.

Conclusion

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

Mitigation

Mitigation is not necessary.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
(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?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Setting

The California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. According to the DOC FMMP, the project site is primarily located on land designated as Grazing Land, with a small portion of Farmland of Local Potential near the southern property line (DOC 2016).

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based on farming and open space uses as opposed to full market value. The project site is located within the Agriculture (AG) land use designation but is not subject to a Williamson Act contract.

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

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

- **Soil Unit 114: Balcom-Nacimiento association, moderately steep.** This soil unit consists of Balcom and Nacimiento soils at 45 and 20 percent, respectively. The drainage class of this soil type is well drained, and it is composed primarily of loam and silty clay loam. This soil type occurs on mountains and hills at elevations between 600 and 1,500 feet (180 and 460 meters). This soil type is not considered prime farmland.
- **Soil Unit 115: Balcom-Nacimiento association, steep**. This soil unit consists of Balcom and Nacimiento soils at 45 and 20 percent, respectively. The drainage class of this soil type is well drained, and it is composed primarily of loam and silty clay loam. This soil type occurs on mountains and hills at elevations between 600 and 1,500 feet (180 and 460 meters). This soil type is not considered prime farmland.
- **Soil Unit 133: Cropley clay, 2 to 9 percent slopes.** The parent material of this soil type is alluvium derived from calcareous shale and it consists of Cropley and similar soils at 90 percent. The drainage class is moderately well drained, and it is composed of mostly clay. This soil type occurs on alluvial fans, terraces, backslopes, base slopes, tread, and talf at elevations below 2,340 feet (713 meters). This soil type is considered prime farmland if irrigated.
- **Soil Unit 152: Linne-Calodo complex, 9 to 30 percent slopes.** This soil type consists of Linne and Calodo soils at 30 and 25 percent, respectively. The drainage class of this soil type is well drained, and it is composed of channery clay loam, clay loam, and weathered bedrock. The parent material of this soil type is residuum weathered from calcareous shale and/or residuum weathered from calcareous sandstone. This soil type occurs on hills at elevations between 600 and 1,500 feet (180 and 460 meters).
- **Soil Unit 154: Linne-Calodo complex, 50 to 75 percent slopes**. This soil type consists of Linne and Calodo soils at 30 and 25 percent, respectively. The drainage class of this soil type is well drained, and it is composed of channery clay loam, clay loam, and weathered bedrock. The parent material of this soil type is residuum weathered rom calcareous shale and/or residuum weathered from calcareous sandstone. This soil type occurs on hills at elevations between 500 and 2,500 feet (150 and 760 meters).
- **Soil Unit 175: Nacimiento silty clay loam, 9 to 30 percent slopes**. This soil type is derived from weathered calcareous sandstone and shale. It is a moderately deep, well-drained soil that occurs on rolling to hilly landscapes. It is composed mostly of silty clay loam and is found at elevations between 600 and 1,500 feet (180 and 460 meters). This soil type is not considered prime farmland.
- **Soil Unit 188: Rincon clay loam, 2 to 9 percent slopes**. The parent material of this soil type is clayey alluvium from sedimentary rock. The drainage class of this unit is well drained, and it is composed mostly of clay loam. This soil type occurs on alluvial fans and terraces below 3,110 feet (950 meters). This soil type is considered prime farmland if irrigated.

Forest land is defined in California Public Resources Code (PRC) Section 12220(g) as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Timber land is defined in PRC Section 4526 as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any timberland.

Discussion

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

The project site is designated primarily as Grazing Land with a small area of Farmland of Local Potential by the FMMP (DOC 2016). The project site currently consists of remnant walnut trees and a newly installed vineyard (approximately 50 acres). The proposed winery and tasting room would be consistent with the zoning for agricultural use and would not result in the conversion of the project site to non-agricultural land uses. Therefore, implementation of the project would not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and *no impacts* would occur.

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

The project site is located within the AG land use designation and is not subject to a Williamson Act contract. The proposed winery facility and tasting room is an allowable use within the AG land use category and would be consistent with the existing zoning for agricultural use. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and *no impacts* would occur.

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

The project site is within the AG land use designation and does not include land use designations or zoning for forest land or timberland. Therefore, the project would not conflict with or cause rezoning of forestland or land for timber production, and *no impacts* would occur.

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

The project site is not zoned for forest land or timber land and is not considered timber land as defined by PRC Section 4526. The northern portion of the project site contains oak woodland with greater than 10% cover that provides for aesthetic and biological benefit; however, no construction activities would take place in this portion of the site. The proposed project would remove or impact the CRZ of three oak trees during construction of the proposed Vista Portal, one oak tree during the placement of the bed and breakfast inn units, and up to four oak trees for road improvements. County LUO Section 22.58 defines the clear-cutting of oak woodlands as the removal of contiguous trees that occupy an area of 1 acre or more. Impacts of up to fourteen on-site oak trees would not constitute clear-cutting pursuant to the requirements of County LUO Section 22.58. The proposed project would install native landscaping, which would offset impacts to the oak tree and increase the number of native trees within the project site. The proposed project would not result in the loss of forest land or convert forest land to non-forest use; therefore, *no impacts* would occur.

(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Cropley Clay soil within the project site are designated as Prime Farmland in Table SL-2 of the County COSE and Nacimiento silty clay loam soil is designated as Highly Productive Soils and Highly Productive Rangeland Soils, which is based on the NRCS soil classification system as opposed to the FMMP, which accounts for historical agricultural practices. The project site is located within the AG land use category and the proposed winery and tasting room would be consistent with the zoning for agricultural use. The proposed project would not result in the loss of active agriculture, and the newly installed vineyard production would continue to occur on-site. The proposed winery and tasting room would be consistent with the zoning for agricultural use; therefore, implementation of the proposed project would not result in the conversion of the project site to non-agricultural land uses.

The proposed project would improve the driveway with gravel or pavement, which would reduce fugitive dust or other emissions that could inadvertently damage crops in the project area. The proposed project would not introduce incompatible land uses or result in other changes to the environment that could indirectly result in the conversion of farmland to non-agricultural use or forestland to non-forest use; therefore, *no impacts* would occur.

Conclusion

The proposed project would not directly or indirectly result in the conversion of farmland, forest land, or timberland to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. Potential impacts related to agricultural and forestry resources would be less than significant and mitigation measures are not necessary.

Mitigation

Mitigation is not necessary.

III. AIR QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
(c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting

Criteria Air Pollutants and Ambient Air Quality Standards

San Luis Obispo County is part of the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions, including the U.S. Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The California Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The CARB adopted the CAAQS developed by the California Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (less than 10 microns in diameter [PM_{10}] and less than 2.5 microns in diameter [$PM_{2.5}$]), ozone (O_3), nitrogen dioxide (NO_2), sulfate, carbon monoxide (CO), sulfur dioxide (SO_2), visibility-reducing particles, lead (Pb), hydrogen sulfide (H_2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the USEPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The USEPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO_2, ozone, PM_{10} and $PM_{2.5}$, and SO_2.

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

San Luis Obispo County Clean Air Plan

The *San Luis Obispo County 2001 Clean Air Plan* (CAP), prepared by the SLOAPCD, is a comprehensive planning document intended to evaluate long-term air pollutant emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{10}. The 2001 CAP presents a detailed description of the sources and pollutants that impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. In order to be considered consistent with the 2001 CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the 2001 CAP.

SLOAPCD Criteria Pollutant Thresholds

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

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

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

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

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

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. There is one off-site residence located within 1,000 feet of the project site, approximately 875 feet west of the western property line and approximately 2,200 feet southwest of the proposed winery location.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the CARB. Serpentine and other ultramafic rocks are fairly common throughout San Luis Obispo County and may contain NOA. If these

areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The project site is not located in an area identified as containing NOA by the SLOAPCD (SLOAPCD 2022).

Discussion

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

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

The proposed project would generate fifteen full-time jobs, which are expected to be filled by the existing local workforce. As discussed in detail in Section XVII, *Transportation*, implementation of the proposed project would result in 5 general public trip and 18 employee/production peak hour trips to the site. Therefore, implementation of the proposed project would not generate vehicle miles traveled (VMT) in a manner that would exceed regional thresholds. As described in detail under Impact Discussion III.(b), below, the proposed project would not generate air pollutant emissions above SLOAPCD thresholds during project construction or operation. Therefore, the proposed project would be consistent with the air quality goals and objectives included in the 2001 CAP, and impacts related to consistency with applicable air quality plans would be *less than significant*.

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

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

Construction Emissions

Construction activities associated with the proposed project would result in the generation of criteria air pollutants, including ozone precursors (ROG and NO_x) and fugitive dust. Fugitive dust emissions would result from grading operations and ROG and NO_x emissions would result from the use of large diesel-fueled equipment, including scrapers, loaders, bulldozers, haul trucks, compressors, and generators. Project grading would result in approximately 8.96 acres of ground disturbance, including approximately 21,500 cubic yards of cut and 21,490 cubic yards of fill to be balanced on-site.

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

Table 1. Construction Emissions Summary

Criteria Pollutant	Highest Daily/Quarterly Emissions	SLOAPCD Threshold	Exceeds Threshold?
Uncontrolled Daily Construction Emissions – Summer Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	33 lbs/day	137 lbs/day	No
Diesel Particulate Matter (DPM)	2 lbs/day	7 lbs/day	No
Uncontrolled Daily Construction Emissions – Winter Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	95 lbs/day	137 lbs/day	No
Diesel Particulate Matter (DPM)	3 lbs/day	7 lbs/day	No
Uncontrolled Quarterly Construction Emissions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	.75 ton/quarter	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	0.05 ton/quarter	0.13 ton/quarter	No
Fugitive Dust (PM_{10})	0.4 ton/quarter	2.5 tons/quarter	No

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

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

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

Operational Emissions

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

Implementation of the proposed project would generate 15 full-time employees and approximately 23 peak hour trips per week. Therefore, implementation of the proposed project would not generate VMT in a manner that would exceed regional VMT thresholds or SLOAPCD operational emissions thresholds.

The existing driveway would be improved to provide access to the proposed winery and bed and breakfast inn. The driveway and proposed parking areas would be constructed with gravel or paved, which could result in operational PM_{10} emissions. SLOAPCD establishes an annual PM_{10} threshold of 25 lbs/day. Based on the limited number of additional vehicle trips generated by the project, vehicle use along the driveway, if gravel, would not be expected to generate a substantial amount of

operational dust emissions. According to the results of the CalEEMod conducted for the project, operational PM_{10} emissions for the project would be 0.1 lbs/day; therefore, operational emissions would not exceed SLOAPCD thresholds.

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

(c) Expose sensitive receptors to substantial pollutant concentrations?

According to the SLOAPCD *CEQA Air Quality Handbook*, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions. There is one off-site residence located within 1,000 feet of the project site approximately 875 feet west of the western property line and approximately 2,200 feet southwest of the proposed winery location. As evaluated above, the proposed project would not result in construction-related or operational criteria air pollutant emissions above established SLOAPCD thresholds; however, due to the close proximity of sensitive receptor locations, Mitigation Measures AQ-1 and AQ-2 have been included to ensure compliance with diesel idling restrictions intended to reduce exposure of DPM to sensitive receptors and to reduce fugitive dust emissions near sensitive receptors. With implementation of Mitigation Measures AQ-1 and AQ-2, the proposed project would not expose sensitive receptors to substantial pollutant concentrations; therefore, impacts would be *less than significant with mitigation*.

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

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

Wine production facilities have the potential to generate adverse odors throughout the production process, such as fermentation, storage, and winery wastewater disposal (SLOAPCD 2012). Fermentation and storage would be conducted within the proposed underground wine cave system, which would reduce the potential to emit long-term adverse odors from the project site. Additionally, the proposed project would construct a new winery wastewater processing system to treat wastewater generated by the proposed project and would be required to comply with the conditions of the RWQCB General Waste Discharge Requirements (WDR) Order No. R3-2017-0020 for discharges of winery waste. Based on site design and compliance with the RWQCB, wine production activities at the site would not emit long-term odors that could adversely affect a substantial number of people. Therefore, odors generated by the proposed project would be short term, intermittent, and primarily undetectable. The project would not expose people to other emissions, including adverse odors or NOA; therefore, impacts would be *less than significant*.

Conclusion

The proposed project would be consistent with the SLOAPCD 2001 CAP and would not exceed established SLOAPCD emissions thresholds during project construction or operation. Mitigation Measures AQ-1 and AQ-2 have been included to reduce DPM and fugitive dust exposure to sensitive receptors during construction. The proposed project would not result in adverse odors or other emissions. Upon

implementation of the identified mitigation measures, potential impacts related to air quality would be less than significant.

Mitigation

AQ-1 **Diesel Idling Restrictions for Construction Phases.** The San Luis Obispo County Air Pollution Control District recognizes the public health risk reductions that can be realized by idle limitations for both on- and off-road equipment. The following idle restricting measures are required for the construction phase of projects. Upon application for construction and/or encroachment permits, all required measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

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

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

AQ-2 Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance (APCD Rule 402) impacts. Upon application for construction and/or encroachment permits, all required PM10 measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

1. Reduce the amount of disturbed area where possible.

2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water shall be used whenever possible.
3. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers, as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.
5. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast-germinating, non-invasive, grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District.
7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. "Track out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code (CWC) Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked-out soils, the track-out prevention device may need to be modified.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
12. All required PM_{10} mitigation measures should be shown on grading and building plans.

13. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the Mitigation Measures as necessary to minimize dust complaints and reduce visible emissions below the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork, or demolition.

IV. BIOLOGICAL RESOURCES

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

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Setting

Federal and State Endangered Species Acts

The Federal Endangered Species Act (FESA) of 1973 provides legislation to protect plant and animal species listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS). The California Endangered Species Act (CESA) of 1984 ensures legal protection for plants listed as threatened or endangered by the CDFW and wildlife species formally listed as endangered or threatened. In addition, CDFW maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats. CDFW also maintains a Watch List (WL) for species that were previously SSC but no longer merit SSC status, or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

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

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

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the USFWS, and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

California Fish and Game Code

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

Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as "navigable waters of the U.S." that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under the CWA and the 2015 Clean Water Rule, USACE regulates activities in waters that are jurisdictional by rule in all cases; jurisdictional by rule, as defined; and waters requiring a case-specific evaluation. Traditional navigable waters (TNW), interstate waters, the territorial seas, and impoundments of these waters are jurisdictional by rule. Tributaries and adjacent waters are jurisdictional by rule, if they meet certain definitions as defined in the 2015 Clean Water Rule. Waters such as vernal pools, coastal prairie wetlands, prairie potholes, waters that are within the 100-year flood plain of a TNW, and waters within 400 feet of the high tide line require a case specific evaluation to determine jurisdictional status.

The 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 Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit or fall under other federal jurisdiction and have the potential to impact waters of the State.

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

The intent of the goals, policies, and implementation strategies in the County COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems, and migration patterns must be considered together in order to sustain biological resources. The County COSE identifies several key goals pertaining to biological resources within the county:

- **Goal BR 1:** Native habitat and biodiversity will be protected, restored, and enhanced.
- **Goal BR 2:** Threatened, rare, endangered, and sensitive species will be protected.

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

Sensitive Resource Area Designations

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

Existing Conditions

This section is largely based on the *Biological Resources Assessment Patrimony Winery, San Luis Obispo County, California (APN: 026-233-003)*, prepared by Terra Verde Environmental Consulting, LLC (Terra Verde) to evaluate biological resources present at the project site (Terra Verde 2022).

The project site is currently developed with approximately 50 acres of new vineyards and was historically developed with approximately 4 acres of walnut trees, a single-family residence, two barns, and agricultural roads. The single-family residence and a pole barn have been removed and the remaining barn is anticipated to be removed following the completing of vineyard installation. The project site is located in a rural area and surrounding areas primarily include agricultural land uses, including wineries, and scattered rural residential development and accessory structures.

The project site and surrounding area is characterized by gently sloping to steeply sloping topography and supports oak woodland, annual grassland, vineyards, and non-native trees. There are several unnamed blue-line creeks that cross the property, with two in the vicinity of the project area. The first drainage originates in the northern portion of the survey area and flows northeast to southwest, eventually connecting to San Marcos Creek approximately 0.72 mile north of the project site which eventually flows to the Salinas River. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road. The second drainage flows southwest and terminates at an existing barn structure. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road (Terra Verde 2022).

Special-Status Plants

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

- San Luis Obispo owl's clover (*Castilleja densiflora* subsp. *Obispoensis)*, CRPR 1B.2
- Salinas Valley Goldfields (*Lasthenia leptalea*), CRPR 4.3
- Pale-yellow Layia (*Layia heterotricha*), CRPR 1B.1
- Spring Lessingia (*Lessingia tenuis*), CRPR 4.3

During an appropriately timed botanical survey conducted in May 2022, no special-status species were observed within the project site (Terra Verde 2022).

Special-Status Wildlife

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

- American badger *(Taxidea taxus)*: This is a state species of special concern and typical habitat includes open and arid grasslands, meadows, savannahs, open-canopy desert scrub, and open chaparral. The nearest occurrence of this species is approximately 3 miles north of the project site and was in 1997. The project site supports potential habitat for this species. No American badger were identified during the surveys.
- Monterey Dusky-footed woodrat (*Neotoma macrotis luciana)*: This is a state species of special concern and typical habitat includes areas of dense vegetation cover. The nearest occurrence of this species is approximately 2 miles northwest of the project site and was in 1997. The northern portion of the project site supports potential habitat for this species but the area of the proposed project is open with minimal vegetation cover and does not provide suitable habitat. No Monterey Dusky-footed woodrats were identified during the surveys.
- Coast horned lizard *(Phrynosomoa blainvillii)*: This is a state species of special concern and typical habitat includes grasslands, coniferous forests, woodlands, and chaparral with open areas and loose, sandy soil. The nearest occurrence of this species is approximately 7 miles northeast of the project site and was in 2008. The project site supports marginally suitable habitat in the grassland and woodland areas. No coast horned lizards were identified during the surveys.
- Northern California legless lizard *(Anniella pulchra)*: This is a state species of special concern and typical habitat includes coastal dune scrub, coastal sage scrub, chaparral, woodland, riparian, or forest, and loose, sandy or loamy soils. The nearest occurrence of this species is approximately 2 miles north of the project site and was in 1994. The project site supports marginally suitable habitat in the woodland areas in the northern portion of the project site. No Northern California legless lizards were identified during the surveys.
- Migratory and nesting bird species: the oak trees on the project site provide high quality nesting habitat for avian species. These species are expected to be onsite year round, including during the nesting season of February 1 through August 31.

Discussion

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

The proposed project would be a phased construction and would have the potential to result in direct removal of special-status plant species if present within the project site during construction. In addition, proposed construction activities have the potential to result in direct (i.e., take) or indirect (i.e., noise, dust, light pollution) disturbance to special-status wildlife species if present within the project area during project construction. Proposed driveway improvements would require work adjacent to one of the mapped blue-line creeks and the general parking area, septic system area, and wine caves (Vista Portal) would require work next to the other mapped blue-line creek, which are both dry with no evidence of flow. Habitat of the first blue-line creek is dominated by upland species including tocalote and ripgut brome, and no riparian vegetation is present. The second blue-line creek has no vegetation due to the use as an agricultural road.

Special-Status Plants

Based on the results of the botanical survey, no special-status plant species were observed within the proposed area of disturbance (Terra Verde 2022). Therefore, implementation of the project would not result in adverse impacts to special-status plant species.

Special-Status Wildlife

Based on existing site conditions, there is potential for American badger and coast horned lizard to occur within the project impact area. As described above, the project site does not support suitable habitat for other special-status wildlife species that have been previously recorded in the vicinity of the project site based on the lack of suitable habitat in the project impact area. Mitigation Measure BIO-1 has been included to require environmental awareness training to construction personnel prior to the initiation of construction activities.

The proposed project would impact up to fourteen oak trees, which could result in disturbance to nesting migratory birds if present during proposed tree removal or construction. Native oak woodland habitat would be retained in the northern portion of the project site to provide long-term nesting bird habitat and Mitigation Measure BIO-2 has been included to require a preconstruction survey for nesting birds to determine the presence and/or absence of nesting migratory birds on-site and includes the proper avoidance protocol to be implemented in the event special-status bird species or other migratory birds are found nesting in the project area.

Impacts to pallid bat may occur when existing buildings are demolished and if mature trees with roosting cavities are impacted during project implementation. Short-term construction activities in the vicinity of roosts may temporarily deter use of the area by bats. American badger and Monterey dusky-footed woodrat may be impacted directly or indirectly during construction. Construction poses several direct risks, such as vehicle strikes and destruction of resources, like middens or dens. Additionally, construction may impact or deter use of valuable habitat, yielding it unsuitable for these species. Increased short- and long-term activity in the vicinity of viable populations has potential to indirectly impact these species as a result of permanent habitat conversion, increased light pollution, and primary and secondary exposure to residential-use chemicals including rodenticides (Terra Verde 2022). Mitigation Measures BIO-4 through BIO-6 would require

preconstruction surveys and includes protocol that would be followed in the event species are identified in the project area.

The proposed project site provides marginally suitable habitat for northern California legless lizard and coast horned lizard. Construction activities pose risks for direct and indirect impacts to special-status reptiles. All special-status reptiles presumed to be on the project site rely heavily on burrows for shelter from the elements, protection from predators, and/or reproduction. Heavy equipment and ground disturbing activities may collapse burrow systems or completely remove them, resulting in injury or death of the inhabitants or exclusion by the removal of a vital resource. Vegetation may also be removed as a result of construction activities (Terra Verde 2022). With implementation of Mitigation Measure BIO-7, the proposed project would not result in disturbance to special-status reptiles.

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

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

There are several unnamed blue-line creeks that cross the property, with two in the vicinity of the project area. The first drainage originates in the northern portion of the survey area and flows northeast to southwest, eventually connecting to San Marcos Creek approximately 0.72 mile north of the project site which eventually flows to the Salinas River. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road. The second drainage flows southwest and terminates at an existing barn structure. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road. No riparian habitat or other sensitive natural communities occur within or adjacent to the project site (Terra Verde 2022). Because no riparian habitat or other sensitive natural communities occur on or adjacent to the project site, the proposed project would not result in substantial adverse effects on riparian habitat or other sensitive natural communities; therefore, *no impacts* would occur.

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

There are no wetlands on the project site, and *no impacts* would occur.

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

The project site is surrounded by scattered single-family residences and agricultural land uses. According to the CDFW Habitat Connectivity Viewer, the project site is located in an area with limited habitat connectivity (CDFW 2022). The mapped blue-line creeks connect to Willow Creek; however, the portion of the blue-line creeks that run below through the project site show no evidence of flow and have historically been used as agricultural roads and would not provide habitat for migratory or breeding fish species based on the lack of pooled or flowing water. The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species

or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Therefore, potential impacts would be *less than significant*.

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

The County Inland LUO Chapter 22.58 establishes regulations for clear-cutting oak woodlands. The proposed project would impact up to fourteen oak trees but would not include the clear-cutting oak woodlands. Mitigation Measure BIO-8 would protect reaming oak trees on site and includes replacement planting requirements for any trees that are removed or impacted. The proposed project would not conflict with the County LUO and impacts would be *less than significant with mitigation*.

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

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

Conclusion

Mitigation Measures BIO-1 through BIO-8 have been included to avoid and/or minimize potential impacts related to special-status wildlife species, oak trees, and the mapped blue-line creeks. The proposed project would not result in disturbance to the on-site creek or otherwise impede the use of this area for wildlife connectivity. In addition, the proposed project would not conflict with a Habitat Conservation Plan or the County LUO for oak tree preservation. Upon implementation of the identified mitigation measures, potential impacts related to biological resources would be less than significant.

Mitigation

BIO-1 **Environmental Awareness Training.** Prior to initiation of any site preparation/construction activities, an environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status species known or with potential to occur, as well as other sensitive resources requiring avoidance during construction. The training shall also include a description of protection measures required by discretionary permits, an overview of the federal and California Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required avoidance, minimization, and mitigation measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training, and the names and signatures of the environmental awareness trainees will be kept. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel.

BIO-2 **Nesting Bird Surveys.** Prior to initiation of any site preparation/construction activities, if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the project site, they shall be

avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

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

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

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

BIO-3 **Construction Best Management Practices**. Prior to the start of construction, Best Management Practices (e.g., straw wattles, exclusion fencing, gravel bags or silt fencing, etc.) are required to be installed to protect the blue-line creek and project boundaries (i.e., areas above steep cliffs) from water quality, runoff, and erosion/sedimentation concerns during project implementation. Erosion and sediment controls shall be installed properly and shall be maintained regularly throughout construction to increase effectiveness. Other Best Management Practices shall also be implemented as necessary and/or as required by project permits (if required), such as avoiding washing, refueling, and maintenance of equipment within 100 feet (unless otherwise noted in project-specific permits) from blue-line creeks, regardless, if water is present or absent in the channel. All project plans shall show the boundaries of all sensitive resource areas and the location of erosion and sediment controls, delineation of construction limits, and other pertinent measures to ensure the protection of sensitive habitats and resources. All equipment and vehicles shall stay within the project limits and staging areas and be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. The staging area shall be located a minimum of 100 feet from the blue-line creeks, and all fueling and

maintenance activities shall take place in the staging area. Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds. After completion of the project's construction, all protective fencing/flagging used to delineate sensitive biological resources shall be removed from the project area and disposed of in appropriate waste receptacles or reused.

BIO-4 **Pre-construction Survey and Avoidance Measures for American Badger.** Prior to initiation of any site preparation/construction activities, a qualified biologist shall conduct a pre-construction survey within 30 days prior to the start of initial project activities to ensure American badger are not present within proposed work areas or within 200 feet of work areas. If potential dens are discovered, they shall be monitored with a remote camera or tracking medium for at least three days to determine if they are occupied. If the qualified biologist determines that a den may be active during the non-reproductive season (July 1 to January 31), a no-entry exclusion buffer shall be established within 50 feet of the den. If active dens are found during the reproductive season (February 1 to June 30), no activity shall occur within 200 feet of the den. Exclusion buffers shall be prominently flagged and encircle the den. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If an exclusion buffer is not feasible, the applicant will contact the County for further guidance. The results of the survey shall be provided to the County prior to initial project activities. If construction lapses beyond 30 days from the survey, an additional survey will be required.

BIO-5 **Pre-construction Survey and Avoidance Measures for Pallid Bat**. Prior to initiation of any site preparation/construction activities, all suitable roosting habitat for pallid bats (e.g., mature trees and buildings) within 100 feet of work areas shall be surveyed by a qualified biologist within 30 days prior to the start of initial project activities to determine if bats are roosting in these areas. If bat roosting is observed, work activities will be avoided within 100 feet of active roosts until bats have left the roosts. No trees or structures with active bat roosts may be removed until they have left the roosts or have been excluded from roosts. If bats are detected and impacts are deemed unavoidable, a bat exclusion plan shall be developed and submitted to CDFW for approval prior to implementing any exclusion methods. If no bats are detected, no further action is required.

BIO-6 **Pre-construction Survey and Avoidance Measures for Monterey Duskyfooted Woodrat.** Prior to initiation of any site preparation/construction activities, within 50 feet of suitable woodrat habitat, a survey shall be conducted by a qualified biologist to identify and flag woodrat middens for avoidance. A minimum 10-foot buffer area shall be clearly delineated around any woodrat middens that are discovered during the survey. Due to the likelihood of woodrats fleeing the midden as a result of nearby construction activity, a biologist shall monitor initial vegetation clearing and ground disturbance within 25 feet of woodrat middens. If woodrats are observed fleeing middens, work shall be temporarily halted until woodrats are outside the area of impact.

Woodrat middens that are deemed unavoidable shall be carefully dismantled mechanically (e.g., excavator with thumb) or with hand tools from the top down, allowing woodrats to escape unharmed. A biological monitor shall be present for dismantling.

BIO-7 **Pre-construction Surveys and Monitoring for Northern California Legless Lizard and Coast Horned Lizard**. Prior to initiation of any site preparation/construction activities within 50 feet of suitable habitat for Northern California legless lizard and coast horned lizard a qualified biologist shall conduct a pre-activity survey. Surveys for legless lizard will be conducted by gently disturbing scrub understory and upper layers of duff. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, and vegetation removal, including tree removal) within suitable habitat. If either species is discovered during surveys or monitoring, the species shall be allowed to leave the area on their own volition, or be hand captured and relocated to suitable habitat outside the area of impact.

BIO-8 **Oak Tree Protection and Mitigation.** At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Planning Department. The plan shall provide for the replacement, in kind at a 4:1 ratio all oak trees removed as a result of the development of the project and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. To the maximum extent feasible, impacts to oak trees shall be avoided and minimized. The following avoidance and minimization measures shall be implemented to address potential impacts to oak trees:

- The canopy edge and trunk location of oak trees located within 50 feet of proposed construction shall be surveyed and placed on all plan sets. The tree map shall be used to protect oak trees during project implementation.
- Impacts to oak tree canopy or sensitive root zone should be avoided to the extent feasible. Impacts may include pruning, ground disturbance or placement of impervious surfaces (e.g., asphalt, permanent structures) within the sensitive root zone, installation of year- round irrigation or other supplemental water within the sensitive root zone, and trunk damage.
- Prior to ground-breaking, tree protection fencing shall be installed as close to the outer limit of the sensitive root zone as practicable for construction operations to protect trees located within 50 feet of construction that will be preserved. The fencing shall be in place throughout the duration of construction. Demarcation such as t-posts and a minimum of two strands of yellow rope are adequate.
- All construction activity shall remain outside delineation fencing installed for protection of oak trees.
- A licensed arborist or qualified botanist will be hired to oversee all removal or trimming of existing roots and necessary branch trimming.

- Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots are exposed during construction, they shall be covered with a layer of soil to match existing topography.
- Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection and reported to the County.

For oak tree removals or impacts during project implementation, the owner shall provide mitigation (on site if feasible). This shall include development of an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. A mitigation plan shall be prepared that details the methods and requirements for oak tree mitigation. At a minimum, the plan shall:

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.
- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee).
- Describe detailed planting methods, as appropriate.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.

The plan shall be prepared by a licensed arborist or qualified botanist and be submitted to the County for approval prior to the start of construction.

V. CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Setting

The project site is located in an area historically occupied by two Native American tribes, the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

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

As defined by CEQA, a historical resource includes:

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

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

Discussion

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

There is an existing barn located on the project site that would be removed following the completion of vineyard installation. The barn is not historical; therefore, *no impacts* would occur.

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

The Applicant provided a Cultural Resources Survey (Central Coast Archaeological Research Consultants 2022) to evaluate the potential for archaeological resources within the project area. The survey included archival research, a Sacred Lands File search, and an intensive archeological field survey of the project. No known archaeological resources were identified within the project area. The proposed project would be required to comply with County LUO Section 22.10.040 for the

protection of unknown cultural resources as a result of inadvertent discovery. Per County LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on required compliance with the County LUO, the proposed project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant.*

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

There are no known human remains or cemeteries located within the project area; however, the proposed project would require ground disturbance and excavation, which could uncover or disturb unknown human remains if present within the project area. The project would be required to comply with California Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the Native American Heritage Council (NAHC). Based on required compliance with Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, implementation of the proposed project is not anticipated to disturb human remains; therefore, potential impacts would be *less than significant*.

Conclusion

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

Mitigation

Mitigation is not necessary.

VI. ENERGY

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

Setting

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

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

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

State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2022 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

Vehicle Fuel Economy Standards

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

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

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

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

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

Local Energy Plans and Policies

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

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

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

Discussion

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

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

Implementation of the proposed project would result in the operation of a winery facility and bed and breakfast inn which would include wine production activities and visitor-serving uses. The project's operational electricity needs would be supplied by PG&E, which sources 50% of its energy from renewable energy sources and 43% of its energy from other greenhouse-gas free energy sources (PG&E 2021). Additionally, natural gas service would be provided by SoCalGas, which has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019). By using electricity from PG&E and natural gas from SoCalGas, the proposed project would reduce the long-term use of non-renewable energy resources.

The proposed project would result in 5 general public vehicle trip and 18 employee/other production-related trips. As a result, operational vehicle trips associated with the proposed project would not result in unnecessary, wasteful, or inefficient energy use during.

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

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

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

In order to be compliant with the County COSE and County EWP, the proposed project would be required to reduce GHG emissions, where feasible in energy consumption. The proposed project would be provided electricity by PG&E, which sources energy from clean energy resources, including 50% from renewable energy sources and 43% from other GHG-free energy sources (PG&E 2021). By utilizing PG&E for electricity, 93% of the proposed project's electricity demand would be sourced from renewable energy or GHG-free energy sources, which is consistent with the County COSE and County EWP. Further, the proposed project would be required to comply with Title 24 of the CEC and CBC 2019 Building Energy Efficiency Standards to ensure compliance with energy efficient building design to reduce operational energy use.

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

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

Conclusion

The proposed project would be provided energy from GHG-free sources and would be subject to Title 24 of the CEC and CBC 2022 Building Energy Efficiency Standards for energy efficient building design. The proposed project would not result in excessive energy use during construction or operation and would be

consistent with applicable energy efficiency plans. Therefore, impacts would be less than significant, and mitigation is not necessary.

Mitigation

Mitigation is not necessary.

VII. GEOLOGY AND SOILS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	(ii) Strong seismic ground shaking?	☐	☐	☒	☐
	(iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	(iv) Landslides?	☐	☐	☒	☐
(b)	Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The *County of San Luis Obispo General Plan Safety Element* identifies three active faults that traverse through the county and that are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone, which is mapped off the San Luis Obispo County coast, and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point. Lastly, the Los Osos fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills. The project site is located in excess of 15 miles from mapped Alquist-Priolo Act fault zones within the county (DOC 2015).

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the county. Three potentially capable fault lines cross the property and there are no capable or active faults that cross or are in the vicinity of the site. The project site is located immediately west of the San Marcos fault associated with the Rinconada fault zone and immediately east of an unnamed pre-quaternary fault (DOC 2015).

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

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. The project site is not located within the County LUO GSA combining designation. Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground

shaking during an earthquake. According to the County Safety Element Maps, the project site is located in an area with moderate to high landslide potential and low liquefaction potential.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. Typically, soils that are comprised of clay or clay materials are considered expansive soils. The project site is underlain by soils containing clay or clay materials and would be considered to have high shrink/swell potential.

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

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

Discussion

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

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

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

(a-ii) Strong seismic ground shaking?

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

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

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

(a-iv) Landslides?

The project site and surrounding area is characterized by gently to steeply sloping topography. According to the County Safety Element Maps, the northern steeply sloping portion of the project site is identified as an area with high landslide risk. The mid and southern portions of the site where the project and road improvements would be constructed have a moderate risk for landslide. The proposed project would require approximately 21,500 cubic yards of cut and 21,490 cubic yards of fill and would have a maximum excavation depth of 40 feet for construction of the underground wine cave system, which may further increase the risk for landslide to occur. The underground cave system would be located approximately 200 feet from the high landslide area at the north portion of the project site. Further, the proposed project would be required to comply with the most recent CBC and applicable engineering standards and practices to adequately withstand and minimize risk associated with landslides during construction and operation of the proposed project. The proposed project would include development of retaining walls for the main cave portal which would be constructed in accordance with Section 18 of the CBC to ensure stability against landslides and other ground failures in the project area. Based on required compliance with the CBC and other applicable engineering standards and practices, new development would not result in the risk of loss, injury, or death associated with landslides; therefore, impacts would be *less than significant.*

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

The proposed project would require approximately 8.96 acres of ground disturbance, including 21,500 cubic yards of cut and 21,490 cubic yards of fill to be balanced on-site. Proposed ground disturbance has the potential to increase erosion and loss of topsoil at the project site that could run off into the on-site blue-line creeks and surrounding areas. In addition, proposed driveway improvements would require extension of the existing culvert, which could increase erosion within the mapped blue-line creek. Mitigation Measure BIO-3 identifies BMPs to be implemented during construction to reduce erosion and other pollutants that could run off from the site and enter the blue-line creek or surrounding areas. Per County LUO Section 22.52.120, an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential short- and long-term impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation prevention. In addition, the proposed project would disturb more than 1 acre of soils and would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a SWPPP with BMPs to reduce erosive runoff during project construction. Following construction, the project site would be developed with hardscapes and other developed

areas, which would reduce the potential for long-term erosion on-site. The driveway would be finished with gravel or paved to avoid direct vehicle use on soils at the site. The proposed project would not include expansion of additional cropland or other activities that could increase the potential for long-term loss of topsoil at the project site. Based on implementation of Mitigation Measure BIO-3 and required compliance with the RWQCB and County LUO Section 22.52.120, potential impacts related to soil erosion and loss of topsoil would be *less than significant with mitigation.*

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

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

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

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

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed project includes the installation of an on-site septic system, including the construction of a septic leach field between the general parking area and the new barrel storage building, and installation of two septic tanks along the proposed driveway and south of the new barrel storage building to collect, transport, and treat wastewater generated by the proposed project. The septic leach field would be located more than 100 feet from the two existing wells and would be required to be designed in accordance with the County's LAMP, which develops minimum standards for the treatment and disposal of sewage through on-site wastewater treatment systems.

The proposed project would install a new winery wastewater processing system in accordance with the RWQCB General WDR Order No. R3-2017-0020 for winery waste discharge. Wastewater generated by wine production would be treated and stored on-site and would be used for vineyard irrigation and dust control. The proposed project would start with wine production of 10,000 cases during Phase 1, would increase to 15,000 cases in Phase 2, and would be required to comply with the conditions of the General WDR Order No. R3-2017-0020, and would continue to qualify for a small winery discharge waiver through the RWQCB.

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

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

The project site is underlain by the Monterey Formation (Tml), which consists of Miocene-age shale and is known to yield marine fossils (USGS 2006). The Monterey Formation has a high paleontological sensitivity based on the large number of marine mammal fossils that have been recovered from this geologic unit (SWCA Environmental Consultants [SWCA] 2003). The proposed project would result in approximately 8.96 acres of ground disturbance, including 21,500 cubic yards of cut and 21,490 cubic yards of fill. The proposed project would require approximately 40 feet of excavation for construction of the underground wine cave system. Based on the high paleontological sensitivity of the project area and large amount of required grading and excavation, implementation of the proposed project would have the potential to disturb paleontological resources if present within the proposed area of disturbance. Mitigation Measures GEO-1 identifies the proper protocol to be implemented in the event a paleontological resource is uncovered during project activities. Therefore, impacts would be *less than significant with mitigation*.

Conclusion

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

Mitigation

Implement Mitigation Measures BIO-2 and BIO-3.

GEO-1 During ground-disturbing activities, if any paleontological resources are encountered, activities in the immediate area of the find shall be halted and the discovery assessed in accordance with the approved Paleontological Monitoring and Treatment Plan. A qualified paleontologist shall be retained to evaluate the discovery and recommend appropriate treatment options pursuant to guidelines developed by the Society of Vertebrate Paleontology. A paleontological resource impact mitigation program for treatment of the resources shall be developed and implemented if paleontological resources are encountered. If deemed significant, the paleontological resource(s) shall be salvaged and deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.

VIII. GREENHOUSE GAS EMISSIONS

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

Setting

GHGs are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), NO_x, and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). CO_2 is the most abundant GHG and is estimated to represent approximately 80% to 90% of the principal GHGs that are currently affecting the earth's climate. According to the CARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published the *Climate Change Proposed Scoping Plan*, which is the state's plan to achieve GHG reductions in California required by AB 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the LCFS program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and require the CARB to regulate sources of GHGs to meet the following goals:

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

The initial Scoping Plan was first approved by the CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The CARB released the 2017 Climate Change Scoping Plan in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. The CARB's most

recent update is the Draft 2022 Scoping Plan Update, dated May 10, 2022, which identifies a plan to reach carbon neutrality by 2045 or earlier. The Draft 2022 Scoping Plan is the first plan that adds carbon neutrality as a science-based guide beyond established emission reduction targets. It identifies a feasible path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Climate Change Scoping Plan. Specifically, this plan:

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

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their *CEQA Air Quality Handbook*. The handbook recommended applying a 1,150 metric tons of CO_2 equivalent ($MTCO_2e$) per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a "gap analysis" and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB 32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- **No-net Increase:** The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "is an appropriate overall objective for new development" consistent with the

Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., de minimus: too trivial or minor to merit consideration).

- **Carbon Neutrality:** The Draft 2022 Scoping Plan Update identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40% below 1990 emissions by 2030. Multiple legal tools are open to local jurisdictions to support this approach, including a climate action plan, sustainability plan, or inclusion of a plan for reduction of GHG emissions and climate actions within a jurisdiction's general plan. Any of these can help align zoning, permitting, and other local tools with climate action.
- **Lead Agency Adopted Defensible GHG CEQA Thresholds:** Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 below 1990 levels by the year 2030. According to the California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators published by the CARB, emissions of GHGs statewide in 2017 were 424 million $MTCO_2e$, which was 7 million $MTCO_2e$ below the 2020 GHG target of 431 million $MTCO_2e$ established by AB 32. Therefore, application of the 1,150 $MTCO_2e$ Bright Line Threshold in San Luis Obispo County, together with other statewide and local efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB 32 for the year 2020. It should be noted that the 1,150 $MTCO_2e$ per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 $MTCO_2e$ per year would result in impacts that are less than significant and less than cumulatively considerable impacts and would be consistent with state and local GHG reduction goals.

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

Discussion

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

During construction, fossil fuels and natural gas would be used by construction equipment and worker vehicles, which would result in a short-term increase in GHG emissions. Based on the CalEEMod analysis conducted for the proposed project (Attachment 1), construction of the proposed project would generate 280 $MTCO_2e$ per year. GHG emissions generated during construction would be temporary in nature and would be typical of other similar construction activities in the county. Construction contractors would be required to comply with state and local diesel idling limitations, including limiting idling to 5 minutes or less, which would reduce GHG-emissions associated with equipment and vehicle use during construction. Although not required to reduce construction-related GHG-emissions, Mitigation Measure AQ-1 included in Section III, *Air Quality*, would require diesel idling restrictions and the use of alternative fuel as applicable. Based on required compliance

with diesel-idling restrictions, construction of the proposed project would not generate substantial GHGs in a manner that would have a significant effect on the environment.

The proposed project would result in the operation of a winery facility and bed and breakfast inn and would require 15 full-time employees and would generate approximately 23 new peak-hour trips. The winery would be constructed in accordance with Title 24 of the CEC and CBC 2019 Building Energy Efficiency Standards to reduce operational energy use, which would also reduce operational GHG emissions from energy use. The proposed project would be provided electricity by PG&E, which sources 50% of its energy from renewable energy sources and 43% of its energy from other GHG-free energy sources (PG&E 2021). By utilizing PG&E for electricity, 93% of the proposed project's electricity demand would be sourced from GHG-free energy sources. Based on the limited number of new vehicle trips, reduction in production-related truck trips to and from the site, required compliance with the CEC and the CBC, and purchase of electricity derived from GHG-free sources, the proposed project would not result in substantial GHG emissions that could result in adverse environmental impacts; therefore, potential impacts would be *less than significant*.

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

The proposed project would result in the operation of a winery facility and bed and breakfast inn within the AG land use category. Energy inefficiency contributes to higher GHG emissions which, in turn, may conflict with state and local plans for energy efficiency.

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

Table 2. EnergyWise Plan Measure 7 Consistency Analysis.

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	Proposed occupiable buildings would be required to be consistent with all 2019 CBC Energy Efficiency Standards, CEC, and the 2019 Green Building Code standards to ensure new development is energy efficient.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	The winery and bed and breakfast inn would be designed with neutral colors and would include design features and outdoor spaces that would allow for natural light penetration. In addition, the proposed project would be required to be

Table 2. EnergyWise Plan Measure 7 Consistency Analysis.

Supporting Action	Project Consistency
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	constructed in accordance with all 2019 CBC Energy Efficiency Standards, the CEC, and the 2019 Green Building Code standards to ensure new development is energy efficient.
Minimize heat gain from surface parking lots.	The proposed parking lots would be constructed with gravel similar to the proposed driveway, would be limited to 19 spaces, and would not require a substantial amount of surface area on-site.
Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities and in some of the communities north of the Cuesta Grade.	The proposed driveway extension would be constructed with gravel. The final driveway design would be subject to review and approval by the County Public Works Department.

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

As discussed in Section III, *Air Quality*, the project site is located in a rural area and the proposed project does not include residential or commercial retail land uses that would generate substantial population growth or additional vehicle trips. Implementation of the proposed project would require 15 full-time employees, and generate approximately 23 new peak hour vehicle trips. It would not result in substantial or unplanned population growth in the region.

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

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

- Implement SB 350, which is aimed at Reduce GHG emissions in the electricity sector;
- 2030 LCFS: Transition to cleaner/less-polluting fuels that have a lower carbon footprint.

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

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

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

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

Conclusion

The proposed project would be consistent with GHG reduction standards during construction and operation through compliance with diesel idling restrictions, CEC and green building standards, and other applicable GHG-reduction strategies. Although not required to reduce GHG emissions during project construction, implementation of Mitigation Measure AQ-1 would require implementation of diesel idling restrictions. Therefore, potential impacts related to GHG emissions would be less than significant, and no mitigation measures would be necessary.

Mitigation

Mitigation is not necessary.

IX. HAZARDS AND HAZARDOUS MATERIALS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
(b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

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

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by state and local government agencies and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop an updated Cortese List at least annually. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The SWRCB's GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements is available on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/.

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

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

Based on a query of the DTSC's EnviroStor database and the SWRCB's GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2023; SWRCB 2023). The project site is not located within an airport review area and the nearest airport is Halter Ranch Airport, a private airport, located approximately 4.38 miles southwest of the project site. The nearest school is George H. Flamson Middle School, located approximately 4.31 miles southeast of the project site.

Discussion

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

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

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

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

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

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

Proposed road improvements would be limited to the on-site driveway and would not require ground disturbance within or adjacent to any existing major roadways that could contain aerially deposited lead (ADL). Additionally, the project site is not located in an area with potential for NOA to occur and the proposed project would not require demolition of any buildings, roadways, or other structures that could release ACM or lead-based paint (SLOAPCD 2022). The proposed project would not release hazardous air contaminants, including ADL, NOA, or ACM. Based on required compliance with 22 CCR Division 4.5 to minimize the risk associated with the use of hazardous substances and required compliance with RWQCB and state and local health department requirements to regulate winery waste disposal, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. Therefore, potential impacts would be *less than significant*.

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

The nearest school is George H. Flamson Middle School, located approximately 4.31 miles southwest of the project site. Therefore, the proposed project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and *no impacts* would occur.

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

Based on a query of the DTSC's EnviroStor database and the SWRCB's GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2023; SWRCB 2023). Therefore, the proposed project would not create a significant hazard to the public or the environment related to disturbance of a hazardous materials site and impacts would be *less than significant*.

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

The project site is not located within an airport review area and the nearest airport is a private airport located approximately 4.38 miles southwest of the project site. Therefore, implementation of the proposed project would not result in a safety hazard or excessive noise for people residing and working in the project area and *no impacts* would occur.

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

The proposed project is not anticipated to require any permanent road closures or traffic controls that could result in notable impacts to emergency response or evacuation efforts in the project area.

The project site is currently accessed via an existing driveway from Adelaida Road. The existing driveway would be improved, including grading on slopes over 30 percent, for the purpose of improving the existing driveway to Cal Fire commercial road standards. Proposed driveway improvements would be required to comply with County Public Works Department and CAL FIRE standards to ensure adequate emergency access and public ingress and egress at the site. Per CAL FIRE recommendations, a 10-foot defensible space buffer would be implemented around the proposed driveway to ensure safe ingress and egress from the site in the event of a fire. The proposed project would not result in a substantial number of new vehicle trips to the site (up to 23 daily peak hour trips) that could otherwise impede emergency response or evacuation efforts in the area through a substantial increase in vehicle traffic. Therefore, the proposed project would not interfere with an emergency response or evacuation plan and impacts would be *less than significant*.

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

The proposed project would result in the construction of occupiable structures within a high FHSZ in an SRA. Proposed occupiable buildings would be constructed in accordance with California Fire Code (CFC) and CBC requirements to reduce risk associated with fire ignition and exposure of people and structures in the project area to wildfire risk. The proposed driveway and utility infrastructure expansions would be required to comply with CAL FIRE and County Public Works Department requirements to ensure adequate emergency access to the project site and proper utility installation to reduce risk associated with wildfire ignition. Per CAL FIRE recommendations, a 100-foot defensible space buffer would be required around occupiable structures and a 10-foot defensible space buffer would be required around the proposed driveway to reduce wildfire risk near occupiable buildings and to ensure safe ingress and egress from the site. Based on required compliance with existing state and local regulations, the proposed project would not result in the risk of loss, injury, or death as a result of wildfire; therefore, impacts would be *less than significant.*

Conclusion

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

Mitigation

Mitigation is not necessary.

X. HYDROLOGY AND WATER QUALITY

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

Setting

The RWQCB Water Quality Control Plan for the Central Coast Basin (Basin Plan; RWQCB 2019) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The RWQCB General WDR Order No. R3-2017-0020 regulates discharges of winery waste through the provision of conditions intended to reduce potential threats to water quality. Under this order, wineries that produce equal to or less than 10,000 cases or 26,000 gallons of pressed wine per year are considered small wineries. Typically, small wineries do not pose a significant threat to water quality when the depth to groundwater is greater than 50 feet, provided all conditions of the Order are met (RWQCB 2017). The proposed project would increase wine production from 10,000 cases per year during Phase 1 to 15,000 cases per year during Phase 2.

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10%. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing. The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of 0.5 acre or more in geologically unstable areas, on slopes steeper than 30%, on highly erodible soils, and within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the County LUO.

For planning purposes, the 100-year flood event is most often used to delineate areas subject to flooding. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C0600G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). In addition, the project site is not located in the County's Flood Hazard combining designation.

The project site is not located within a defined groundwater basin per the California Department of Water Resources Bulletin 118. Instead, the project site and surrounding area rely on groundwater from fractured

rock and non-basin areas. The San Luis Obispo County Flood Control and Water Conservation District is coordinating with the U.S. Geological Survey (USGS) and the Upper Salinas-Las Tablas Resource Conservation District (RCD) to conduct a groundwater study in the Adelaida area west of the City of Paso Robles. The goal of this study is to provide a better understanding of the groundwater conditions in the Adelaida area so that informed decisions can be made about managing local water resources.

There are several unnamed blue-line creeks that cross the property, with two in the vicinity of the project area. The first drainage originates in the northern portion of the survey area and flows northeast to southwest, eventually connecting to San Marcos Creek approximately 0.72 mile north of the project site which eventually flows to the Salinas River. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road. The second drainage flows southwest and terminates at an existing barn structure. This drainage lacks a well-defined bed and bank, has no evidence of flows, and has historically been used as an agricultural access road.

Discussion

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

During construction of the proposed project, construction equipment and vehicles have the potential to result in erosive or other polluted runoff to the on-site blue-line creeks. The proposed project would require approximately 8.96 acres of ground disturbance, including 21,500 cubic yards of cut and 21,490 cubic yards of fill to be balanced on-site. The project would not result in direct alteration to the creek. However, proposed driveway and Vista Portal improvements would require improvements adjacent to each blue-line, which could increase erosion and other pollutants within the mapped blue-line creeks. Mitigation Measure BIO-3 identifies BMPs to be implemented during construction to reduce erosion and other pollutants that could run off from the site and enter the drainage or surrounding areas. The proposed project would disturb more than 1 acre of soils and be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a SWPPP with BMPs. In addition, in accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

The proposed project would qualify for a small winery discharge waiver through the RWQCB and would be required to comply with the conditions of the RWQCB WDR Order No. R3-2017-0020. Based on required compliance with RWQCB requirements, wastewater discharge from wine production activities would not violate any water quality standards or waste discharge requirements. Based on implementation of Mitigation Measure BIO-3 and required compliance with RWQCB waste discharge requirements and the County LUO, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; therefore, impacts would be *less than significant with mitigation*.

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

The proposed project includes approximately 5.63 acres of new impervious surface area. A majority of the project site (approximately 96%) would remain pervious and allow for groundwater recharge

at the site. The proposed project would not interfere with groundwater recharge and would not impede sustainable groundwater management of the basin.

The project site would be served by one existing on-site well located south of the proposed winery facility. The project site is not located within a high priority basin designated by DWR. The on-site well currently provides water to the newly installed vineyards. The proposed project has an estimated water demand of 4.27 acre-feet per year (AFY). Implementation of the proposed project would result in the removal of approximately 2.245 acres of vineyards. This accounts for water demands of the production facility, employees, tasting room and visitors, bed and breakfast inn, limited food serving facility, landscaping, as well as a winery wastewater recycling system that will recycle up to 80% of water for irrigation and dust control. The proposed project would construct a new winery wastewater recycling system that would treat winery wastewater in accordance with RWQCB requirements, allowing it to be used to provide on-site irrigation and dust control. Therefore, implementation of the proposed project would not substantially decrease groundwater supply in a manner that could interfere with sustainable groundwater management. The proposed project would not substantially interfere with groundwater recharge or decrease groundwater supply; therefore, impacts would be *less than significant*.

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

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

Construction of the proposed project would result in approximately 8.96 acres of ground disturbance, including 21,500 cubic yards of cut and 21,490 cubic yards of fill to be balanced on-site. Proposed ground disturbance has the potential to increase erosion and siltation at the site which could run off into the mapped blue-line creeks or surrounding areas. Mitigation Measure BIO-3 identifies BMPs to be implemented during construction to further reduce the potential for erosion and other pollutants that could run off from the site and enter the blue-line creek or surrounding areas. The proposed project would disturb more than 1 acre of soils and would be required to comply with RWQCB general construction permit requirements. In accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Operation of the project does not include any components or features that would generate long-term erosion or siltation at the project site. Based on implementation of Mitigation Measure BIO-3 and required compliance with the County LUO, the project is not anticipated to result in substantial erosion or siltation on- or off-site; therefore, impacts would be *less than significant with mitigation*.

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

The project site is not located within a Municipal Separate Storm Sewer System (MS4) stormwater management area. The project includes approximately 5.63 acres of new impervious surfaces on the 200-acre property. The project includes the construction of drainage infrastructure on-site to contain runoff and other flows, which would further reduce the potential for the project to increase the rate of runoff flows. Proposed infrastructure would be subject to County review and approval

prior to implementation. Based on implementation of County-approved stormwater control measures, implementation of the project is not anticipated to increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; therefore, impacts would be *less than significant*.

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

The project site is not located within an MS4 stormwater management area and existing stormwater infrastructure is limited to the existing winery and residence. The project includes the construction of additional on-site stormwater infrastructure to contain runoff and other flows at the site. The project would be required to comply with RWQCB general construction permit requirements and County LUO Section 22.52.120 to reduce the potential for short- and long-term polluted runoff at the site. In addition, Mitigation Measure BIO-3 includes construction BMPs to reduce polluted runoff during project construction. With implementation of Mitigation Measure BIO-3 and required compliance with RWQCB and County requirements, implementation of the project would not exceed the capacity of existing or planned stormwater drainage systems or create substantial additional sources of polluted runoff; therefore, impacts would be *less than significant with mitigation*.

(c-iv) Impede or redirect flood flows?

According to FEMA FIRM 06079C0600G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). The project site is not located in the County's Flood Hazard combining designation. There are two mapped blue-line creeks located on the project site; however, the creeks are dry with no evidence of flow and would not be susceptible to flooding. As a result, flood flows are not anticipated to occur within the project area. Additionally, the project includes the construction of drainage infrastructure to contain flood and stormwater flows at the site, which would be subject to County review and approval prior to implementation. Therefore, the project would not impede or redirect flood flows, and impacts would be *less than significant*.

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

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

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

The project site is located outside of the Paso Robles Groundwater Basin and other high priority basins and would not be required to comply with sustainable management requirements implemented by the Paso Robles Subbasin Groundwater Sustainability Agency or other agencies. As described above, the project would be served by an existing private well and would not substantially decrease groundwater supply or interfere with groundwater recharge in a manner that could

interfere with sustainable groundwater management. The project site is under the jurisdiction of the Central Coast RWQCB and would be subject to the Basin Plan, which establishes water quality objectives and criteria to protect water quality in the Central Coast region (RWQCB 2019). The project would be subject to County LUO Section 22.52.120 to control short- and long-term erosive runoff from the project site. Additionally, the proposed project would qualify for a small winery discharge waiver through the RWQCB and would be required to comply with the conditions of the RWQCB WDR Order No. R3-2017-0020. The proposed project would construct a new on-site septic system, which would be located more than 100 feet from the on-site wells. The proposed project would be required to comply with County LAMP requirements for the construction and design of septic systems and would be subject to County review and approval prior to building permit issuance to ensure compliance with the Central Coast Basin criteria. Based on required compliance with RWQCB and County regulations, the proposed project would be consistent with water quality protection efforts included in the Central Coast RWQCB Basin Plan and impacts would be *less than significant*.

Conclusion

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

Mitigation

Implement Mitigation Measure BIO-3.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Physically divide an established community?	☐	☐	☐	☒
(b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Setting

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

Discussion

(a) Physically divide an established community?

The proposed project would result in the establishment of a new winery facility and bed and breakfast inn. The proposed project would improve the existing driveway to provide access to the new facilities. The proposed project would not require the construction of off-site improvements or other components that could result in the removal or blockage of existing public roadways or other circulation routes. Further, the proposed project would be limited to an existing developed parcel and would not include any features that would physically divide an established community. Therefore, the proposed project would not physically divide an established community, and *no impacts* would occur.

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

The project site is located within the AG land use category in the Adelaida sub area of the North County planning area. As evaluated throughout this Initial Study, the proposed project would be consistent with the property's land use designation and the guidelines and policies for development within the North County Area Plan, County Inland LUO, and County COSE. Further, the proposed project was found to be consistent with standards and policies set forth in the *County of San Luis*

Obispo General Plan, the 2001 CAP, and other land use policies for this area. The proposed project would also be required to be consistent with standards set forth by the County Fire Department, CAL FIRE, and the County Public Works Department. The proposed project would be required to implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and GEO-1 to mitigate potential impacts associated with Air Quality, Biological Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service Systems, which is consistent with the identified plans and policies intended to avoid or mitigate adverse environmental effects. Upon implementation of the identified mitigation measures, the proposed project would not conflict with other local policies or regulations adopted for the purpose of avoiding or mitigating environmental effects; therefore, impacts would be *less than significant with mitigation*.

Conclusion

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

Mitigation

Mitigation is not necessary.

XII. MINERAL RESOURCES

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

Setting

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

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

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

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

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

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations or land uses that would be adversely affected by extraction or energy production. The project site is not located within the EX or EX1 combining designation.

Discussion

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

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

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

Conclusion

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

Mitigation

Mitigation is not necessary.

XIII. NOISE

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

Setting

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

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

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

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

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

The County LUO establishes acceptable standards for exterior and interior noise levels and describes how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use (Table 3).

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

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

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

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

Discussion

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

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

Table 4. Construction Equipment Noise Emission Levels

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

Concrete Pump	82
Backhoe, Compactor	80

Source: FHWA 2018

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

The proposed project would not include special events that would generate amplified music or other noise. Proposed wine production activities (i.e., crushing) would be conducted within the proposed underground wine cave system or the covered exterior work area and would be sited within the northern portion of the site, away from off-site residences. Based on proposed design features of the project, operational noise would be consistent with the County's Noise Standards (LUO Section 22.10.120). The proposed project would not generate a substantial increase in temporary or permanent ambient noise levels; therefore, potential impacts would be *less than significant*.

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

According to County LUO Section 22.10.170, construction-related vibration is exempt from the County's vibration standards between the hours of 7:00 a.m. and 9:00 p.m. The proposed project would require a substantial amount of cut and fill activity for construction of the proposed wine cave system; however, the proposed project would not include pile driving or other high-impact activities that could generate substantial groundborne noise or groundborne vibration during construction. Any groundborne noise or vibration generated by short-term construction activities would be intermittent and limited to the immediate work area and is not anticipated to disturb nearby residential land uses. Operation of the proposed project would not include new on-site features that could generate substantial groundborne noise. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

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

The project site is not located within an airport review area and the nearest airport is a private airport located approximately 2 miles southeast of the project site. The proposed project would result in the expansion and relocation of an established winery and would not expose people residing or working in the project area to excessive noise levels and impacts would be *less than significant*.

Conclusion

The proposed project would not generate construction-related, operational, or groundborne noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and would not adversely affect nearby sensitive receptors. The project site is not located in an area that could expose people residing or working in the area to excessive airport-related noise. Therefore, potential impacts related to noise would be less than significant.

Mitigation

Mitigation is not necessary.

XIV. POPULATION AND HOUSING

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

Setting

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

Discussion

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

The proposed project does not include the construction of new residential land uses that could result in direct population growth within the county. The proposed project would establish a winery facility and bed and breakfast inn. Operation of the proposed project would require 15 full-time employees which are expected to be filled by the local workforce. The proposed project would not result in a substantial number of new employment opportunities that could facilitate indirect growth in the project area. The proposed project would include road and utility improvements at the project

site, which would be limited to use by the employees, visitors, and existing residents and would not result in expanded infrastructure that could otherwise facilitate additional or unplanned growth in the project area. Construction of the proposed project has the potential to increase temporary construction-related employment opportunities; however, temporary employment opportunities are also anticipated to be filled by the local workforce and would not result in a substantial population increase within the county. Implementation of the proposed project would result in a marginal increase in long-term employment opportunities and would not result in substantial or unplanned growth in the county; therefore, impacts would be *less than significant*.

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

There are not people or housing on the project site, and the proposed project would not result in the removal or displacement of existing structures or people. *No impacts* would occur.

Conclusion

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

Mitigation

Mitigation is not necessary.

XV. PUBLIC SERVICES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☒	☐
	Fire protection?	☐	☐	☒	☐
	Police protection?	☐	☐	☒	☐
	Schools?	☐	☐	☐	☒

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county and the nearest station to the project site is CAL FIRE / San Luis Obispo County Fire Station 30, located approximately 4.15 miles southeast of the project site. According to the County's Land Use View, emergency response times to the project range from 10 to 15 minutes.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county: Coast Station in Los Osos, North Station in Templeton, and South Station in Oceano. The project would be served by the North Station in Templeton, located approximately 4 miles southeast of the project site.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the Paso Robles Joint Unified School District (PRJUSD).

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

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

Discussion

(a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection?

The project does not include the development of new residential land uses that could facilitate direct population growth and substantially increase demand on existing fire protection services. The project would require 15 full-time employees, which would result in a marginal increase in demand on existing fire protection services. Based on the limited increase in demand on fire protection services, the project would not require or otherwise facilitate the need for additional or expanded fire protection services and impacts would be *less than significant*.

Police protection?

The project does not include the development of new residential land uses that could facilitate direct population growth within the area. The project would generate 15 full-time employment opportunities, which would be expected to be filled by the local workforce. Therefore, implementation of the project would not facilitate population growth in a manner that could increase demand on police protection services. The proposed project would not require or otherwise facilitate the need for additional or expanded police protection services; therefore, impacts would be *less than significant*.

Schools?

The project does not include the construction of new residential or other land uses that could increase the number of school-aged children in the project area. The project would require 15 full-time employees, which would primarily be filled by the local workforce. Therefore, the project would not facilitate an increase in school-aged children in the project area, and *no impacts* would occur.

Parks?

The project does not include the construction of new residential land uses or other components that could facilitate a substantial increase in permanent population growth in the project area. The project would be limited to the operation of a winery and bed and breakfast inn, which would require 15 employees. Employees are anticipated to be sourced from the local workforce and would not result in a significant number of new permanent residents that could increase demand on existing public parks. Therefore, the project would not facilitate the need for new or expanded recreational facilities, and impacts would be *less than significant*.

Other public facilities?

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

Conclusion

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

Mitigation

Mitigation is not necessary.

XVI. RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting

The *County of San Luis Obispo General Plan Parks and Recreation Element* establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County.

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

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared toward realizing significant bicycle use as a key component of the

transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county. The project site is located in a rural area and the nearest bicycle facilities are located approximately 4 miles east in the city of Paso Robles.

Discussion

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

The project does not include the construction of new residential or other land uses that could facilitate substantial population growth. The project would require 15 full-time employees, which are anticipated to be drawn from the local workforce. The project would not facilitate substantial population growth that could increase the use of existing recreational facilities in a manner that could result in physical deterioration; therefore, potential impacts would be *less than significant*.

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

The project does not include the development of new or expanded recreational facilities; therefore, *no impacts* related to adverse physical effects on the environment as a result of construction or expansion of recreational facilities would occur.

Conclusion

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

Mitigation

Mitigation is not necessary.

XVII. TRANSPORTATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
(b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
(d)	Result in inadequate emergency access?	☐	☐	☒	☐

Setting

SLOCOG holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing an RTP; programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2023 RTP, adopted June 2023, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County as well as the cities within the county in facilitating the development of the RTP.

In 2013 SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the California Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within the framework of the CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). The County has developed a VMT Program that provides interim operating thresholds and includes a screening tool for evaluating VMT impacts (Transportation Impact Analysis Guidelines; Rincon Consultants, October 2020 & VMT Thresholds Study; GHD, March 2021).

The County's Framework for Planning (Inland) includes the County LUCE. The framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations.

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

The project site is accessed via a private driveway off of Adelaida Road from the south. Adelaida Road is a County-maintained roadway. The existing traffic volume along the portion of Adelaida Road near the project site is on average 1,682 average daily trups with 207 PM peak hour trips. (Orosz Engineering Group 2022).

Discussion

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

The project site is accessed via a private driveway off of Adelaida Road, which is a County-maintained roadway. The closest major road is Highway 46 approximately 3.86 miles east. Surrounding roadways primarily consist of privately maintained roads and the nearest bicycle and transit facilities are located approximately 4 miles east of the project site in the city of Paso Robles. Based on the rural nature of the project area, mixed-land use development and pedestrian and bicycle accessibility standards included in the 2023 RTP, County Bikeways Plan, and County Circulation Element would not be applicable to the proposed project. The proposed project would not include a Special Event Program that could generate a significant number of vehicle trips to and from the site. The proposed project would result in five general public peak-hour trip and 18 employee peak-hour trips (Orosz Engineering Group 2022), which would be accommodated by existing roadways. Therefore, the proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, and impacts would be *less than significant*.

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

Based on the *Technical Advisory on Evaluating Transportation Impacts in CEQA*, projects that do not indicate substantial evidence that a project would generate a potentially significant level of VMT, that are consistent with an SCS or general plan, or that would generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact (OPR 2018).

The County has developed a VMT Program that provides interim operating thresholds and includes a screening tool for evaluating VMT impacts (Transportation Impact Analysis Guidelines; Rincon Consultants, October 2020 & VMT Thresholds Study; GHD, March 2021). Implementation of the proposed project would establish a winery facility and bed and breakfast inn and would not establish a new land use on-site. The proposed project would increase the annual case production of the winery from 10,000 cases per year during Phase 1 to a maximum of 15,000 cases per year during Phase 2. A trip generation analysis using the County's typical trip generation rates indicates that the proposed project would generate 23 peak hour vehicle trips to and from the site, including 5 visitor trips and 18 employee/wine production trips (Orosz Engineering Group 2022). Implementation of the proposed project would expand production capabilities and allow current off-site production activities to be conducted on-site, reducing the number of annual truck trips to and from the site. Vehicle trips generated by the proposed project would fall below the suggested screening threshold of 110 trips per day identified in the state guidance, and potential impacts would be *less than significant*.

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

The proposed project includes improvements to the existing private driveway to provide adequate access to the new facilities. Proposed improvements would result in grading on slopes greater than 30%. A road safety audit (RSA) was conducted for the proposed project to evaluate potential roadway hazards as a result of increased traffic generated by the proposed project. According to the RSA, no significant traffic safety issues were identified at the project access driveway (Orosz

Engineering Group 2022). The proposed project does not include off-site improvements that could result in new hazards along Niderer Road. Additionally, the proposed winery expansion would result in a limited increase in vehicle trips and would not be expected to increase hazards due to vehicle congestion. Therefore, the proposed project would not increase roadway hazards due to hazardous roadway design or an increase in vehicle traffic, and impacts would be *less than significant*.

(d) Result in inadequate emergency access?

Existing site access is from a private driveway located off of Adelaida Road. The proposed project would improve the existing driveway to provide access to the new winery facility. The proposed driveway improvements would be required to comply with County Public Works Department and CAL FIRE standards for access and would be subject to County review and approval prior to issuance of permits. Based on required compliance with County and CAL FIRE standards, the project would provide adequate emergency access; therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

Mitigation is not necessary.

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
	(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	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the CRHR; or
    b. Included in a local register of historical resources as defined in PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1.

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

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

Discussion

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

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

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

Pursuant to AB 52, the County provided notice to local California native tribes with geographic and/or cultural ties to the project region. Referral letters were sent to tribal representatives on September 12, 2022. No consultation has been requested as of the date of this Initial Study.

The proposed project would be required to comply with County LUO Section 22.10.040 in the event of inadvertent discovery of a cultural resource. Per LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. In addition, the proposed project would be required to comply with Health and Safety Code Section 7050.5, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and contact with the NAHC if the remains are identified to be of Native American descent. Based on required compliance with the County LUO and Health and Safety Code Section 7050.5, the proposed project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant.*

Conclusion

Based on compliance with the County LUO and Health and Safety Code Section 7050.5, impacts related to tribal cultural resources would be less than significant.

Mitigation

Mitigation is not necessary.

XIX. UTILITIES AND SERVICE SYSTEMS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
(d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

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

Per the County's Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction and that site plans incorporate appropriate

post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles. The project site is currently serviced by Mid-State Solid Waste and Recycling and the Paso Robles Landfill.

The project site is not located within a defined groundwater basin per the California Department of Water Resources Bulletin 118. Instead, the project site and surrounding area rely on groundwater from fractured rock and non-basin areas. The San Luis Obispo County Flood Control and Water Conservation District is coordinating with the U.S. Geological Survey (USGS) and the Upper Salinas-Las Tablas Resource Conservation District (RCD) to conduct a groundwater study in the Adelaida area west of the City of Paso Robles. The goal of this study is to provide a better understanding of the groundwater conditions in the Adelaida area so that informed decisions can be made about managing local water resources.

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

Discussion

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

The proposed project would require the construction of expanded water, drainage, electrical, and natural gas infrastructure and installation of an on-site septic system and leach field. Proposed utility infrastructure would be constructed and installed within the footprint of the project site. As evaluated throughout this Initial Study, the proposed project has the potential to result in adverse impacts related to Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, and Hydrology and Water Quality. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and GEO-1 have been included to avoid and/or minimize adverse impacts to less-than-significant levels. Therefore, upon implementation of the identified mitigation measures, installation of utility infrastructure is not anticipated to result in adverse impacts to the environment; therefore, potential impacts would be *less than significant with mitigation*.

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

The proposed project would draw water from an existing on-site well. The proposed project would result in an increase the demand on groundwater for employees and visitors and for water used for wine production and landscape irrigation. The proposed project would install two water tanks to provide emergency and fire protection water. According to the Water Demand Analysis prepared for the project by Wallace Group (2022), the new winery and bed and breakfast inn and associated activities would result in a water demand of 4.27 AFY. The proposed project includes the construction of a new winery wastewater recycling system that would treat winery wastewater in accordance with RWQCB requirements, which would be used to provide on-site irrigation. Therefore, the on-site well would have adequate supply to serve the project and impacts would be *less than significant*.

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

The proposed project would construct an on-site septic leach field and septic tanks to accommodate the wastewater discharge from existing and future on-site uses and would not require connection to a wastewater treatment provider; therefore, *no impacts* would occur.

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

The proposed project would require 21,500 cubic yards of cut and 21,490 cubic yards of fill for grading and construction of the underground wine cave system; however, excavated soils would be balanced on-site and would not generate a substantial amount of construction-related spoils for offsite hauling and disposal. Further, according to the County's Integrated Waste Management Authority (IWMA), construction waste would be subject to CALGreen Sections 4.408 and 5.408, which requires diversion of at least 75% of construction waste (San Luis Obispo County Integrated Waste Management Authority [IWMA] 2022). Based on required compliance with CALGreen regulations, construction of the proposed project would not generate solid waste in excess of local infrastructure capacity.

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

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

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

Conclusion

The proposed project would require the expansion and installation of utility infrastructure to support proposed development. Implementation of Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and GEO-1 would reduce potential adverse environmental impacts to less-than-significant levels. Water would be provided by an existing on-site well which would have adequate supply to provide water for the proposed project. The proposed project would not require connection to a wastewater provider. The

proposed project would not generate solid waste in exceedance of state or county regulations. Therefore, upon implementation of the identified mitigation measures, potential impacts would be less than significant.

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and GEO-1.

XX. WILDFIRE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
(c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
(d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Setting

On-Site Conditions and Surrounding Land Uses

The project area is characterized by rural land with slightly to steeply sloping topography. The project site consists of a 200-acre parcel surrounded by vineyard, annual grassland, and native and non-native trees and shrubs. Surrounding land uses include rural areas that support scattered single-family residences and agricultural uses.

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and

steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread.

CAL FIRE Hazard Severity Zones

FHSZs are defined by CAL FIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area. FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County, from Monterey County in the north to Santa Barbara County in the south. A lack of designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less than in moderate, high, or very high FHSZs. According to the CAL FIRE FHSZ viewer, the project site is located within an SRA within a high FHSZ (CAL FIRE 2022).

County Emergency Operations Plan

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

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

County Safety Element

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

California Fire Code

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

Discussion

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

The project site and surrounding area is located within a high FHSZ (CAL FIRE 2022). Implementation of the proposed project is not anticipated to require any permanent road closures or traffic controls that could result in notable impacts to emergency response or evacuation efforts in the project area. The project site is currently accessed via an existing driveway from Adelaida Road. The existing roadway would be widened provide access to the proposed winery facility and bed and breakfast inn. Proposed driveway improvements would be required to comply with County Public Works Department and CAL FIRE standards to ensure adequate emergency access and public ingress and egress at the site. In addition, per CAL FIRE recommendations, a 10-foot defensible space buffer would be implemented around the proposed driveway to ensure safe ingress and egress from the site in the event of a fire. In addition, the proposed project would not result in a substantial number of new vehicle trips to the site that could otherwise impede emergency response or evacuation efforts in the area. Therefore, the proposed project is not anticipated to interfere with an emergency response or evacuation plan and impacts would be *less than significant*.

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

The project site and surrounding area is characterized by gently to steeply sloping topography within a high FHSZ (CAL FIRE 2022). Proposed occupiable buildings would be required to comply with CFC and CBC requirements to reduce risk associated with wildfire ignition and exposure of project occupants to wildfire risk. The proposed wine cave system would be subject to design standards identified in CBC Section 446 to reduce risk associated with fire. In addition, the proposed project would be required to comply with design requirements identified by CAL FIRE to ensure adequate ability to provide fire protection services to the project site, including, but not limited to, water storage tanks, fire hydrants, and emergency access requirements. The proposed project would install water storage tanks, fire hydrants, and construct driveway improvements in accordance with CAL FIRE requirements. The proposed project would also be required to establish 100 feet of defensible space around all structures and 10 feet of defensible space around the proposed driveway extension in accordance with CAL FIRE and PRC Section 4291. Based on required compliance with CFC, CBC, PRC, and CAL FIRE requirements, the proposed project is not anticipated to significantly exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; therefore, impacts would be *less than significant*.

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

The proposed project would result in the construction of driveway improvements and expansion of utility infrastructure within a high FHSZ (CAL FIRE 2022). In accordance with CAL FIRE

recommendations, the proposed project would be required to implement a 10-foot defensible space buffer around the access driveway to reduce risk of wildfire to travelers along the roadway. Proposed utility expansions would be constructed in accordance with applicable CFC and CBC to reduce wildfire risk associated with installation of utility infrastructure. In addition, proposed utility infrastructure would primarily be installed underground, which would further reduce the risk of accidental wildfire ignition at the project site. Based on required compliance with applicable CFC, CBC, and CAL FIRE requirements, implementation of utility and roadway extensions at the site is not anticipated to exacerbate wildfire risk; therefore, potential impacts would be *less than significant.*

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

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

Conclusion

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

Mitigation

Mitigation is not necessary.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

Based on the analysis provided in individual resource sections above, the project has the potential to disturb sensitive biological resources and unknown cultural and/or tribal cultural resources. Mitigation Measures BIO-1 through BIO-8 have been identified and would reduce potential impacts related to sensitive biological resources to less than significant. Additionally, implementation of Therefore, potential impacts would be *less than significant with mitigation*.

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

Based on the nature of proposed development and the analysis provided in resource sections above, the proposed project would have the potential to result in environmental impacts associated with Air Quality, Biological Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service Systems that could have a cumulative effect with other development projects in the project region. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, GEO-1 have been identified to reduce potential environmental impacts associated with the project to a less-than-significant level. Other past and future development projects requiring a discretionary permit in the project region would also be subject to applicable mitigation measures to reduce potential impacts associated with these impact issue areas. Therefore, based on the implementation of project-level mitigation measures and discretionary review and CEQA review of other projects within the project area, potential impacts would be *less than cumulatively considerable with mitigation*.

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

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

Conclusion

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

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and GEO-1.

Exhibit A – Initial Study References and Agency Contacts

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

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

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

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

- ☒ Project File for the Subject Application

County Documents

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

Other Documents

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

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:

California Air Resources Board (CARB). 2020. Maps of State and Federal Area Designations. Available at: https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations. Accessed on May 22, 2023.

———. 2022. Advanced Clean Cars Program. Available at: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program. Accessed May 22, 2023.

California Department of Conservation (DOC). 2015. Fault Activity Map of California. Available at: https://maps.conservation.ca.gov/cgs/fam/. Accessed May 26, 2023.

———. 2016. California Important Farmland Finder. Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed May 23, 2023.

California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database. Available at: https://apps.wildlife.ca.gov/bios/?bookmark=648. Accessed May 26, 2023.

California Department of Forestry and Fire Protection (CAL FIRE). 2022. Fire Hazard Severity Zone Viewer. Available at: https://egis.fire.ca.gov/FHSZ/. Accessed May 24, 2023

California Department of Toxic Substance Control (DTSC). 2022. EnviroStor Database. Available at: https://www.envirostor.dtsc.ca.gov/public/. Accessed May 24, 2023.

California Department of Transportation (Caltrans). 2018. California State Scenic Highway System Map. Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed May 22, 2023

California Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluation Transportation Impacts in CEQA*. December. Available at: https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed May 26, 2023.

California Geological Survey (CGS). 2011. Update of Mineral Land Classification: Concrete Aggregate in the San Luis Obispo – Santa Barbara Production-Consumption Region, California. Available at: https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/120384. Accessed May 24, 2023.

Central Coast Archaeological Research Consultants. 2022. *Cultural Resources Survey of the Patrimony Winery Project, Paso Robles, San Luis Obispo County, California.* June.

Central Coast Regional Water Quality Control Board (RWQCB). 2017. *General Waste Discharge Requirements Order No. R3-2017-0020 for Discharges of Winery Waste*. Available at: https://www.waterboards.ca.gov/centralcoast/board_decisions/adopted_orders/2017/winery_general_order/general_wdr_order_r3-2017-0020.pdf. Accessed May 24, 2023.

———. 2019. *Water Quality Control Plan for the Central Coast Basin*. Available at: https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/docs/2019_basin_plan_r3_complete_webaccess.pdf. Accessed May 24, 2023.

Federal Emergency Management Agency (FEMA). 2022. Flood Map Service Center. Available at: https://msc.fema.gov/portal/home. Accessed May 24, 2023.

Federal Highway Administration (FWHA). 2018. *Construction Noise Handbook*. Available at: https://www.nrc.gov/docs/ML1805/ML18059A141.pdf. Accessed May 26, 2023.

Natural Resources Conservation Service (NRCS). 2022. Web Soil Survey. Available at: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx. Accessed May 22, 2023.

Orosz Engineering Group. 2022. *New Adelaida Road Winery (Patrimony) – Access Evaluation, Trip Generation Study, and Roadway Safety Audit – 4270 Adelaida Road, Paso Robles Area, APN 026-233-003)*. August 11.

Pacific Gas and Electric Company (PG&E). 2021. Exploring Clean Energy Solutions. Available at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page. Accessed May 26, 2023.

San Luis Obispo Air Pollution Control District (SLOAPCD). 2022. NOA Screening Buffers. Available at: https://www.google.com/maps/d/viewer?mid=1YAKjBzVkwi1bZ4rQ1p6b2OmyvIM&ll=35.399076919068895%2C-120.38950318979299&z=12. Accessed May 26, 2022.

San Luis Obispo County Integrated Waste Management Authority (IWMA). 2022. Construction and Demolition Guidelines. Available at: https://iwma.com/business/construction-demolition/. Accessed May 26, 2023.

Sempra Energy (Sempra). 2019. Annual Report. Available at: https://www.sempra.com/sites/default/files/content/files/node-page/file-list/2020/sempra_energy_2019_annual_report.pdf. Accessed May 22, 2023.

State Water Resources Control Board (SWRCB). 2015. *Pipestone Vineyards (WDR100032620)*. Available at: https://geotracker.waterboards.ca.gov/profile_report?global_id=WDR100032620. Accessed May 22, 2023.

———. 2022. GeoTracker Database. Available at: https://geotracker.waterboards.ca.gov/. Accessed May 22, 2023.

SWCA Environmental Consultants (SWCA). 2003. *Paleontological Assessment Report for the Viejo Substation and Transmission Line Project, Orange County, California*. Available at: https://ia.cpuc.ca.gov/environment/info/aspen/viejosystem/pea/text/appx%20h%20-%20paleo%20report.pdf. Prepared for AMEC Earth & Environmental. Accessed May 26, 2023.

Terra Verde Environmental Consulting, LLC (Terra Verde). 2022. *Biological Resources Assessment Patrimony Winery San Luis Obispo County, California (APNL 026-233-003).* August 11.

U.S. Geological Survey (USGS). 2006. Geologic map of the Adelaida quadrangle, San Luis Obispo County, California. Available at: https://ngmdb.usgs.gov/Prodesc/proddesc_76893.htm. Accessed May 26, 2023.

———. 2022. Areas of Land Subsidence in California Map. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. Accessed May 26, 2023.

Wallace Group. 2022. *Patrimony Winery Water Demand Analysis*. August 12.